Water Meeting

8/18/15

JIMMY GUIDRY: Can everyone take their seats and we'll get started. I'm Dr. Guidry. I am the vice chair of this committee. And J.T. Lane had another previous commitment so he asked me to chair today. We have a lot of work to do. The agenda doesn't look long, but the discussion is. We could start with the roll call.

LAURIE JEWELL: Dirk Barrios (absent), Vern Breland (absent), Ben Bridges, Robert Brou (absent), Jeffrey Duplantis (absent), Greg Gordon (absent), Jimmy Guidry, Jimmy Hagan, Randy Hollis, Pat Kerr, J.T. Lane (absent), Rick Nowlin, Rusty Reeves, Chris Richard, Keith Shackelford, Cheryl Slavant, Joe Young (absent), David Constant. We have a quorum.

JIMMY GUIDRY: Thanks. I'll give just a few minutes here for a review of the minutes if that's necessary. Otherwise I will look for a motion for approval and a second as soon as you're ready.

JIMMY HAGAN: Motion to approve.

JIMMY GUIDRY: Okay, it's been moved the minutes be approved. Do I hear a second?

RANDY HOLLIS: Seconded.

JIMMY GUIDRY: Anyone opposed? As we go forward with new

business I really want to get into things that have changed in the department for a few minutes here in dealing with water issues and sewer issues. Those of you that didn't pick up on it in the session the legislators were loud and clear they were concerned about the department's work with this committee, work with water and sewage and made a move in the house side to move 400,000 dollars, I'm sorry, 26 million dollars away from public health which would have decimated what a we do with water and sewage and 400 positions. The secretary then moved in committee that if they put the money in position back that I would be in charge of those issues. As state health officer I am the person that has to be responsible for the sanitary code and been doing it for a long time. But getting into the weeds of the things we do with water and sewage issues has been an education for the past two years. We have been doing this work almost two years. And I have come to learn why there is a lot of push back and why people are not happy. As regulators we're not trying to make everybody happy, we're trying to protect health. But we're also trying to be practical and realistic what's affordable. And so I listened, I listened to the committee members and heard loud and clear that our enforcement was creating a lot of issues out in the field. And I listened as we rewrote the code. And we

have done a lot of hard work, but the real hard work is going to start now. Because as we look at what we have written, and we're almost done, we have another chapter, and we start committing them to rule I'm starting to feel the same push back as when we first started the committee, before the committee when we were enforcing 10 state standards as a code. I have heard it so I know everybody said those were recommendations, those were not the code. Putting it in the code made it difficult for people to operate their systems. So I started hearing some of the rule making that we're talking about doing, some of what we've rewritten I started hearing from the folks out in the field, again like I heard from 10 state standards, that there are some concerns. And so what I thought we would do today and why the agenda looks the way it does is some of the concerns that have bubbled up since our last meeting and I've continued to hear from the people out in the field working and they had good points. They had excellent points. And some of it is around cost, some is around practicality, some around necessity. So as I reviewed these I started to feel that the committee needs to address this cause the committee is the one that came up with the standards and now I feel the committee can share in what role I had prior to the committee which is trying to balance all of this, trying to work with folks,

and trying to make sense of it. This committee was put together by legislation with experts to address how do we deal with water systems in Louisiana, sewer systems, but mainly this was more for waterworks construction, operation, and maintenance. Which is getting to be quite complicated as many of you know that are in the business. It's quite complicated on how we manage and maintain water systems. It's not just in Louisiana, national as well. So one of the issues that bubbled up which is, and I have heard a lot of information since, was the requirement we have, especially on small systems, especially on not community systems, on ASME tanks. Going back to what was said in the last meeting we said that there was a company in Mississippi that could do this approval that wasn't ASME, but could sign off on ASME. This might be a more affordable way of getting tanks that are protected. The argument about the tanks is that they are very protective of some kind of a complication because of the way they are built. But since then I have gotten a lot of information and it seems like the tanks in Mississippi are even more expensive than ASME. When we require this, and I'm certainly going to ask that we entertain people that do this every day to give us more information, when we require this we do it from the standpoint of safety. But are we addressing something that's been a problem. Have

there been tanks that have exploded, have there been a number of these tanks that have been a problem. Is it worth going from 500 600 dollars a tank to 9,000 12,000 dollars a tank. When we might have one business, one operation coming off that tank and that could make or break that business. I share this with you cause I've heard a lot of information. I've listened and I said I would personally bring it back to committee for discussion because what we're going to have to do as we go forward with what we are requiring in code is take into consideration what I heard when we first started this. It has to protect health, it has to be something which is affordable, it has to be something which needs to be a remedy in that it's something that was a problem and we need to fix it. If it wasn't a problem before what are we trying to fix. I'm hearing it loud and clear and I appreciate all the input because when I started all this I said I'm not the expert, I am the expert when it comes to deciding am I one to protect the citizens of Louisiana, yes. What is it going to take to do that, I need a lot of people to help me figure that out. I want to hear again somewhat of a discussion. There is a lot of interest, a lot of folks here today for that issue and probably other issues as well. And so I want to get started with that discussion so we can revisit that. We haven't signed off

on that. We both said, the department said, the committee has said that that would make sense to have it as part of the rules. The small businesses, the small folks out there with small businesses don't agree. Do not agree that it's necessary, do not agree that it's worth the expense and so we started hearing that last meeting. I heard the science, the science backs up the safety, no question. But is it worth the cost. I guess I'm going to ask Robert one more time if the committee is willing to hear Robert present information I asked him to gather because he was in discussion last meeting when we ended. So Robert if you could present on these tanks so that we can have more information I would appreciate it. You need to speak in a mike so we can capture it.

ROBERT GILLBRIDE: Thank you Dr. Guidry. Got a lot of information that I would like to share. First thing I want to do is read a letter. This is a letter that was sent out to various water systems, mostly non communities. It says we the owner signed are asking the Louisiana Standards for Waterworks Construction, Operation and Maintenance Committee please take into consideration small community and non community water systems in the new rule making process. As small water systems our goal is to protect public health and stay within a budget that will not close us down. It has come to our attention the

committee is approving recommendations that are not necessarily issues of public health. We strongly ask you to consider the consequences of several of the previously approved items. At this point I have 50 signatures of water systems that have signed this letter. So getting to what Dr. Guidry said at the last committee we had a discussion we talked about ASME and ASME equivalent. So the phone number I was given to the place in Laurel Mississippi I talked to them extensively for about three weeks. The biggest issue there is they typically don't make anything under a thousand gallon tank that's ASME, but he took some numbers and he played with them. I have an email right here of the cost of a ASME equivalent tank. Starting with the 300 gallon which would be a common tank used for most of these people that signed this. We're looking at 12,797 dollars verses 1,397 on a galvanized tank, 150 PSI that everybody is using now. Pretty drastic. The thousand gallon tank is 14,450 dollars. The galvanized tank that everybody is using now runs roughly 3,600 dollars. So if you take all that into consideration on existing or even new. I have a fruit stand that is trying to open right now. The fruit stand will sell fresh fish, boiled crawfish, and fruit. No tables, nobody eating there, but he has to have a water well. His project is around 25 to 30,000 dollars. If the committee

says he has to put in an ASME tank now he has to go up another 12,000 dollars. On a 30,000 dollar budget 12,000 will shut him down. On the little daycare that has a little 100 gallon tank if y'all go in and tell them they have to have ASME or equivalent, if we can get that, still up around 7 to 8,000 dollars. So everybody's familiar with USA Blue Book. They have ASME tanks in here and you can run the numbers anywhere from 500 gallons to 15,000 gallons on metal and fiberglass and they are 47 gallon fiberglass ASME is 2,200 dollars, 47 regular is 500 dollars. So it's just a huge issue. I really ask that y'all revisit that along with other items. Calibration tubes, water meters, bypasses. On big systems these things are good, but on little systems all you're doing is adding to these people. If you add 200 dollars for a calibration tube, you add 200 dollars for a bypass, you add 300 dollars for a meter, you add ASME tank and add all that up you're killing these people. There's already wording in title 51 chapter 12 for non community systems that allows them to have the variance on generators, secondary sources, and one other thing. I didn't bring it with me. So maybe that is something we can look at on non communities giving them a waiver, variance, or excluding them from non health related issues that y'all are putting in there. So on these deficiencies we have over 382

significant deficiencies at this time. 382. I just had a survey done on two of my systems. They found two things wrong with my systems, no bypass on a 300 gallon tank and no secondary source. To me that shows that somebody is doing their job. And if that's the best they can come up with it's pretty sad. So on smaller systems as well as the tanks, the calibration tubes, an unnecessary bypass because how do you regulate pressure on a bypass on a 100 to a 300 gallon tank. You don't have a hydrant. The little lady that owns the trailer park isn't going to go out there and open 20 faucets if she has them. If you have a daycare you have three faucets. These are the issues I'm asking y'all to look at and strongly reconsider on when you're making your rule makings. Thank you.

JIMMY GUIDRY: Thanks Robert. Part of the reason I wanted to bring this to the forefront today is when you go to rule making there is a period where you have input from the public and people come and they share their thoughts and then we make decisions based on that. But it's much easier if we go to rule making what we really want than try to change it once we get to rule making. I'm going to try to lead us going forward to where we look at the work we've done, there's been a lot of it, and try to figure out what are those things that apply to large systems verses small systems, what makes sense to put a rule. Is

there an exemption for non community systems such as we have already in title 51. As we rewrite the rules we want to make sure we don't lose some of the things that were there before. And we also want to consider what does it mean going forward to folks that are having a difficult time making ends meet all of a sudden having to find out it might be cheaper to do their own thing and not do it right. Much better for us to do it right. I open up to the committee at this point any further discussion on this topic, on ASME, from our experts to see your thoughts and also on revisiting some of the parts we have done where we have pushback. And the pushback I'm discussing is as we go out like and cite like Robert just stated we cited him on things he wasn't cited on before because as we do the rules they're not rules yet so they are really not something you can cite somebody on. But at the same time people are saying you don't have the authority because in law this committee has to agree on the things that we are going to cite. So I share that with you and I want to hear your thoughts. I am just going to put another seed for thought as we go further down the agenda. Last year in the session part of this committee's charge, besides coming up with the standards, was to revisit significant deficiencies and we haven't done it. And I can tell you right now if we go forward rule making and we don't visit

some deficiencies what people are going to be cited for this committee is going to have the heat I've been having because this is what created the heat to begin with. I share that with you from the standpoint that I think the future of Louisiana's water is sitting right here with the folks that are interested and the folks that work out there. And it's our job to figure out how to protect health, make it practical, make it affordable, and at the same time use the science to base our decisions. Quite the challenge and I don't want to undue all the work we have done. We can actually use some of the work we have done to bring this to closure because I think we're getting close to where these decisions need to be made. What I can tell you is this, my goal is not to have to go into next year's session and tell them we're still working on it. And that should be all of our goal because very uncomfortable to explain why it's taken two years to get to where we are now. Although I know when we started I knew it was going to take a while because this is very complex, not easy. I'll open it at this point for discussion and feelings on the ASME tanks for small systems.

RANDY HOLLIS: Dr. Guidry, I think we brought up last time about tanks, hydro tanks. And first place I must say we don't want to put a hardship on anybody producing good

clean water. That's never the intent. We want to produce water that's the best quality most economically. There have been some hydro tanks that have exploded in this state. But I think that was no doubt more due to water logging of where the tank was completely full of water, there was no air in it and the end blew off. Could an ASME stamped tank have prevented that as opposed to a non, probably not. Because you're talking about tremendous forces on the end of a tank regardless of how it's designed and it's not designed to be water logged with no air in it. So I guess the question from safety where do we go. I think ASME stamped tanks that's going to be up to the professional engineer designing. If he wants to require an ASME stamped tank because of safety issues that's a decision he has to make himself and discuss with the owner. But if we don't require that as a standard where do we go. And I think there's some things you see in the industry that are very typical and that is piping systems if you're running at 50 PSI you want to make sure the pipe is designed for at least a 100 PSI to withstand those forces. It's twice the design. And when I started looking at the tanks, and Robert I have actually looked at some tanks, tried to find them and everything, and what you find in here is the manufacturers will say we're designed to a 150 PSI. That's their standard, that's what

they are designing to. You won't find an ASME stamp or anything, but that's what they promote is 150 PSI. So maybe the solution to this that I might offer this to the committee is what if we say that whatever your operating pressure is, your maximum operating pressure, not average, your maximum operating pressure that the tank that you're putting in should be designed for twice that pressure. If you're running at a 100 PSI that tank from that manufacturer you have to be able to get the literature that says it's designed for a 100. If you're running 70 PSI that tank needs to be designed for a 150 PSI. And we leave it up to the manufacturer to handle that. At least we've put a safety buffer to say here's where you're operating and here is what the design of the tank needs to be. So that's the solution I would offer is we require in the standards twice the max operating pressure for the design of the tank.

JIMMY GUIDRY: How does that change the way they operate today?

RANDY HOLLIS: I think you would find almost every tank that Robert looked at in the Blue Book will state a 150 PSI.

ROBERT GILLBRIDE: They have the 100, 150, and 200.

RANDY HOLLIS: Okay, then you would select the one that is appropriate for the maximum operating system that you're

putting in. That gives us the safety factor, a buffer, and I think it gets to where they need to be, Robert needs to be for smaller systems. Larger systems if I put in a large tank I'm probably going to require an ASME stamp, but that's me a design engineer.

JIMMY GUIDRY: So in the language of the rule are we taking your suggestions as for non community or small systems is there a certain size tank that we should be focusing on?

RANDY HOLLIS: I would leave it just for any system twice the design and let the engineer resolve that with the owner. I think once you start trying to delineate small and large, community and non community I'm afraid you're opening up a can of worms. If it's good enough for this system to have an ASME tank why didn't you do it for this one. I think it ought to be uniform across the board.

JIMMY GUIDRY: So tell me how a large system with that language tell me how it addresses twice the pressure.

RANDY HOLLIS: If they are operating at 80 PSI the tank that is designed would have to be built to withstand at least a 160 PSI pressure. What Robert pointed out you could go up to a 200 PSI tank for that manufacturer.

PATRICK KERR: I think that's a very reasonable solution. I'm thinking about even large systems many tanks that are used are not ASME certified. They are marked with an operating pressure and that's the pressure to which they

were designed. There's also a safety factor on top of that which is probably significant. But then one of the 364 things that are on our significant deficiency list is the tanks have to be operated correctly also and a wetted tank is of no use to the system and is dangerous. And that's something we should look for and they do. I think there's a deficiency in here for not having air on top of a tank. We just need to enforce the rule.

RANDY HOLLIS: And the danger there is people may be trying to use a hydro tank to get contact time saying I got 30 minutes and then you're going to get the air out to say I got my 30 minutes contact time. Now you've created a huge problem there. So if you do see a hydro tank that is water logged intentionally that should be a red flag because they are not designed for that. That air is the cushion, that air has to be there to prevent a catastrophic failure.

RUSTY REEVES: One other thing in there is the proper maintenance of these tanks. A lot of these tanks I've seen the end come off was ASME stamped and everything, but they have never been inspected, never been cleaned, water logged and the next thing you know it opens up on the end. It's operational procedures that has to happen to operate properly. Randy just come up with my idea in reverse. I was thinking whatever tank was ready at 200 PSI the pump

couldn't put up more than a 100 PSI pressure. The same idea I had there. I think it's a working solution, just got to try it.

JIMMY GUIDRY: Any other thoughts on ASME? Any thoughts from the audience on the discussion?

BILLY EDRINGTON: Thank you. My name is Billy Edrington. I'm president of the French Settlement Water Company. We operate 22 small public water supplies in Livingston and Tangipahoa Parish and I have probably 30 small tanks ranging from 750 gallons to 10,000 gallons. I'm interested is this rule making going forward and these systems are grandfathered or does this affect us immediately?

JIMMY GUIDRY: I guess my question to you, since you probably know better than I do, how many of these tanks would not meet what was just described?

BILLY EDRINGTON: I think they would all meet the pressure requirements, but none of them have any kind of stamp or certification.

JIMMY GUIDRY: So if we go forward with the language where we require the pressure requirement not the ASME requirement.

BILLY EDRINGTON: I am fine with that going forward, but some of these tanks are 25 years old and there is no marking on it. I bought them from the standard well

drillers, these were 4 inch wells, 80 gallon a minute wells, 65 pounds operated pressure.

JIMMY GUIDRY: Grandfathering, and I just share this with everybody to be upfront, makes me nervous because when we look at tanks it's not just a matter okay we can't tell what pressure it meets, maybe we won't cite you for that, but the tank's rusting or it's got serious problems that needs to be replaced cause it's so old, it hasn't been maintained. We want to be able to cite that tank needs replacement because it's a risk. And I think that's what we're trying to avoid. Not going to have ASME requirements, but we really want the tanks to be able to meet the requirement they are not going to get people in trouble. Do we do that with grandfathering all old tanks and people don't think they ever have to replace them, no. It's more about when we go there we look at the condition of the tank. If we can't tell if it meets the pressure requirement I don't think that's a reason to take it offline. But if it's rusted out or doesn't have the air gap I think that is a reason to replace or fix it, something.

BILLY EDRINGTON: I agree with that. We try not to have rusty old tanks.

JIMMY GUIDRY: Yeah, I'm not trying to insult you.

BILLY EDRINGTON: I'm not insulted.

JIMMY GUIDRY: I just don't want somebody to say we're grandfathered in, we're not changing this out till it falls apart.

BILLY EDRINGTON: I'm merely looking at a financial standpoint of what it would cost if I have to replace every one of them.

JIMMY GUIDRY: I'm not trying to make you replace the ones that are not a risk, more the ones that need replacement. Right now I think people are getting cited for these things because folks are going out there and they have our list of significant deficiencies which represent what we talked about when we first started all of this. But some of this stuff like this we changed the language with the new rule, but we can put that out as a directive, not to cite these things until the new rule comes into place. The new rule shouldn't be a citation if you meet the pressure requirements. How does that sound?

BILLY EDRINGTON: That sounds good. Can I bring up one other question about the bypass. I've been cited, it deals with the tank because I have multiple wells on systems and they want to bypass when I can take the well totally out of service and the tank and continue to operate. And to require a bypass on a system with multiple wells it's kind of extra money.

JIMMY GUIDRY: Anybody want to try to answer that one?

RANDY HOLLIS: Why am I taking this.

JIMMY GUIDRY: You said you were an expert.

RANDY HOLLIS: I said I was not an expert. If you can maintain the system with multiple wells without this one being in service why require a bypass. If you have multiple wells and you can maintain the entire system with the other wells then why would you have to have a bypass just to keep this one in service.

JIMMY GUIDRY: So the question is is that the requirement now in our rules going forward, is that what exist today?

RANDY HOLLIS: I don't know.

JIMMY GUIDRY: So what they're bringing up are things we need to revisit and see if that's how we want to move forward in rule making. And I guess if you can provide the data to us as to why it doesn't make sense and why there are other ways then we would take that and say revisit that part before it becomes rule and make it make sense.

BILLY EDRINGTON: I have in my responses, but I have gotten no reply back.

JIMMY GUIDRY: Okay. Okay good, making some headway. I'm losing sleep over here guys and gals. Next Amanda I will ask you to present on day tank. I apologize we're revisiting this so many times, but we're trying to get it right and there has been a difference of opinion and I'm

hoping we can come to a consensus.

AMANDA LAUGHLIN: We did give out what Texas is currently requiring for day tanks and they kind of have a list of controls that you can put in place if you don't use a day tank. I went back and reread everything from the last meeting and it was never really finalized what was going to go forward. So I just wanted to open the discussion again regarding day tanks. So we talked a lot about pumps at the last meeting and the pump capacity being the factor so to speak. Some of the concerns that were put out there were what if the pumps are replaced by the system and they are not the same as what the engineer designed. And then from an inspection point of view we would have to review those pumps, the pump capacity, et cetera verses like the max NSF approved dosage when we did a survey. Which we certainly could do, but it's just like an extra item to look at. A lot of other states do require day tanks. And some of them offer like what Texas offers where if you don't do a day tank then you have these other controls in place. I just really wanted to open the discussion one more time and get some opinions about it so we can move forward with it. Pat, I think you should go first.

PATRICK KERR: I'm going to pick on Texas just a little bit and tell you this really applies only to manned or staffed stations unless my shift could be once a week if that's

how often we visit a site. We do every three times a week, but some systems might visit less often than that. I think this comes down to, and just the last month's conversation was, if there are engineered controls that are adequate we should allow them. And that's a conversation between the design engineer and the permit review authority. If what comes out of that review is an SOP that has to be divided by, so be it. If you then find a system operating outside of that SOP they get cited for it. I think that's the kind of conversation we should have, that's the kind of rules we should have. I don't think honestly that day tanks are as protective of public health as some would believe. If you're within the first dozen or two dozen taps of a plant that has a huge capacity, and I'll just use a surface water plant for example, a day tank of fluoride in New Orleans could cause some very significant acute health effects on people downstream of that facility. It's not an adequate control. They should have a design to not allow it to happen. I don't think day tanks are the answer. But in a case where a system cannot demonstrate a capacity to control liquid chemical feed they do give some protection. But really the only protection they give is you're not going to have a chronic issue. If I overfeed chlorine or overfeed a sequestering agent for 30 hours worth and I

happen to put that in a system over a period of a couple hours we are going to have a problem downstream and people are going to get sick. I think the gist of this thing is it's a conversation between the department if you want to say day tanks are required unless there is an acceptable process control structure in place, acceptable to the state health officer. I'm all for that as long as y'all continue to be reasonable I think that's a good solution.

JIMMY GUIDRY: Is there some tweaking of the Texas model that would fit what you're thinking. I like that they have a process and this is what we are looking for. Is there some things that we don't like about Texas that we could take out and make it to where at least there is a list of what we're looking for?

PATRICK KERR: I think it's fine other than there's a couple things in here regarding checking, draw downs every shift, logging those kinds of measurements. Lots of systems, I don't know how often you visit small systems, some may be once a week not community. If that's enough to measure it and we could put that in the checklist that's fine. But every system is going to be different and I think if we can satisfy the reviewing authority that we have adequate protections in place that ought to be the test and then by all means hold our feet to the fire. If I say I'm going to install an LMI pump that can inject no

more than 10 pounds a day of a chemical and you go back and I'm pumping 20 pound capacity we got a problem. I think that's how you control it. We have to agree I think that those of us who are going to be dishonest regardless of what this committee does are going to continue to operate outside the bounds. And those folks should be dealt with, but we're punishing, not punishing, we're making much more difficult and much more expensive producing good water for systems that do it well by putting day tanks in as a requirement for all these chemicals. I don't see the public health benefit.

JIMMY GUIDRY: But you don't have a problem with either or.

PATRICK KERR: No, I think why not put a requirement in with the proviso that they can be, process controls can eliminate the need for a day tank.

BEN BRIDGES: The only day tanks I have ever seen installed would not prevent an issue with public health in my opinion. What it does do is give the buffer to the water system for a major leak. Say an 8 or 10,000 gallon caustic tank if you've got a 1,000 gallon day tank if you have a leak you'll lose a 1,000 gallons not 10,000. So from a financial point that was advantageous for us like at Peoples Water where we had that. If you have the equipment that cannot overfeed a certain amount of gallons per day is also important. And if there are a couple of

chemicals that I feed specifically I try to size the pump where it cannot overfeed based on a 24 hour run period whether it's hooked to a 10,000 gallon tank or a 2 gallon bucket. That's another safety factor we try to build in. The point I see that could be an issue is having your sanitarians when you do your survey is to go around and do a calibration and check on each and every pump every time is going to be impossible. I've sat through, I've watched, I've been through several surveys I've never seen anything remotely close, and I'm not knocking the health department, I've never seen anything remotely close to a sanitarian or an engineer with DHH who looks at each pump and the model and figures out how much is being fed and what kind of product. They don't even ask what the product is being fed for. Most of the time it's just they walk in, look, it looks okay. I think we're asking them to do a tremendous amount of work that won't get done and we'll have another falsehood above us that we're protected when we're not. My opinion is a day tank is great if you want one, if you can afford one. I like one in several plants. Mainly the reason I like one is for the protection of the system so you only lose a small amount of chemical. But secondly it makes your operator go to that pump every day where you're staffed, not remote sites that are 40 miles away you only visit once a week. Each

case is going to be specific, but in a surface water plant, for instance, it makes that operator get up out of his chair and go look and make sure things are running and do a draw down. And those things that are easy to do while he's there. There are pros and cons, but I don't think having a day tank is going to fix the problem a 100 percent. I think you are going to have other issues that are coupled with that.

JIMMY GUIDRY: Any other thoughts?

RANDY HOLLIS: While I appreciate the information from Texas I would like to think that we could do better than them. I don't want it even thought of that we're going to accept this from Texas and say this is great, we're going to take it as is. If you read through this carefully the very first item is the standard operating procedure which describes the procedure for verifying the SCADA system output with the actual amount of chemical dosed. That means every pumps got to have on it a transmitter to know exactly how much we're dosing it every single time. We're going to do that for every alum feed, every sodium hypochlorite feed, everything we've got. You've just driven the cost through the roof for this.

JIMMY GUIDRY: You think Texas does that?

RANDY HOLLIS: Absolutely not, but it's written in here. The other thing is down number 5, elevation differences

between the chemical tanks and the feed pumps which will allow for gravity feeding of chemicals when the pump are not in use. Well for my aqueous ammonia here in Baton Rouge they're going to have to be about 200 feet tall to get into the system cause you can't get in by gravity. It's under pressure. We're feeding those under 60 to 70 pounds of pressure. So before we accept something from Texas and we think this is wonderful we can do better. And I don't want to take this from Texas like it's written. We've got to work on this. And the other thing I would like to point out is when we put in a chemical feed system it's approved by DHH. We've all come to the agreement of what's the right pump, the right application. We don't need for an operator to go to the Blue Book and find a different pump and say this one might work. An operator can't change out a 6 inch line in the field for an 8 inch cause he thinks it's better for fire protection. You'd have to go back for DHH to get approval. That should hold true for a pump, even a chemical feed pump that before an operator can change the size or the type of pump he's got to go back and get approval and that should be written into this. You can't simply change out a pump to something you want to without getting DHH approval because everybody agreed on that original application. I think that was a concern that was brought up at the last

meeting was what if an operator just puts in a different pump.

CHRIS RICHARD: The rule, if I'm not mistaken, is the only time you don't have to go through DHH is if you're changing in kind. It does require DHH approval if you are going to change a pump size.

BEN BRIDGES: Cause you're altering the treatment scheme of what was designed originally. Who is going to do it?

RANDY HOLLIS: How do you enforce that?

JIMMY GUIDRY: If I'm looking for a pump and I say in kind a pump is a pump, right.

BEN BRIDGES: It is.

JIMMY GUIDRY: Unless somebody tells me hey no a pump is not a pump just like a nurse is not a nurse and a doctor is not a doctor. The right pump makes all the difference in the world. That's what I'm afraid of. We don't routinely go out and check so these things get changed on a regular basis, but is there a problem as a result. Are we overfeeding, are we causing problems, are we seeing problems. What are we trying to fix, that is my question. It makes sense, the safest thing is to say if you're not sure what the pump should be you need to be getting approval, but I can't imagine us approving all pumps. Hopefully the folks doing it know what they are doing because they are the ones going to pay the price because

I'm going to be there to say these people got sick and somebody changed out the pump and we knew nothing about it. That's it.

CHRIS RICHARD: It's like Pat said people are going to do wrong they're going to do wrong. But in kind, in my opinion, is the same pump all the parameters you have to put what was there back. You can't just say well I'm just going to pull a pump off the shelf. That's not putting in kind, that's just putting a different pump.

JIMMY GUIDRY: So Randy did I hear that you're going to volunteer to help tweak this Texas language?

RANDY HOLLIS: I guess that is under my section 5. Yes, sir.

JIMMY GUIDRY: This is where it all started, I'm coming back to you.

PATRICK KERR: Can I throw a little ignorance here. Do people not keep track of how much chemical they use verses how much water they produce. Most people know how much chemical they buy and how much water they produce, right.

RANDY HOLLIS: They do it by measuring the volume in the tank.

PATRICK KERR: But my point is if it's a chronic issue you're going to know you're spending too much money on a certain chemical, right. The little guy's got their hands up.

JIMMY GUIDRY: Let's hear from the folks in the field.

ROBERT GILLBRIDE: So again, I'm trying to stress the difference between big and small systems. So 1,364 systems in the State of Louisiana. 359 of them are not community not transient, 218 non community, 141 non transient. So you're making rules for all these systems so what about these 400. So one of the things, and I'm trying to grasp everything that was brought up between Pat and Randy, was once a week checking systems. There is a law in place that the chlorine is checked two places daily at the well and at the MRT. So residents or people like these that own trailer parks or whatever check their system every day. So they're going to know if the chlorine is high or low because they have a graduated tank that shows 10 gallons, 20 gallons, 30 gallons so that shouldn't be an issue. When you were talking about day tanks talking about the pumps and all that they don't change out the pumps. If a pump breaks they say our pump breaks, we go in, we look at it, its .21 gallons per hour 5 gallon day tank so predominately the operators that do right change it out just like it is. So a lot of the issues I'm hearing to me is different from what y'all are used to. Again, I'm just asking y'all think about small daycare, small grocery store, small apartment complex, 16 apartments, fruit stand. Everything y'all are going to do

is going to affect them. So in doing that I'm not asking you to lax on public safety, but make sure it is public health safety. And if it is then is there going to be some kind of wording, variance, or whatever in there to not hurt these people or not make it harder on them.

PATRICK KERR: How is this responsive to the discussion we're having right now which is about how to quantify feed rates in chemicals. If that little daycare is overfeeding a chemical that's required--

ROBERT GILLBRIDE: The daycare was engineered to put in a 5 gallon per day pump. That's how it was engineered on a chlorine. Now most people, especially since everybody is changing to the NSF 60 approved bleach which is predominately 12 1/2 percent, most of these daycares are using maybe a half a gallon of bleach a day. So it's already diluted with water. If they pump whatever this diluted 5 gallons of bleach to 20 gallons of water if it accidently over pumps because somebody did change a pump that they didn't need to what are they going to get. I've never seen anybody to a 4.0 on it. Because again, half a gallon of bleach.

PATRICK KERR: That's what we ought to be controlling for is the MCL.

ROBERT GILLBRIDE: I don't have a problem with that.

RANDY HOLLIS: Let me flip that Robert. Isn't it more

likely as an operator that what happens is is you go out there, you checked it the day before, you go out the next day and you know it's supposed to feed about a half a gallon of bleach and you go out there and you see on the bottle or the storage tank nothing's moved, but the tank is sitting there pumping. Right off the bat I'm not feeding any bleach. You don't know how much it didn't feed, but you know the day before to today you should have been about a half a gallon less. That's what we're talking about here. How can you quantify that that pump is or is not working. Isn't that the more realistic way?

ROBERT GILLBRIDE: The simple fact is you are testing the chlorine at 2 points. If you have a residual at the end of the line it's probably pumping. You're checking it every day and you're documenting it every day. So you're checking it at your well and you're checking it at your MRT every day, 7 days a week, 365. You're supposed to.

PATRICK KERR: Chlorine is not a part of this conversation. We're not talking about day tanks for chlorine.

ROBERT GILLBRIDE: But day tank is anything over 55 gallons, right.

PATRICK KERR: Chlorine has not been addressed. We're talking about liquid feed and we're feeding gas. Now sodium hypochlorite it's another conversation to have if you're using, I can't remember exactly how it's written,

but up to 55 gallon drums you don't have to have a day tank. So I think the small systems are not feeding out of 1,000 gallon sodium hypochlorite tanks they don't have a problem. But if you're feeding something else to control--

ROBERT GILLBRIDE: Like a polyphosphate.

PATRICK KERR: Whatever. Then right now the way the rules are written you have to have a day tank.

ROBERT GILLBRIDE: If you're under how many gallons?

PATRICK KERR: I'm not sure. It may be mute for small systems. Anything smaller than a barrel.

ROBERT GILLBRIDE: Y'all keep in your minds the rules y'all make are filtering down whether they're legitimate for them or not.

PATRICK KERR: Okay, so how do we control to make sure we don't overfeed is what we're talking about. And if you go out and check it every day Robert then do you keep a log. I had 5 gallons yesterday, now I have 4 1/2, tomorrow I have 3. I better order Tuesday cause I need it. If that's the case then that may be enough of a control for us to say we have a change in the pace of dosage I have a problem I need to address and maybe we just ask them to log the solution.

ROBERT GILLBRIDE: So theoretically the contract operator isn't checking it every day, the owner is. Most owners

are watching their money so what I tell mine is you go out there and you mark it. You already have your numbers on there, you mark it and see what you're doing. If something looks out of whack you're already checking your chlorine so if it's high or low you know there's a problem. If you're not seeing any dripping on your pump well then yeah, there's an issue. They're watching their dollars cause they don't want to buy the 7 dollars a gallon bleach anyway. They are already watching their stuff on the small systems.

PATRICK KERR: So keep a log. And that will fix the chronic problem. That would fix the chronic problem.

ROBERT GILLBRIDE: Measurement on the tank, it's just another thing to write down. That's not an issue.

PATRICK KERR: And that's another process control that's an important one whether you're big or small how much should I have used and how much did I use matters.

JIMMY GUIDRY: Easy stuff. Anymore comments on day tanks? We're still not going to sign off on it until we see some more language. Next part is old business and I don't know if that's spurred some interest, but I have met with a lot of folks and talked about what their heartburn is and then I asked EPA, I asked our federal partners, do other states have all these deficiencies, 20 pages, 300 something deficiencies, significant deficiencies. And the answer is

no. The answer is this is state driven. We drive them. We have to follow federal guidelines. The feds don't really help you. They tell you you need to look for everything. And they won't tell you what everything is. And they come in and make sure you're looking at stuff and if they see something that you're not looking at they want you to look at they let us know. Right now because of the posture we're in where there's pushback that we can't cite people because of the laws, we're doing rules going forward. There is a worry from the feds, as well as from us, that they could take away our primacy. And I've said this from the very beginning, they don't want to take it. That means the feds would come in and regulate our water systems. I don't think any of us want that. It's not a threat. We're trying to keep it. But we can't not cite stuff. You have to cite stuff that's important. We have to decide what is important. As we went through the chapters and we rewrote the rules some people wrote in those rules what they thought was important as a deficiency. Some of the chapters we've looked at what's important as a deficiency. And I took Chris' words at another meeting to heart. He said if it's a significant deficiency it means it can impact health negatively. It means it's important. Why would we apply to a newer system and not an older system. So my challenge, my goal

to everyone is I want to shrink the list and I want to make it important enough that any system needs to meet those significant requirements. If it's a significant deficiency it ought to be something that everybody in Louisiana has the protection of. When I hear people have heartburn because they were cited for this and there were cited for that they don't understand why they were cited and they weren't cited for the past 10 years, but now they're cited. I understand that feeling. We should be citing you for stuff that really makes a difference. There's a lot of stuff here. As a matter of fact if I had to go visit your site and check every one of these things might take me more than a week. I'd have to figure out what the hell I'm asking because it's a lot of stuff. Engineers know this stuff, some sanitarians know this stuff. But it's really, this is what you would do to make sure everything is perfect. This is what you would do if people had all the money in the world. I am going to challenge the people on the committee and input from the public on what are those things giving really a lot of heartburn that don't make a lot of sense to you. Because it makes sense in the engineering world. A lot of this makes sense in the engineering world, some doesn't, but a lot of it does because it had to do with infrastructure, it has to do with feeding chemicals which can be

poisonous. This is serious business. Then you have to take into account that some people don't understand the importance of those chemicals. Operators change out all the time. There's constant, it's not a high paying job. If they don't know the science behind it and they don't know what to look for they're going to get cited. If we don't do that people are going to get sick. It's a lot and I know some of you have a lot of heartburn with what we cite. And I'm not saying I'm going to take it all away, but the only way I know how to make it doable is to actually take this list, which by law now says this committee is responsible to do, and shrink it to what's most important per your sections. With input from the public. I'll give you an example. One of the biggest push backs that people are cited for, and it's coming mostly from developers, but other folks as well, is requiring a second source. This committee voted it makes sense if your well goes out you need something to back you up. I think we need to revisit that because I'm still getting a lot of heat politically as well as trying to make senses of it. They get expensive. The second well might cost you 200,000 500,000 dollars depending on the size of the well and it sits there in case you need it. It might be cheaper to have a backup that you could connect. People use, multiple developments use the same

backup well. That might make sense. The goal is really to get communities that have a system not all these little systems. It doesn't work too well if they're building on top of each other and they each have their own little system. It makes sense to have community water systems. But in rural areas you don't have that option. I'm going to ask the committee your thoughts on this because this is not going to be easy and it doesn't feel comfortable for me because I am now telling the people I regulate what do you thinks' important for me to regulate you. I'm probably not going to agree with everything you want because there are some things I think are sacred to life or health. My engineers think there are things that are sacred to engineering. But it's what's creating a heartburn. If you look and you go down here and you see them they kind of reference the code and where it comes from you see a number of these are from different places in the code, some are from 10 state standards. Again, this is what we're working off of. This is what's creating a lot of heartburn because you're getting cited for stuff you've never got cited for before. I want to change the relationship. I'm still going to be your regulator, I'm still going to represent the citizens that deserve good water, but I want to make your life more manageable and I want to make my life more manageable. So

I'm going to ask for help, I'm going to ask for input. I'm going to start with the committee and then we'll go to the audience to talk about some of the things that are giving you heartburn. We've done it before, but the thing about it is is I can't nail it down. It's different people with different concerns and different things and I can't nail it down. I can't get rid of it all. There are some parts by federal law we have to do and there's some parts that are strictly state. Now I want to hear from the committee if you think I'm on the right track or is this an impossible task. This is the task I have been asked to do.

KEITH SHACKELFORD: I think it's definitely a task that we need to undertake. I think there are a number of issues or items and deficiencies that can be eliminated. I still think it's going to go to cases in many instances where, and I'll just give a very simple example, one of the listed significant deficiencies is if a pump room doesn't have a floor drain. That a may not have been required 40 years ago when that plant was built and you have a 2 foot thick slab and a lot of other equipment and structure surrounding that where it's impossible to install that. I think floor drains should be required, some means of drain in new designs going forward. But there are things here that I think are not applicable to older plants.

Particularly if they have never had an excursion or a problem with turning out water.

JIMMY HAGAN: The committee has been working for quite some time, and I'm looking back two years ago this Thursday one of the first things that we started talking about was the significant deficiency list and the department or the committee had gone through and looked at each and every significant deficiency and many, many of them have been reclassified as either a minor or deficiency or a recommended deficiency, recommended improvement. I guess recommended would be the lowest level of citation. And a minor or a recommendation was such that those did not have to be undertaken, they were simply recommendations by the sanitarian. Unfortunately we kind of had to put the cookbook together before we went back and revisited these. Like Dr. Guidry says, now it's time to do those. But looking through here if there's 382 in here I'm going to take your word for it cause mine is 57 pages long and looks like about 5 or 10 a page. If there's 382 I'm guessing at least a 100 of them have dropped off the list and they've either gone to minor or recommendation. So that's kind of in the works. Unfortunately there's going to be some that there's disagreement on. I think the second source of water has been a point of disagreement. I have made my feelings known on that on this committee

that I think where we are in the age that we live in everybody who is hooked to a water system should continuously have that water supply whether that's a backup from another system. How systems work together and achieve that. But the one well when it goes down ultimately when it does if there's 25 people there, or a 100 people, or a 1,000 people sometimes you just don't fix a well overnight. Somebody could be out of water for a very long time. I think that might have been great a 100 years ago, I don't think that's the age we live in now. But I think we're already working on that and maybe we loop back around and take care of it. I think that's what you're suggesting. In my mind is that list based on what we had has already been reduced. But there are probably five or ten items that cause all the heartburn and that's probably where we ought to spend all the time.

CHERYL SLAVANT: This is not an engineer's point of view. I have been going out all over the state for the last 25 years helping water systems. What I'm not hearing here is the different kind of systems there are and how they are governed. There's municipal systems they can raise taxes. There's investor systems they go get more money from their investors, I guess. But your problem is going to be the privately owned, what I call privately owned public water systems which is the individual neighborhoods. Everybody

that has a meter has a vote. They have board of directors and they have an operator. They don't have money. These are a lot of poor communities. I don't see how you can take all these regulations and requirements and dump it equally on everybody. You are going to get some serious pushback. So can y'all come up with a way of handling that so that if you go to Doyline, which is a municipal system that's been run as a privately owned system for a long time, getting that straightened out was one huge headache. And things like that are happening all over the state. You can't, what I am hearing if you go to one of these very small systems they can barely afford an operator this is going to be huge. Maybe there needs to be some kind of step way that you address it so that people on the smaller systems have time to get ready for it. I don't know, I think you got a real problem doing this.

BEN BRIDGES: I should pass too probably. What we are trying to do as a committee is come up with a document that covers everything for every time with one phrase bar none and I think that's almost impossible. So you are going to have in every issue that we come up with there's going to be a pushback from someone large or small, private, public, whatever. But I think the main focus is going to be the public health. Does it significantly

affect public health. We all have opinions. Mine differs somewhat from Hagan on a water well. If a system is not tied onto a consecutive system and they only have one well and it goes out and they are willing to do without water for a day or two and does not affect public health that is their choice. Especially if the system they are tying onto is of lesser quality or in violation for whatever than their system. There's always the opinion of what is best for your own system. How we address what is eminent and affects the public health and where to spend your money, what I would call wisely or with common sense. Floodplains such as that, 100 years, or 150 years, or 500 years has it been a problem in the past then we fix it. If it hasn't been then don't fix it if it's not broken yet. But put it where it's important. I've seen citings for minor infractions for a safety changer on a chlorine cylinder where their water coming out of the water plant was horrible, I mean not drinkable, but we'll cite them for five or six minor things when the major problem is the water quality itself. That hasn't been addressed. I think some of the nit-picking I will say is to things that really aren't critical when it should be focused on you're not making good water we're going to shut you down until you make good water or here's what you need to do to fix that. As opposed to your hydrant isn't painted this time

or this line isn't color coded correctly by AWWA. Whatever those are that's not been the focus. And so if it's public health that's a danger whether you're 50 system customers or 5,000 whatever I think that's what we need to focus on. I'm like Chris on the grandfathering, don't grandfather anything that's not critical. If it's critical fix it. If not, then we'll let it go. And I think each part of the state is going to have a section where it's really a pet peeve for them. Whether it's on elevation or redundancy, whatever that is. And I hate to say you're going to take it case by case, but you almost have to enforce if it's a major expenditure before you make someone come to compliance when they're really not out of compliance in that area.

PATRICK KERR: So to answer your question specifically about how many does the EPA require. It requires eight. One from each of the eight sections. I don't know if that's unrealistic. But the real importance I think is, and what we've been fighting over for the last couple of years, is what has the potential to cause contamination. And nobody at this table I think or in the audience would argue that a known source of contamination needs to be isolated from a water system. If we know that allowing a clear well to be uncovered could cause contamination covering the clear well is important. What we're fighting

about are the department has decided that it's possible, like if the stars align perfectly that somebody could get sick if that happened is that really a possible source of contamination. And I really think that's what we're fighting about. A lot of these 10 state standards issues for systems that have been operating for years and are producing good water the potential for contamination is so small as to be not worth fixing. And I'm thinking about vacuum breakers on under drains and things that the system's been operating for decades this way and all of a sudden we come in and decide we got to change the way the plant's put together. I know eight's not the right number. I know 380 something is not the right number. But if we could look at it from the standpoint of the directive that EPA gives which is a significant deficiency and it specifically defines it. Significant deficiencies cause or have the potential to cause the introduction of contamination into water delivered to customers. And if we just change that focus a little bit and throw out all the things that really don't risk contamination of the water I think we can pair this list very quickly. And then we can fight about the ones, then we start to do the cost benefit analysis. I am not a big proponent of cost benefit if there is a real impact on public health. We ought to do what's right to keep them healthy. But it's

still something we need to talk about. I think we just need a wholesale shift in what we cite as significant. And then we fall back on we operate the system the way it was designed and permitted until it's replaced. At which point we have a new design and a new standard and we go with it. So we don't grandfather the new requirements. We say they are going forward and as long as you are producing good water and people are not, and it's meeting the primary drinking water standards there is no reason for the department to take action against the system that's doing that. Even if you don't like the way that we're doing it. If I make three lefts instead of a right that's our choice. But a lot of the things we're arguing about are things that to be honest with you a person who has not operated a water system has decided that there's a better way to do it and we're going to tell you how to do it. And you know some of these things are in fact changes that we should make and those are recommendations you should make to us. But other than that significant deficiencies ought to be acute or chronic health related issues.

RUSTY REEVES: I listened to all of them and I'm thinking here when we first started on this committee we divided up into subgroups and we put out conference calls and we put out for comments from people on what cause the most

heartburn. And after a round of that we went on and done what we was tasked to do. And this a lot of systems Ms. Cheryl is talking about and I understand where she is coming from. A lot of them don't have the money. But then as a list in here almost believe if we go through here and correct these things, I say correct them, adapt them or change them to what fits the committee's work is done. We don't need to rewrite the 10 state standards as Louisiana design standards. I think the correction's in here.

JIMMY GUIDRY: But the rules have to be reflective of these changes. Because when we say there's a shall in our rules that to me is a significant deficiency if you don't do it. On a new system, not necessarily an old system. That's why there's so many of them that we have to wean it down. We have to make sense of this. Yes, important stuff, but not going to make a difference if it's changed or not. Where I sit as a physician worried about health I'm more worried about what is that water that's coming out of the tap that people are drinking risk of getting contaminated. Engineers try to make sure they put everything in place to keep that from happening. I really want them to ride on their degree. I really want them to submit plans that when we sign off they know what we're looking for. We shouldn't have all this confrontation. We should have the

knowledge to do what's necessary. That's not what we find. What we find is that sometimes we get things there needs to be a discussion, needs to be a discussion what makes sense. It's not one size fits all. At the end of the day what I want to know is your disinfection level good, is your water quality good. All that other stuff the experts need to figure out how to make that happen. Now what I'm learning as I deal more and more with the problems around Louisiana older systems sometimes hard to figure out how to make them get the water quality we want because there's old pipes, there's old treatment, they might require different filters. There's just a lot of stuff that needs to be looked at. And I'm finding that it's not an easy fix cause it is expensive. It might be replacing the entire piping system, might be replacing the plant. We don't want to talk about that. When we go citing things I would much prefer a shorter list that meets federal requirements that makes sure that these things happen somebody's going to get in trouble. We want to avoid that. The rest of it I want the people who build it and the people who run it to be responsible. I don't want to be responsible for it. I am going to be there to explain I am working with water systems, but they're responsible for this piece. Especially if I grandfather them. Just cause I grandfather doesn't mean that you're

going to turn out water and make people sick.

RUSTY REEVES: I think where the grandfathering may be alleviated is how you word this thing because some of these rules in here may be applicable for somebody that serves 10,000 population, but one that serves 25 connections if it was corrected in here and then 10 state standards remains a recommendation for design standards and operations. I think in here's where we need to look at a lot of it. As we look through this list I may see something I say oh, I need to take that out for the little bitty fellows. But then look at it from another sense for the medium size that applies to them more than anybody. It's going to be a lot of discussion and a lot of back and forth.

JIMMY GUIDRY: And it could be that simple that under deficiency for a system serves this many customers this is a significant deficiency, for a smaller system this is a minor deficiency. Could be that simple.

PATRICK KERR: Okay, I got to push back on that. Cause again I think a significant deficiency should cause a problem for public health and it doesn't matter if it's one person served by it or 5,000. Only significant deficiencies should be ones that are going to cause a problem for public health.

JIMMY GUIDRY: You're shrinking my list a lot, which is

fine. Cause again, remember what I don't check on as a state is your responsibility.

PATRICK KERR: I agree wholeheartedly and that's not a problem. There are other regulators and other issues. But the health department should be enforcing things that cause problems for public health. Do you get an overall concept, overall feeling about a system when you walk in and there's trash everywhere and things aren't painted, yeah. And I think everybody can walk into a system and go this is going to be a problem. But then what you really need to delve into is are they producing good water. And that's what this list ought to be about. And just a couple of these jump out, but solution tanks and lots of stuff from 10 state standards. If we had a rule that said chemicals will be stored in accordance with the manufacturer's storage instructions. If there's a chemical that can be stored in an open vat why do we need to have a rule that says it to has to be covered. You can knock out a lot of these things. And then your sanitarians need to understand and be able to justify a citation as a potential contamination risk. It might be as simple as having a rule that says exactly the way EPA defines it. So anything that we see that's a potential for contamination, a real potential, and that's something we should be talking about. One and a million chance we

go and sic Sigma, what are we going to do. But those are significant deficiencies. And you don't have to define them all. If Amanda walks in and sees that there's rat droppings around a filter bed that's a significant deficiency. Although I don't think you would find it in here. That's a problem. I think we could use some common sense and cut it down a lot.

DAVID MCCAY: Can I chime in Dr. Guidry. I had the same reaction Pat did when someone said the difference between small and large. My thought as a lay person, and I think I've put this in some internal memos, if it's truly likely to result in contamination or possibly going to result in contamination it shouldn't matter the system's size. That's my gut reaction too, but I'm not a subject matter expert. The second thing i Dr. Guidry or Amanda, somebody pointed out to me the revision to act 292 was enacted in 2014 seems to contemplate in a roundabout way that the committee shall create a list of significant deficiencies. I guess the list of course could have a catch all that says any other thing or condition that is likely to introduce contamination. It seems to contemplate a list.

AMANDA LAUGHLIN: I agree with you from the department prospective. We do need the ability to go into a system if we see something that is significant to be able to cite it as significant instead of well if it's not on this list

we can't cite it. We have to have a little bit of leeway to determine that in case it's not on the list.

PATRICK KERR: I agree.

JIMMY GUIDRY: Any other thoughts? I'm opening it up to the public. Hopefully some other speakers besides Robert, unless Robert's representing all of you. Anybody else have some thoughts on these deficiencies or some heartburn, major heartburn. Boy did I just open a can of words.

RENE PETRAL: I was just sitting next to him. My name is Rene Petral. I appreciate the committee. I'm (inaudible) Contractor, we're in St. Tammany Parish. The small wells y'all are talking and talking about they are our customers. We're concerned about their every day. The problem we're worried about is they're being treated as if they're already criminals, they're already guilty of doing something wrong because they have a small business and that business just happens to have a well. These systems some of them are only 150 feet long. One regulation cannot fit all and that's what I am concerned about. Don't put mom and pop out of business. They want public safety, but not at the cost of I bought this business, I have a water well, it's 150 feet long and you're going to regulate me out. They can barely afford us. And we're the cheapest show in town in St. Tammany. I appreciate

y'alls time.

JIMMY GUIDRY: Thank you. Any other concerns from the audience?

DAVID THORNTON: I'm David Thornton from Thornton (inaudible). And this is completely separate from what we've been discussing so far. And we have some really bright people in this room, probably some of the best in the state. I would like to hit on and discuss our response as a state and as a water group to the amoeba situation. I don't want to appear as though I am against regulating this situation or not taking it seriously because I do take it very seriously. A lot of my customers have been affected by this. I am concerned about how we sample for it, how the sampling compares to the way they have done things in Australia where they have lots of experience with this. I am very concerned about our response to how we remediate the amoeba situation. And I think that's something we all need to talk about in this room because it has a serious impact on public confidence with these water systems that have been unfortunate enough to have amoeba in it. According to the information I've read from Australia their action limit for amoeba is one count per liter. I'm sorry, two counts per liter, one count per 500 milliliters. In the case of many of these systems I have seen we had to filter 93 or

100 liters of water to find one amoeba. I would like to suggest that if we find this sort of thing in a public water system that we go immediately to the water system and discuss it with them and do remediation in the localized area where this amoeba was found and not affect the entire system. But that's my idea. I'm open, I would like to hear what other people have to say about this. It's a serious problem.

JIMMY GUIDRY: Thanks David. This wasn't exactly a topic we put on the agenda for the open laws, but it is current. I hate not to answer questions, but I can tell you there is truly another avenue for this because people that have sat at the table for two years now have been experts from around the world. And it is something that's not being done anywhere else in the country. It is something Louisiana is doing and the feds are working with us and we're following their requirements. We're writing the book. There is going to be disagreement on how we write the book because it's not been done here in this country. What we're learning it's really strange because people are saying you're overreacting to the amoeba, well it can eat your brain and kill you. I don't know how you overreact. We lost three people. Nobody else lost people from drinking water. Yeah maybe overreacting, but Australia went through 39 deaths, not 3. That's what I'm trying to

avoid why we try to figure this out. I agree it's alarming, especially when an entire system has to be cleaned out. The federal government has not agreed and scientist have not agreed that if it's in a system somewhere that you don't clean out the entire system because most of the time they feel it has to do with nitrification, but it could be simple contamination at the end of the line. We don't know. We're finding out more and more because this test did not exist before. I'm going to tell you amoeba has been in our drinking water for years. We didn't know it. We couldn't find it. We didn't have the test to find it. Now I will stand by the test right now because we filter an hour's worth of water, we take that filter, we then grow it so you're not going to be testing for dead amoebas you're going to be looking at live amoebas. You look at it under a microscope, look to see if they have flagella, you look to see if they're alive, and then you do PCR, you do DNA to make sure it's the kind that eats the brain. The testing for it is a lot better. In 2011 two people died in Louisiana and we didn't find it in drinking water. In 2013 another person died we showed it was in drinking water. We have two summers of experience right now. It's a very time consuming test, takes our staff. When we have a hit I have to go out and try to take care of some of that fear

out there. But I'm seeing things happen in water systems that I haven't seen before because people are willing to pay for that water now. They're willing to make sure that water's safe and they expect something for it. The amoeba is bringing attention to drinking water like nothing else has. Amoeba didn't get my attention so much because it's brain eating. Amoeba got my attention because in this country we do not know throughout a water system if there is enough disinfectant throughout that water system. People don't monitor it throughout the system. We do in Louisiana, but other states they monitor parts of a system. And what we're finding over and over again and it's hard to maintain disinfectant throughout a system. Especially for the end of the line where it's not being used. It's really difficult. So we're learning a lot about it. I don't think we've shared enough with the people that take care of water. I don't y'all know the stuff we've learned over the past few years. It's hard for me to apologize for that because I'm still learning and every day I'm interviewing, and I'm in the media, and we're sharing information with all our folks. Whether a water system agrees to do a burn regardless if there's amoeba there or not, that's not a bad thing. Cleaning out a system is not a bad thing. It cost more, but it cleans out biofilm. It makes your water safer over the long run.

If you wait years to do it it's a lot harder to clean out. There's a lot of things that have come out of this that make me feel that water systems are now understanding the importance of the chemical mix, making sure the chemicals are right, making sure there's a burn when it's necessary, understanding nitrification. All these things that we've talked about for years this amoeba has shed light on as to why it's important. Where we have .5 maintained on a regular basis, for the most part, we don't find it. But you can still find it. Even in Australia where they have .5 they still find it, but they haven't lost anybody. Nobody has died since they went to .5. That makes a lot of sense to me. I would invite David and whoever is interested in amoeba to come to our advisory committee with the scientists because they are the ones that are leading us because this is uncharted territory. It's not been done before. We're learning as we go. And I can tell you EPA and other folks are going to change the rules in this country on what's required for disinfectors cause a trace doesn't mean you have a disinfectant. If your line breaks, if somebody ruptures a line and there's loss of pressure and there's no disinfectant, there's a trace, that is a perfect place for contamination. So I don't disagree that the scientists might not all agree, but I do think we've had the top scientists in the country and in

Australia working on this and I'm following their lead because I am certainly not the expert. What I've learned is that people at the end of a line are not necessarily getting the same water or as good water as the people closer to the plant. I don't think that's a secret. But I don't think we were looking. Now you have to report it at the end of the line, you have to report it down line and we're finding interesting things. Mechanical where a tank is higher than another and you don't have the pressure you need and it's hard to chlorinate, it's hard to disinfect. Piping systems put in in 1925 unless you replace the pipes you'll never keep the chlorine up. We're learning stuff from this experience that's making our systems better, but it's an investment. It's an expensive investment. So I welcome that kind of input. I welcome people to come sit with our experts as we learn about this. Cause I don't have all the answers, but I do know this. The person at the end of the line I don't want to hear a child on a slip in slide died from this brain eating amoeba. That's unlikely if we all just do some things that protect the water and people don't let the water get up their nose. Literally in Australia what they do is they have the chlorine, they check for the amoeba every year, they have a lot of piping that goes through areas of Australia where it's very, very hot and the pipe

might even be above ground. The water gets very hot. Louisiana we have a lot of it underground, but it still gets very, very hot. I think we're going to keep looking. Where the public gets disenfranchised is when folks have misinformation. DHH said, and the water system said, and the parish said and we're not on the same page. Where the parish and the water system said let's do the burn, let's get this over with, let's tell the public it's out there, let's do it quickly not a whole lot of push back. Where somebody said I don't think it's in the system. Oh, they took it out of a hydrant. People are looking to see who knows what they're talking about. Right now if there's amoeba in the water and it's in drinking water and it's got a little chlorine in it we got to do something. A burn is not a bad thing cause you should be doing that every few years anyway. I don't think the verdict is out where we're going to be. I've actually been doing an emergency rule on this for two years because I didn't want to lock it. And now by legislation by the end of this year I have to put this .5 and the requirements into permanent rule. Now we can always change the rule, but they said two years of emergency rule's enough. If you need that .5 stop making emergency rule, make it a permanent rule. I'm not even sure it's not one in some places. I'm not even sure in the summer time there are

many systems in the country that go to one. I'm more concerned about those byproducts when you start getting up to those levels if you do it for long periods of time. So anyway, it's not on the agenda so it's not part of the meeting, but it is teaching us a lot of stuff. I am concerned about the image of everyone when we're not saying the same thing and trying to pit one against the other. Because the media wants information to the public, they shouldn't want to terrify them, but they love it when they can say I said something, and the parish president said something different, and the water system operator said something different. It's very uncomfortable because we're on the same team. I'm not at odds with any parish president or water operator. We're on the same team. We're trying to explain to the public what the risk is. Not a high risk, you can drink it. A little chlorine's not going to smell too great, not going to taste too good, but it's not unhealthy. Trying to educate and teach, but when we got at odds with information is where we start looking like we don't know what we're talking about and that's the hard part to get over. As you heard Terrebonne we found one yesterday, end of a system, way at the end of a system Pointe Aux Chenes. Working with the parish they started the burn that day. Didn't say a whole lot about it. Today I'm hearing, well you know they took that out

of a hydrant. The water's not used very much in that end. The amoeba is in your system. You can't argue that. We didn't take but five tests. I'm sure if I took more I'll find more amoeba. We've done 21 systems, we're going to do another 20 this year, end of September. The winter time we don't do testing. So I'm quite sure we're going to find more amoeba. I'm trying to go in and say we got this, nobody is dying, we got this. We're working together on this. David, thanks for that intro, but I invite y'all to come sit with our experts and we can share your thoughts and their thoughts. We're all on the same team folks. It's about making sure the people we take care of don't get sick. Any other? I thought there was a limit Robert.

ROBERT GILLBRIDE: I'll be quick. Predominately everybody on this side of the table seems to have grasped the concept of what I've begin asking for by going through this significant list and deeming health issues. So I think it's a very good idea that y'all do that. A water meeting is not a health issue, but it's required by DHH. So there's two things in here title 51 chapter 12 if you go to 105D1 that's the part that says sections 2632 and 606 shall not be mandatory for non community water supplies unless they serve a hospital. So maybe in some of these things that we're talking about for community

systems y'all can use that to do the variance, or waiver, or whatever. And then the second thing I'm reading and there was something about grandfathering coming up is part 107 that says permits issued in approvals of plans and specifications granted prior to the effective date of this code, which was June of 2002, shall remain in effect as they pertain to the design of the supply unless the revision is deemed necessary by the state health officer. So that kind of gives you some leeway with the grandfathering as well. As long as it was approved prior to 2002 and still in operation. If you do put in new recommendations, laws, rules, we don't have to do them until there is an issue or unless state health officer. That's just two things I was offering.

JIMMY GUIDRY: Thank you Robert.

JAMES MILLER: I'm going to sit over here by Rusty. I've been knowing him since the creation of rural water. I can do this really quick. My name is James Miller, I'm the superintendent of St. Mary Parish, water district five in Centerville. About a million and a half gallon plant, Atchafalaya River water. Mr. Keith earlier said I was waiting for one word all evening is common sense. A lot of it is common sense. I'm very proactive with my plant. I was the first one to put in backflow prevention in St. Mary Parish, first one to do a chlorine burn voluntary

several years ago when the amoeba came out. We operate two shifts. Every 12 hours we do draw downs on every chemical. It's documented. Hourly employees make rounds, check the filters, the pumps, the PSI, gallons leaving, check completely everything. We have spare pumps. All our spare pumps have the names of the chemical that it pumps. Those pumps do not pump more than the MCL half a gallons per minute which is 1,500 gallons. Kind of wrote some notes in the back. We all in this room have the same goal which is taking raw water source and cleaning it up to make it safe, potable, compliant water. There's no wrong or right honestly in this room. There is no yes or no really in this room. What's in this room today is the question on how to reach the goal of everyone to make safe potable water at every unique system. Bear with me with this elementary comparison, but it's really no different than all of us getting up in the morning and making strawberry milk for our children. Some of us take the milk add the powder to it. Some of us take an empty glass add the powder then the milk. Some of us go to the store and buy the strawberry milk already made. You're still getting the strawberry milk. There's many ways to treat safe water, but like I said each plant is unique in size and money. We treat water every day in many cases and we all been doing it for 20, 25, 30, 40 years. I've been at

my job for right at 31 years, superintendent 17 years. I've seen a lot. Know most of y'all here. A lot of big help. In those years I've learned what works, what matters, and what we can rely on that's a proven method. What's proven is properly trained, motivated, conscientious people doing their jobs. What works is simple dependable chemical feed system that can be easily maintained by specific personnel. We know all raw water isn't created equal. That all water plants are not the same. All personnel groups aren't the same. We know that every system is unique and that the manager at each plant must take his resources available to produce compliant water. It's all about compliant water. This is what matters today in this room. The EPA has established water quality parameters standardized nationwide to insure water quality. These quality limits have been established by trained scientists, engineers, chemists, microbiologists. The 10 state standards, in my opinion, is a good guideline to reference when installing new plant equipment and chemical feed. These standards should not be used to approve new plants or use as code. The standards of the water industry in Louisiana has been using it for the past 40 years and it's served us well. Water systems have a limited amount of money to spend on operations. Of the most part 10 state standards, in my opinion, drive up the

cost of additions and modifications to the plant infrastructure. These added cost tax the water systems to the point where there's not enough money to properly pay and retain qualified personnel. Recently I just lost an employee due to this reason. DHH need not be in the business of mandating how a water system should make compliant water, but rather regulate that in fact the water system actually produces compliant water. In my opinion, DHH should make regular inspections unannounced and sample water systems for their compliance. If systems are not in compliance on these unannounced visits appropriate action should be taken. My main point is DHH should not regulate and not advocate one process over another. The how to make compliant water is best left up to engineers, chemists, and operating personnel for each system to determine. DHH needs to test and regulate to insure each compliance. I do have all my day tanks. I do have all my day tank containment. I have all my plant color coded. I have about 112 customers that require backflow. I'm very, very proactive. But like someone said earlier, the little system Ms. Cheryl was talking about cannot compare to your big systems in New Orleans. And I'm kind of stuck right there in the middle. I make about a million and half gallons, 2,000 customers, a lot of carbon black plants that use a lot of water. As a goal

we all just sit here today and try to find a happy medium. Three down from me the gentleman here I don't know him, but he made some very good points. Everything needs to be looked at as a whole. There's no one yes solution. There is no one no solution for any plant. All plants are different. Just like people a pair of pants don't fit everybody in this room. Everybody is unique, every water plant is unique. Thank y'all for your time.

JIMMY GUIDRY: Thank you.

BOBBY DECATAUR: Thanks Dr. Guidry and committee members. Got a little cold so excuse me. My name is Bobby Decatuar. I am a class 4 water and wastewater operator. I have been working for the town for 32 years. I've seen we've come from 32 years ago to a great where we are today. Where you're getting all our operators certified and taking care of public interest. My question is every four years because I work for a municipality when the mayor runs for reelection and council every four years they try to get rid of the operator. They don't understand the concept you got to have a certified operator. In my case a class three certified operator for water. So just this last election a councilman running for mayor he said oh, I went to some political supper where this other mayor told me they don't have a certified operator and board of health don't write them up, don't do

nothing. My concern, and I am not working for this water system, my family and my community I took care of the last 32 years getting good drinking water. They want to put in people that have no concept they coming from, no water background, no wastewater background. And I guess my question is will DHH enforce the ruling that you have to have a certified operator working for these water systems and that is my question.

AMANDA LAUGHLIN: Yes.

JIMMY GUIDRY: I didn't introduce Amanda formally. She is the engineer I put in place to get through this process. I am going to let her respond. My goal is to have people that know what they're doing and to let the people know that hire them if they don't have people that know what they're doing they can get in some serious trouble. If they haven't figured that out they need to look at some of these systems where they didn't have good operators. One way to expose poor operators or people that don't have the experience is to do what people have suggested where we go out and do some unannounced site visits and check things. Because when I see .5 milligrams on every sample I know that's impossible. Something's wrong. I know what system I need to go test because you know they're not doing the right thing. I will let her answer what the requirements are.

AMANDA LAUGHLIN: Yes, all water systems have to have a certified operator depending on their population and treatment, different levels. But if you notify the department that something like that is going on obviously we would investigate it. But we only do surveys every three years so if we don't know that on the interim. Let me know.

BOBBY DECATAUR: I'm not trying to put you on the spot Amanda. My other question is like in our case a class three certified operator. And I was told if they hire somebody that works for them and they start going to class one, as long as they are going to school working their way up. So the board of health allowed them that guy going to class one, then two, then three to operate the system. Or the municipality got to have a class three operator upfront?

AMANDA LAUGHLIN: They have to have a class three operator.

BOBBY DECATAUR: I thought that. Just wanted to clarify that. Thank you.

MICHAEL RUSSO: Amanda, Michael Russo, what's happening in some of these systems is what Bobby is talking about when the mayors are running for reelection if a new mayor comes in what he does is he promises his three or four buddies the utility director, Bobby's job who has no certification, but they are told that as long as they have

somebody operating and going to class and working towards the class three that's required it's okay. And what needs to happen is DHH needs to inform every new municipality in the state that when you get a new mayor you can't put your cronies in here that have no licenses and fire, they are not under civil service so they get fired. It's happened in numerous places. I'm not going to mention any right now.

BOBBY DECATAUR: I have been through eight of four year cycle for mayor and every four years my job (inaudible). But my certification I can go work elsewhere. But that doesn't concern me. I'm an ex plumber by trade. I can get a job. What concerns me what my family and my community are going to be drinking when I'm not there watching over the system.

MICHAEL RUSSO: And David had a good deal maybe something that we should propose to LMA that LMA should also get with DHH and make sure the municipalities understand that just because you're the mayor you can't give this job to someone else and get rid of the class four operator.

JIMMY GUIDRY: From where I'm sitting, rather than piss off a bunch of politicians, I would just want to put out there your water system has this population you must have this level of certification operating your system rather than tell them they can't hire their friends. Cause they can

still hire them, they just can't operate the system.

MICHAEL RUSSO: Another thing on that what's happening in Bobby's case is when a new mayor comes in he hires a water consultant, a water operator hangs his certificate on the wall, but he pops in once a week to drink a cup of coffee. And that's happening as we speak right now. That's something else to watch out for cause we all know that happens and that's not right. Especially with a mayor. Thank God I don't have a mayor. I'm in a rural area. That's something like Bobby and other people have to put up with every election time.

AMANDA LAUGHLIN: Those are good topics for the committee of certification to talk about and go over. We do have a committee that oversees operator certification.

MICHAEL RUSSO: And another thing on the flip side is the trick questions we've been talking about. We're in class, we're being trained, they train us ABC, you sit down and take the test they want to find the volume of water in this room for say a class one and they throw in that it's raining outside, there's a red truck in the parking lot. They look on their formula trying to find out where's the rain, where's the red truck. Or the answer is A, or AB, or BC, or none of the above. Some of these questions are trickery. It really is. We need to take that out too.

JIMMY GUIDRY: I'm going to recognize this young lady cause

she's had her hand up.

JEAN HARRISON: I'm Jean Harrison. I own a small campground and actually Rene is our water operator. The reason I'm here today is to just basically plead with all you to realize that 99 percent of us who own small water companies want to be providing good water. If I don't provide good water to my customers they are going to leave and then I have no money coming in. But I can't afford to spend thousands and thousands and thousands of dollars upgrading a system that is already providing descent water to my customers. I also live onsite. I don't want to be drinking water that's not safe. I'm following the rules, I'm doing the best I can, but don't increase my cost if I'm not in violation of something that is affecting my customers' health. That's the common sense approach that needs to be taken. And I'm afraid that sometimes, and I've seen it in many, many industries, all those really great new inventions that come on the market, these really great new ideas that an engineer finds someplace you get gee I've got the answer to all these problems. You have to buy my whatchamacalllit. You need to make a law that everybody has to have that. Sometimes that's just plain foolishness and I wish that you would listen to that and cite those people who are not providing good water. There's plenty of laws in the books right now that will

take care of those people, but don't make more laws that I can't afford and put me out of business.

JIMMY GUIDRY: Thank you. Any other comments? I want to thank everyone. I need a motion that we adjourn.

CHRIS RICHARD: Before we adjourn, you handed out the significant deficiency list, are we going to go over this, do you want us to go over this between here and the next meeting?

JIMMY GUIDRY: I would like for y'all to take this and apply it to your sections. You can do more than your section, but your section at a minimum and come back with suggestions on what we could eliminate--

CHRIS RICHARD: At the next meeting it will be on the agenda.

JIMMY GUIDRY: And it would be the next meeting.

AMANDA LAUGHLIN: And also if we need to have an additional meeting just to discuss significant deficiencies. We keep going with the other stuff at another meeting. Either way.

JIMMY GUIDRY: I'll put this before the committee. The urgency is where to continue to cite people. If we're going to knock this down I want to get this done quickly so my citations are specific. That means the sooner we do this the better. If y'all want to meet before next meeting on just the deficiencies we can do that. The

quicker the better for me. We still have to finish the last chapter, but to me this is, right now I got to get this done.

CARYN BENJAMIN: Keep in mind though 10 state standards significant deficiencies are in that list are 2003, not 2012. Might want to look at the 2012 revision.

ROBERT GILLBRIDE: We didn't hear back here.

JIMMY GUIDRY: What she said was what you're seeing is the significant deficiency list is from 2003. It's not the 2012 so you don't have, on that list you don't have 2012 10 state standards.

CHRIS RICHARD: Can y'all maybe do a doodle poll to make sure we have a quorum so if we do have another meeting before then we can actually do something.

JIMMY GUIDRY: Yeah, we'll poll everyone and see what's good. If we're ready to do this in two weeks even better cause I really want to have our folks out there not citing people for things not on our list. I hear a motion we adjourn?

RANDY HOLLIS: So moved.

RUSTY REEVES: Seconded.