



**District of Columbia
Water and Sewer Authority**

Board of Directors

**Retail Services Committee
Tuesday, February 24, 2009**

11:00 a.m.

MEETING MINUTES

Committee Members Present

Joseph Cotruvo, Chairman
Howard Gibbs
David J. Bardin

WASA Staff Present

Jerry Johnson, General Manager
Leonard Benson, Acting Chief Engineer
Avis Russell, General Counsel
Linda Manley, Board Secretary

I. CALL TO ORDER

Dr. Cotruvo called the Retail Services Committee Meeting to order at 11:29 a.m.

II. WATER QUALITY MONITORING

1. Coliform Testing:

Mr. Charles Kiely, Assistant General Manager, reported that currently in February, zero (0) sites tested positive for coliform.

2. LCR Compliance:

Mr. Kiely provided an update on the status of the Lead and Copper Rule compliance testing activities. He reported that for the most recent reporting period, 29 samples have been analyzed to this point. One (1) sample has exceeded the EPA Action Level of 15 ppb. The 1st draw result for this sample was reported to be 24 ppb.

The Committee then briefly discussed EPA's flushing guidelines for LCR Monitoring samples, i.e., the "old" 10-minute pre-stagnation flushing guidelines versus the "new" guidelines (implemented in September of 2008) that promote a more random stagnation period. Mr. Bardin stressed the importance for all to use the term "pre-stagnation flush" rather than "pre-flush" when discussing LCR Sample Monitoring in order to avoid potential misinterpretation. A map (attached) was provided illustrating the sampling locations and whether the results were above or below 15ppb.

III. FIRE HYDRANT STATUS

Mr. Kiely reported that the current “out-of-service list for fire hydrants stands at 70 (0.8% of the total number of hydrants (approximately 9,000) in the District). The term ‘out-of-service’ does not necessarily denote a broken hydrant, since operational/working hydrants are taken out-of-service if they are inaccessible (e.g., behind construction fences or jersey barriers. The actual number of hydrants requiring replacement is 49 out of 70 reported out-of-service (0.5%). Mr. Bardin commented that significant progress has been made since WASA’s creation when the number of hydrants out-of-service was a double-digit percentage of the overall total number of hydrants.

IV. MONTHLY WATER PURCHASES

This issue was discussed because of the table in the GM’s Report that somewhat ambiguously describes “Monthly Water Purchases” for a twelve month period. For some periods, the reported water pumped amount was greater than the reported water purchased amount.

Mr. Kiely briefed the Committee as to how the amount of water delivered to WASA by the Washington Aqueduct (WAD), i.e., “purchases”, are measured; and he discussed how the amount of water being pumped into the system is measured. Currently, flow meters installed on the pump discharges at Bryant Street are used to derive the “water pumped” number. These flow meters are limited in their accuracy and are only intended to be used for operations, not billing or accounting. WASA is in the process of installing a new Venturi meter that will more accurately determine water pumped through Bryant Street. Mr. Kiely explained that some of the water pumped comes from storage (when necessary) as the reservoirs are filled at night.

Mr. Bardin asked whether the water used by WAD in their treatment process is included in the “water purchases” numbers. Mr. Kiely responded that the WAD process water was netted out of the reported numbers. Mr. Bardin noted that the Chairman of the Board questioned whether the gap between the amounts of water purchased versus the amount of water sold is trending negatively, and asked for additional reporting to address this concern. Mr. Johnson noted that WASA is moving toward an AWWA standard that will be more appropriate for the accounting of water purchases and sales, and this should reduce the delta between the two numbers. Staff will brief the Committee on this project next month. The Committee requested that staff provide the following additional information prior to the March Board meeting: an explanation of the terminology in the GM report for water purchase and delivery and the unaccounted water, and a graphical representation of water purchases, water sales and water sales as a percentage of water purchases over the past two years.

V. WASHINGTON AQUEDUCT RELATIONSHIP

Mr. Tom Jacobus continued his presentation for the Committee concerning the relationship between the Washington Aqueduct (WAD) and DC WASA. He provided an overview of WAD's organization and structure. The Committee discussed WAD's role and obligations in meeting National Drinking Water Standards (primary standards) and WAD's process for meeting secondary/aesthetic water standards (e.g., color, odor, and taste) which are not mandated by the federal government, but desirable for consumer perception and acceptance of the water. Dr. Cotruvo noted that undesirable Taste and Odor detections are the customers' principal indicator of the quality of the water, and so it is essential that special care be taken to assure that the aesthetics of the water were always maintained by WAD. Mr. Jacobus noted that most of WAD's actions to correct issues with regard to taste and odor are anticipatory; however, requests can be made by the customers (WASA, Arlington County, and Falls Church) to correct an issue, if necessary. The committee was interested in knowing how quickly decisions are made to correct T&O problems once they are detected by the taste panel at WAD, and whether customer complaints or requests from WASA were the drivers for initiating addition of powdered activated carbon to control taste such as during or in anticipation of an algae bloom. Mr. Bardin suggested that WAD add a report to its website on a daily basis to provide a characterization of the color, odor, and taste of the water for that particular day and consider use of the press to provide updates to customers, similar to periodic air quality advisories. Mr. Jacobus agreed to look into this further.

The Committee discussed the legal ramifications should a safety issue arise in the future where harm occurs to WASA customers. Mr. Jacobus reported that he did discuss this issue with WAD's General Counsel in Baltimore, MD. He noted that a suit can be filed under the Federal Tort Claims Act by an individual who suffered damage, such as in a traffic accident; settlement in such as case would come from a federal settlement fund, and not from WAD customers. However, specific questions in relation to financial responsibility with regard to water quality will require further discussion between WAD and WASA counsel. Mr. Jacobus suggested to the Committee that WAD's General Counsel attend a future Committee meeting to allow for direct discussion on the matter. Dr. Cotruvo noted further discussion and investigation are necessary to determine whether or not the agreement between WAD and WASA should be amended in terms of financial liabilities and other provisions.

The presentation was concluded by discussing the other services provided by WAD to WASA. Mr. Jacobus noted that WAD is an EPA certified laboratory and it also provides laboratory services and engineering/technical support to WASA. He also reported that he has compared the LCR Monitoring results between WAD's three (3) customers (WASA, Arlington County, and Falls Church). Mr. Bardin requested that WAD compare the results between the three (3) entities in terms of lead and copper results so that the Committee can get a feel for what is happening outside WASA (e.g., are ranges, percentages, and 90th percentiles similar?).

VI. POROUS PAVEMENT SURFACES

Mr. Jeff Seltzer and Ms. Meredith Upchurch from DDOT gave an invited presentation to the Committee concerning DDOT's Low Impact Development (LID) Program and its utilization of porous pavements. Mr. Seltzer discussed regulatory impacts affecting LID, including MS4/NPDES Permits, new DDOE requirements, new stormwater legislation, and the Green Building Act. Mr. Seltzer also discussed areas throughout the District where these LID Projects (e.g., porous sidewalk are being installed near Nannie Helen Burroughs Ave.) have been or will soon be implemented. He noted that the impacts of these projects that have been initiated are probably small and are still being assessed.

Mr. Seltzer discussed some of the limitations associated with porous pavements, e.g., high-traffic roadways; roadways that require snow removal; additional maintenance costs to ensure pores remain open; drainage issues; etc. Mr. Seltzer concluded his presentation by showing some examples of completed projects (mostly from other jurisdictions). Dr. Cotruvo summarized his conclusions from the presentation that there were limitations on applicability of porous pavements in DC for streets, but that there might be greater opportunities in applications of sidewalks and parking lots. Part of the problem of the clay soils in DC is the need for substantial and more costly modifications of underlayments to assure adequate drainage. The Committee asked that WASA be advised when porous pavement projects are being implemented in the District, so they can be observed by some members.

VII. LEAD PROGRAM UPDATE

Mr. Dave McLaughlin briefed the Committee on the follow-up plan for mitigation measures following a partial lead service replacement (LSR). Mr. McLaughlin stated that the current plan centers around additional flushing. The customer that receives a partial LSR will be notified via an automated call on the day of the replacement to reiterate the flushing instructions that were handed-out to the customer (contact information for additional questions would also be provided). On Monday of each week (for the 30-day recommended flushing duration), the customer would receive an additional automated phone call reminder repeating the flushing instructions. On Tuesday of each week, a postcard reminder would be sent to the homeowner to stress the importance of following proper flushing procedures. Mr. McLaughlin noted that the documents are intended to be finalized within the next week or two; and the documents will be shared with the Committee before the next meeting so that additional questions can be addressed in the March Meeting.

Dr. Cotruvo asked whether or not additional language will be used to inform customers about the pros/cons associated with replacing the lead lines, and if additional language will be used to stress the importance of flushing after a partial replacement is made. Mr. McLaughlin stated that WASA will use the same, template language used in the current letters (Demand Sampling and LCR Monitoring) sent to homeowners that have had a lead analysis performed on their drinking water. These letters will be sent well in advance of any potential replacement work and will provide additional health guidance (with emphasis on pregnant women and young children) and general water-use guidance to the customer.

Dr. Cotruvo requested that a one page summary of the additional mitigation measures be provided to the Committee.

VIII. WATER QUALITY STUDY - STATUS

Representatives from DOE were not in attendance to report on the status. Mr. Kiely reported that the group met on February 20 and three (3) test scenarios, and possibly a fourth, are being considered by DDOE for the Water Quality Study. He also noted that it may not be possible for the WQ committee may not be capable of providing a position on the "safety" of the water, partly because of differing opinions as to how to define the term "safe". However, EPA and WHO do discuss safety or drinking water with respect to meeting standards. The WQ committee also briefly discussed probable upcoming sampling efforts which are hoped to begin in June as a check on WASA's compliance monitoring, and WASA's role in providing the universe of sample locations for the studies. Mr. Bardin suggested that WASA should limit the role it plays in the study to avoid any potential inference/suspicious that it had influenced Study results. Dr. Cotruvo noted that in his opinion the task force needed to begin by defining the questions they are trying to resolve, which would facilitate the selection and design of the potential studies. It is also essential that the studies be responsive to Council Member Graham's expressed concerns.

IX. LEAD FREE FIXTURES RESOLUTION

Dr. Cotruvo reported on statutes that had been passed in California and Vermont that established a lower requirement for lead content in plumbing and water distribution system materials, which are to take effect in January 2010. The Maryland legislature is considering a bill proposed by the State plumbing board, and there is discussion of a bill in the US Senate Environment Committee. The new California standard for lead would be 0.25% of water contact surfaces, compared to 8% of mass in the current federal law. Several plumbing product manufacturers had recently announced that they had products certified to the new standard by ANSI/NSF Std 61. Dr. Cotruvo proposed that the WASA Board be given the opportunity to consider a resolution of support for such legislation in the District of Columbia. Mr. Bardin and Mr. Gibbs agreed. Ms. Russell reported that Mr. Johnson (who could not be present for this discussion), had suggested that a decision on this proposed resolution be deferred until staff had time to study the issue and make an informed recommendation. Since this would be a resolution recommended to the BOD by the Committee rather than necessarily a staff recommendation, the Committee requested that a draft resolution be provided by the General Counsel prior to the March RS committee meeting to facilitate discussion and a Committee decision at that meeting. WASA could also express its opinions at that meeting.

X. ACTION ITEMS – NON-JOINT USE

1. Contract No. WAS-06-014-AA-VW, Wachs Utility Service

This fact sheet was removed from the agenda and did not require consideration by the Committee.

2. Contract No. 080140, Anchor Construction Corporation

The Committee agreed to recommend approval to the full Board. There was discussion that the initial low bidder had submitted a bid that he later withdrew as grossly mistaken, and that this withdrawal had been accepted by WASA as in WASA's best interest and acceptable under the procurement regulations. The Committee asked that the explanation given in the fact sheet related to the bid withdrawal be revised to provide a more specific explanation on the record.

XI. EMERGING ISSUES / OTHER BUSINESS

None

XII. ADJOURNMENT

The meeting was adjourned at 1:46 p.m.