Source Water Protection Strategy Update
Preparedness Workgroup Meeting
Meeting Minutes
Room 208C, NH DES
May 23, 2019 8:30am

Present:
Andrew Madison, NHDES
Pierce Rigrod, NHDES
Matt Chigas, City of Nashua
John Cannon, NH Dept. of Safety
Ian Rohrbacher, City of Rochester
Johnna McKenna, NHDES
Bob Bishop, NHDES

The meeting began at 8:30am with a review of the minutes from the previous meeting and a discussion on the workgroup's findings and actions preceding a review of the matrix. The need to prioritize action based on community participation was shared by all. Next steps include the creation of a narrative for a broader committee, expected July 2019, the resources that will be needed to complete objectives, and an estimated timeline of completion. The meeting completed at 11:45.

Ensuring Compliance with Best Practices that Prevent a Release from Non-Petroleum Chemical Storage or Mobile Sources

The discussion began on the topic of enforcement and the options for local level authority. It was noted that towns are able to claim authority through zoning, groundwater reclassification (under RSA 485-C) or RSA 147 (health) and can exercise enforcement in certain cases. It was noted that there the authority and compliance for petroleum and/or chemical management and control is multi-jurisdictional. (local, state, federal). USEPA inspects large petroleum facilities for compliance with SPCC requirements under the Clean Water Act that includes inspection and enforcement activities. Large chemical facilities using virgin products that do not result in a regulated waste are not normally inspected by EPA. It was noted that with non-petrol communities are encouraged to take a watershed/region wide approach to protect downstream PWS intakes. The discussion shifted to the question of how many public supplies receive a chemical monitoring waiver (and conduct inspections under Env-Wq 401 that may have authority to inspect chemical storage areas.

It was noted that fire department (safety) walk-throughs focus on pre-planning and life safety, but is not enforcement related. It was noted that resources for inspections or enforcement actions should be focused on hydrologic areas of concern. If we have access to tracking sheets, compliance reports, SPCC reports, could they be sent to inspectors for prioritization based on proximity to a source or intake?

Municipalities are able to enforce regulations through zoning ordinances or groundwater reclassification. LEPC/Emergency responders should communicate the specifics and results of their inspections to municipal officials.

Illicit discharges are regulated under the federal MS4 program (includes mitigation and control). to The permit calls for regulated MS4 communities to prioritize MS4-related activities to control illicit discharges within "source protection areas" and directly to sources. Overall a watershed approach could be taken to regulate and mitigate discharges to better protect drainage areas that provide raw source water to public water systems. It was noted that some of the inputs are intermittent. Support through source protection grants was discussed as a way to support prioritizing control in SWPAs. Is there a way to channel funding to an upstream community? It is possible to apply for a grant to find a contaminant source? Because MS4 is a federally funded program, it is difficult to enforce at a state level, but possible by focusing on violations of state surface water quality standards. Municipalities should look to create partnerships and focus on high priority preventative outreach.

Improving Risk Information and Access

It was noted that the American Infrastructure Investment Act requires that Tier II information be made available to drinking water suppliers upon request, but there needs to be a uniform way as to how is this information is communicated. Due to the sensitive nature of both PWS and Tier II information, security measures need to be considered when handling these data. Would it be possible to obtain non-sensitive but relevant data (location & substance) to be uploaded to NHDES OneStop or to create maps to be made available to first responders and water suppliers? Allowing that data to be accessible in an easily digestible format, like the maps produced by the Source Protection Program in 2015, will help water suppliers and public officials better understand risks.

Improving Information on Fixed and Mobile Threats

Transportation corridor maps could be helpful in improving information, including areas of concern where mobile spills (e.g. tanker truck roll-overs) are likely to happen. This could be completed in conjunction with the need for a storm water conveyance map to detail potential routes contaminants can take from road to a drinking water source. DES will check with DOT and/or RPCs regarding state road accident information. This could help identify areas such as "dead man's curve" (2018 accident in Goffstown that nearly contaminated the town reservoir). These higher-risk areas near sources could be included in the state 10 yr transportation plan for a focus on accident prevention or pre-planning for first responders. The trend data would allow for the creation of focus areas to be used by public water suppliers in high risk areas for spills.

Improving Emergency Response Training: Content and Delivery

Training should be focused to public water suppliers and emergency responders. It was noted that tabletop activities have been successful in the past, and that field based activities with stakeholder collaboration should be a high priority.

John went over some of the challenges associated with running these exercises such as financial expense and the varying shift times of participants. It was the consensus to focus on short, in-service trainings directly to fire captains/lieutenants who would be able to bring the training back to their department in a time appropriate manner. It was questioned as to if this could be included in fire academy training, or the law enforcement training workshop. The focus remained on the demand, with regard to fire and police depts, for hands-on site specific training and awareness, to identify training objectives through past projects. It was noted that trainings could be incentivized through continuing edu credits?

It was noted that the training objectives focus on large scale vs. small scale spills, and the responses to these. It was noted that there is a need to flesh out the mechanics and funding behind these trainings.

Johnna discussed updates to risk assessment and emergency plans, as well as the due dates of these. It was questioned as to if NHDES could create a draft with additional surface water info to be distributed separately, but at the same time of the update notification?

Improving Planning and Response

Planning and response discussion started by questioning how to get the LEPC to be more involved with Tier II and chemical storage. This involvement could be a conduit for local responders. It was noted that there is a barrier with time constraints, but that regional haz-mat teams should take a pivotal role. It was decided that active LEPC's should continue to be the focus with regard to planning efforts as opposed to working to establish, or re-establish, new LEPC's. The need for increased communication with LEPC, and regional haz-mat teams was the focus of this discussion.

Some feel that spill notifications coming from the national response center are often delayed, and that communication directly from first responders or responsible parties is the key to successful improved planning and response. The need for this communication could be highlighted in the risk assessment. Updating these contacts has been tasked to the intern for the summer pending workload. The discussion progressed to the barriers associated with these contacts, and that the communication to multiple parties during a spill event, may cause alarm among the general that the spill is of a larger concern than need be. This was decided to be remedied by keeping in contact with only those specified on the list (to be updated). It was voiced that with this update of the contact list (to updated contact info of PWS emergency contact etc.) that it should cut down on concerns for multiple contacts and/or not being able to reach the specified contact. Ian discussed the possibility of collaboration between upstream and downstream sources, in terms of communication with spill vulnerability. It was voiced that it would be up to individual PWS to develop those relationships. Overall there was a consensus to update the contact database.

Improving Local Policy

Restrictive local ordinances pertaining to buffer and setback locations for large petroleum/chemical tank installations are being developed under a grant with NRPC through the Source Protection Program. Specifically, those which restrict the location and storage of regulated substances.