

GWCC Meeting: January 26, 2017

Attendees: Liz Royer, Sille Larsen, Miles Waite, Darlene Autrey, Michael Smith, John Schmeltzer, Scott Stewart, Kasey Kathan, Kira Jacobs (call-in)

1. Introduction and Discussion on Act 154 Report

Act 154 Toxic Chemical Working Group: http://anr.vermont.gov/about_us/special-topics/act-154-working-group
[Act 154 Chemical Working Group Report on Toxic Chemical Use in the State of Vermont](#)

At the end of the 2016 legislative season, Act 154 was passed and among other items required the creation of a working group to develop a set of recommendations on how to reduce exposure to toxic chemicals. The report recently submitted to the 2017 legislature is the cumulation of this report. While there are numerous recommendations that may be of general interest to this group, a major policy recommendation under section v. *Increase Public Access to Information about Chemicals* is to ‘require testing of private drinking water supplies when property is transferred.’

Action Items: Ask Jen Duggan to come to next GWCC meeting to discuss, particularly what the next steps of the group and this report might be.

2. Discussion of the Technical Advisory Committee (TAC) Report

A Recommendation on Whether and How to Test for Contamination in Groundwater Sources Used by Potable Water Supplies: <http://legislature.vermont.gov/assets/Legislative-Reports/2016-Act-154-Sec.-4-Technical-Advisory-Committee-Report-On-Testing-of-Potable-Water-Supplies-1-13-17.pdf>

Independent of the Act 154 report, TAC has submitted their annual report to legislature which also discusses and makes recommendations for water quality testing of single family homes. Two opinions/recommendations came from the group with the majority recommending to not require testing and the minority recommending required testing for single family homes at permit issuance.

There was a question as to what TAC’s position was on the issue in 2012 when it previously passed legislature, but was vetoed by the governor. The TAC was not asked to comment or provide a position at that time.

3. Vermont Environmental Consortium Spring Conference/Annual Meeting

More information can be found of the non-profit Vermont Environmental Consortium Website ([here](#)), but the conference will be May 25th at the VTC campus. Topics will include discussions by the sites management program on the IRule and the soil background study, a panel discussion on PFAS contamination, discussion of the Groundwater Protection Rule and Strategy and presentations on stormwater infiltration at hazardous sites. The sign up to attend should be live soon.

4. Natural Resource Damage Assessment Statute and Draft Rule Language

Statutory Language – relevant sections 8-9, starting on page 10:

<http://legislature.vermont.gov/assets/Documents/2016/Docs/ACTS/ACT154/ACT154%20As%20Enacted.pdf>

Act 154 also included a mandate that the Agency create a working group and submit draft rule language to the 2017 legislature on natural resource damage assessment. The intention of this rule is to provide provisions for the process that the Secretary *may* utilize to “assess damages against any person found to be liable under

section 6615...for the release of hazardous material for injury to, destruction of, or loss of a natural resource from the release.”

Draft language is being submitted to legislature sometime soon (within weeks) and will be shared with this group when available.

5. Geothermal well location tracking

Liz Royer has been fielding some calls regarding the tracking/reporting of geothermal wells. To her memory, the issue of whether to track geothermal wells was discussed many years ago by the GWCC, but a decision was made not to require them to “register”. She was interested in getting the groups ‘memory’ on what the reasoning behind this decision may have been (if anyone has information, please share with Liz and the group). Scott shared that well drillers are licensed in the state and are required to submit well completion reports for wells drilled, including geothermal and monitoring wells but that is the extent of our jurisdiction.

Group discussion indicated that though the well completion reports do ask if the well is for geothermal use or not, but that this information is not a searchable field within the online well completion report database (used by the public). Additionally, the UIC program may have locational information available for open-loop systems (previously permitted, but with new exemption conditions, all the previously permitted locations have now been voluntarily revoked). There was also discussion on what the intent of knowing the locations would be. The thermal influence of geothermal wells was discussed. Some work was referenced by GRI and Jeff Williams – Spafford and Sons that indicated 15 feet was sufficient separation distance for thermal dissipation; however, Sille Larsen indicated that some of her research in Denmark shows impact to aquifer microbiomes that resulted in the setting of regulations at 25°C for open loop systems there. .

Action Items: Discuss with IT on how to expand the searchable items within the well completion report database, should also look into the addition of UIC information to the ANR Atlas.

6. Potential Workgroup on Road Salt

Liz Royer mentioned that one of the basin planners may be developing a workgroup to assess impact of road salt. Liz has recommended that they include someone representing groundwater.

This was followed by general discussion regarding road salt. A TMDL for chloride should be coming soon. UIC rules prohibit the storage of salt or salt charged sand in vicinity of UIC points, including stormwater infiltration, but there are not general set back distances for salt shed/storage construction. May be something to include in discussions with the Vermont League of City and Towns , there is some precedent for town responsibility for contamination resulting in property purchase (Rutland Town 10+ years ago).

7. Inclusion of Source Protection Areas within Town Plans

Jordyn’s summer work has been summarized in an excel sheet. Liz recently noted that some towns were missing from the report and so will be providing complete information once she’s updated it, along with a summary page. Generally, there was a broad variety in the language used in the plans, so some discussion on how to standardize the language. Some plans have been targeted as having particularly good language and may serve as good examples. Jordyn’s work and the summary page will be the basis for further meetings and efforts to focus on improved Source Protection outreach. Rodney will work with Liz and Kira on next steps.

8. Secondary standards in Groundwater Protection Rule and Strategy

The latest draft of the Groundwater Protection Rule and strategy (GWPRS) should be coming around shortly (in February) again for review and comment.

In the context of road salt (above), the proposed GWPRS does not include secondary standards, including chloride. There was some discussion on whether the inclusion of secondary standards at least for the occurrences of impacted supply wells (similarly to the way VAL's are utilized) might be prudent.

It was requested that VDH have at least 3 weeks to review the draft GWPRS prior to it going to ICAR.

9. Groundwater Briefing and Strategy for Groundwater Management

There was a suggestion to prepare a document with an invitation to a discussion for distribution to management. Suggestions on what to highlight in such a document:

- considerations of economics: remediation costs more than prevention
- highlight future considerations: stormwater, geothermal, contaminants of emerging concern

The Strategy for Groundwater Management (previously circulated and attached here as a word document) was also discussed as potentially being the briefing document, either in whole or in part, nearing completion.

Given the time, the group did not review the strategy in detail, but there was some general discussion on sources for the numbers referenced in the opening portion of the strategy (percent of groundwater used in the state) and inclusion of reinstating UIC registrations.

Action Items:

- ***Submit comments on the distributed Strategy for Groundwater Management to Scott and Kasey***
- ***Please consider whether you know of any colleagues who might be interested in actively participating in the Groundwater Coordinating Committee, we've got some important topics coming up this year (GWPRS and the Strategy for Groundwater Management) and would love to have more involvement!***

Next Meeting: February 23rd 1 pm at the Annex