

Item 20.



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To: Common Council Organizational Committee
From: Joseph Grande, Water Quality Manager
Date: September 9, 2008
Subject: Comments regarding the Water Quality Technical Advisory Committee being subject to Public Meeting Requirements.

This memorandum is intended to help the Common Council Organizational Committee subcommittee on committees to better understand the organization and role of Madison Water Utility's Water Quality Technical Advisory Committee (WQTAC), and to make the case that the WQTAC ought not be considered a governmental body subject to public meeting requirements.

The WQTAC was designed to give to Utility staff advice on technical water quality issues that is both expert and candid. It was not intended to be a public forum for the discussion of such issues; as noted below, the City provides a number of other avenues for such discussion. If this body were required to open its meetings up to the public, we very well might not receive the same blunt advice we now get. The experts would tone down what was said due to the public nature of the forum. Utility staff believes it is very important to get this unvarnished advice.

At the urging of the mayor, the former Water Utility General Manager created an advisory panel (WQTAC) in November 2006 to assist staff and board members review and assess water quality analyses, technical data related to annual drinking water quality reports, and research related to emerging water quality issues. At its inception, the committee consisted of a hydrogeologist from the Wisconsin Geological and Natural History Survey, an environmental epidemiologist from the Wisconsin State Laboratory of Hygiene, a microbiologist also from the State Lab of Hygiene, and the General Manager, Principal Engineer, and Water Quality Manager from the Water Utility. The panel now also includes a retired hydrogeologist from the Wisconsin Department of Natural Resources and the Water Supply Manager from the Water Utility, for a current membership of eight persons. Depending on the agenda items, non-panel members are occasionally invited to meetings. For example, the director of Public Health for Madison and Dane County, a pediatric endocrinologist from the American Family Children's Hospital, and general managers of area water utilities attended a meeting that focused on the potential health impact of pharmaceuticals and endocrine disruptors in the water supply and whether area utilities should test for these emerging contaminants.

The committee has met for a total of seven times since November 2006, generally meeting three or four times per year. The group has discussed a wide range of topics including pesticides, radium, viruses,

pharmaceuticals, disinfection by-products, and manganese in Wisconsin groundwater. Members have shared their technical expertise related to specific issues impacting Madison. These include a review of the standard operating procedure for chlorine disinfection of Madison drinking water; water quality test results for pump tests performed at Well 29, Larkin Street, and Femrite Drive; technical data from the East Isthmus Well Replacement Study; annual inorganic and volatile organic compound test results; groundwater modeling output following a pump test at Well 29; a proposal to install a sentinel well located between Well 29 and Sycamore Landfill; and the manganese monitoring study.

Summaries of these meetings have been prepared since the August 2007 meeting and are published with the Water Utility Board agenda as part of the water quality report. The Board and any persons attending the Board meeting have the opportunity to ask questions about any of the water quality matters discussed in those summaries.

A significant benefit of the WQTAC is an independent review of technical reports, internal documents, and water quality data. The professional expertise provided in the following areas -- hydrogeology, environmental epidemiology, and microbiology -- helps the utility evaluate and assess emerging challenges and technologies in the drinking water industry. Most important, the informal discussion that ensues provides science-based guidance for the utility that is not influenced by various constituencies and political interests. No formal actions are taken nor are votes cast. Decision-making authority remains with Utility management and the Board.

The advisory panel is not intended as a forum for public involvement or comment. Rather the intent was to assemble a group of experts to advise Water Utility staff on issues such as groundwater modeling and water quality monitoring and assessment. There are other venues for participation and public comment that include meetings of the Water Utility Board and public meetings focused on a specific topic. Over the past two years, Water Utility staff have hosted or participated in a number of public meetings related to Wells 3, 8, 10, and 29. The recent adoption by Common Council of the public participation process for the location and design of new Water Utility facilities guarantees additional opportunities for public involvement.

I think the WQTAC best meets its goal in the current arrangement where it is considered an outside technical source for staff, not a formal City committee that has some policy role.

CC: Tom Heikkinen, General Manager
Larry Nelson, City Engineer
Michael May, City Attorney