

# Texas Commission on Environmental Quality

## Cross-Connection Control Subcommittee Meeting

### September 4, 2012

### Meeting Summary

#### Welcome/Introductions/Announcements

The meeting date for the next Cross-Connection Control Subcommittee meeting is December 4, 2012.

Mr. Kenney Dykes has accepted the position as the second person to work in the TCEQ Cross-Connection Control Program and will be working with Mr. Al Fuentes.

Regulatory Guidance Document No. 195, "30 TAC 290 Subchapter D: Rules and Regulations for Public Water Systems," has been updated and is available to the public for printing via the TCEQ website. It can be found at:

<http://www.tceq.texas.gov/publications/rg/rg-195.html>

A request to adopt the minutes from the previous meeting on June 6, 2012 was made. Via email, Mr. Len Klandrud, Texas Rural Water Association (TRWA), requested that the following information be included in the minutes:

Under the subject line, "**Detecting % lead with Lead Test Kits**" Mr. Klandrud would like to include, "According to the manufacturer's specifications, the Lead Check Swabs will react with any lead content over 1% and turn red, therefore they cannot be used for determining the lead content in brass, pipes, or fittings due to these fixtures having a lead content more than 1%. They are specified for lead-free (<0.2%) solder & metal alloys only."

Under the subject line, "**Using in-line booster pumps past a customer's meter,**" Mr. Klandrud would like to include, "Section 290.44(d)(3) states that service connections that require booster pumps taking suction from the PWS lines must be equipped with automatic pressure cut-off devices so that the pumping units become inoperative at a suction pressure of less than 20 psi (thereby preventing a backsiphonage condition)."

A motion was made to adopt the minutes with the above information included. The motion was seconded and the vote was in favor of adopting. The minutes from the previous meeting will be available on the TCEQ website.

## **Background Checks for BPAT and CSI license renewal**

Mr. Russell Gardner, TCEQ Occupational Licensing Section (OLS), gave a presentation on Criminal History Background Checks (CHBC) for those individuals who wish to renew or acquire a new Backflow Prevention Assembly Testers License or a Customer Service Inspector License. In order to comply with current statute, OLS is conducting criminal background checks in order to meet two goals, to protect the public safety and to license all who meet the requirements and do not jeopardize the public. Currently, an application for new or renewal licenses is received with the Criminal History form. OLS then conducts a criminal background check. If a conviction is found, the application is reviewed by a committee. The decision by the committee is approved by management and the applicant is notified of the results. The State Office of Administrative Hearings (SOAH) is available for applicants to present their case when the decision is unfavorable. If a false conviction due to a keystroke error is found on an application, the applicant can request their own records using a fingerprint check. Error resolutions of false convictions occur within 60 days of a request with the Texas Department of Public Safety.

## **Backflow Prevention Assembly Tester (BPAT) Ethics**

Mr. Fred Baird, Bac-Flow Unlimited, presented information on the ethics that Backflow Prevention Assembly Testers should observe. He covered subjects such as safety during testing, responsibility to notify, the dollar amount to charge, insurance, falsifying reports, bribery, and skill proficiency. Of special concern to Mr. Baird were owners of testing companies who did not have knowledge of the regulations and what the duties of a BPAT were. Experience has shown that those owners would put their BPAT employees in compromising situations in order to meet financial goals. Also discussed was adding an additional 2 hour block for ethics training during license renewals and BPAT license testing.

## **Landscape Irrigation systems as automatic water fill systems**

Mr. Byron Hardin, Hardin & Associates, lead a discussion regarding the use of the water supply lines for irrigation systems as supply lines for other water use systems such as On-Site Sewage Facilities (OSSF), decorative fountains, and swimming pools. The following points were made:

1. The 2012 International Plumbing Code (IPC) allows for a potable water connection to be made in order to maintain a swimming pool full.
2. TCEQ's Landscape Irrigation regulations prohibit a connection to be made to

the irrigation system. This is stated in 30 TAC 344.62 (n) Water contained within the piping of an irrigation system is deemed to be non-potable. **No drinking or domestic water usage, such as, but not limited to, filling swimming pools or decorative fountains, shall be connected to an irrigation system.** If a hose bib (an outdoor water faucet that has hose threads on the spout) is connected to an irrigation system for the purpose of providing supplemental water to an area, the hose bib must be installed using a quick coupler key on a quick coupler installed in a covered purple valve box and the hose bib and any hoses connected to the bib must be labeled "non-potable, not safe for drinking." An isolation valve must be installed upstream of a quick coupler connecting a hose bib to an irrigation system.

3. Per the Swimming Pool Code (SPC) the swimming pool must be filled with potable water.
4. This issue will be further addressed in the General Information on Irrigation Systems document currently being developed.

### **Focused Inspection Checklist**

Mr. Byron Hardin, Hardin & Associates, asked for the subcommittee to review and comment on the Focused Inspection Checklist which is used by TCEQ Regional Investigators when inspecting Cross-Connection Control Programs. It was determined that this checklist was incomplete and could be improved. During a TCEQ training event in 2008 a list of questions were developed to assist investigators when inspecting Cross-Connection Control Programs. Mr. Al Fuentes will work to incorporate these questions into the checklist and make it available to TCEQ Regional Investigators.

### **Water for Fracking & Backflow Concerns**

Mr. Al Fuentes, TCEQ Cross-Connection Control Program, asked the subcommittee for comment on the use of raw water in fracking operations. Public Water Suppliers are selling their raw water to Fracking Companies for use in their fracking operations. The connection is made on the main supply line before the chlorine injection point creating a cross-connection which requires appropriate backflow prevention. It was determined by the subcommittee that although using a device on the end of the fill hose to prevent submersion or using a storage tank with an air gap are optional backflow prevention methods, the appropriate backflow prevention device would be a Reduced Pressure Principle Backflow Preventer at the connection to the main supply line.

## **Trifluralin and TORO**

Mr. Bruce Rathburn, San Antonio Water System, provided additional information to the subcommittee regarding a presentation given by, TORO representatives at the Cross-Connection Control Subcommittee meeting held on June 6, 2012 (available at

<http://www.tceq.texas.gov/assets/public/permitting/watersupply/groups/cc/draftsummary20120606.pdf> ).

This information provides greater detail on the toxicity of trifluralin and the potential health effects from exposure to trifluralin. At this point, it is the recommendation from this subcommittee to regard the use of trifluralin in irrigation systems as a health hazard requiring the use of a Reduced Pressure Principle Backflow Prevention Assembly.

## **Containment Backflow Prevention for Irrigation Systems**

The discussion of using a backflow preventer at the meter (containment backflow prevention) as appropriate backflow prevention for an irrigation system was revisited. It was determined that:

- a. The International Plumbing Code Section 608.16.5 requires that the potable water supply **to** an irrigation system be protected against backflow.
- b. Using containment backflow prevention does **not** satisfy the TCEQ requirement for backflow prevention as specified in Title 30 of the Texas Administrative Code (TAC) §344.50(a) *Any irrigation system that is connected to a public or private potable water supply must be connected through a commission-approved backflow prevention method*. Due to the location, containment backflow prevention is providing protection from backflow from the entire site and not the irrigation system. In the event of backflow, the potable water supply to the people **within** the building (residential or commercial) would be most vulnerable to contamination.

## **General Information Document for Irrigation System Backflow Testing**

Mr. Fred Baird, Bac-Flo Unlimited, presented information on the Irrigation Backflow Preventer Testing general information document. Mr. Baird covered the historical aspects of backflow prevention on irrigation systems, differences between plumbing codes and TCEQ Regulations, and challenges faced by Cross-Connection Control Program Administrators. The document will contain information on different classes of irrigation systems and information to educate the public on the backflow hazards of irrigation systems and the importance of testing the backflow preventers. The expectation is that the first draft of the

document will be available for comment from the subcommittee at the December 4, 2012 meeting.

### **Buffer Zone Requirements**

Mr. Fred Baird, Bac-Flo Unlimited, also presented information on Buffer Zone Elimination. At issue is the requirement from some cities to have at least a 3.0 psi difference between the pressure reading on the first check valve and the opening point of the relief valve when testing a Reduced Pressure Principle Backflow Prevention Assembly (RP). Mr. Baird stated that this requirement is not supported in the 10<sup>th</sup> Edition of the University of Southern California's Manual of Cross-Connection Control nor are RPs currently manufactured to have this Buffer Zone. Mr. Baird's recommendation is for cities to eliminate this requirement so that there is a consistency and uniformity in testing requirements throughout the state. Although, TCEQ allows for local rules to be more stringent than TCEQ regulations, which is the case with the 3.0 psi Buffer Zone requirement, it should be noted that having this requirement will result in many RPs failing the test when they are actually working correctly.