

Texas Commission on Environmental Quality

Cross-Connection Control Subcommittee

December 3, 2018

Building F, Room 2210

Time: 9:00 – 3:00

Note: This draft meeting summary is posted for review and comment by meeting attendees. It will be available for comment at the next meeting of the TCEQ Cross-Connection Control Subcommittee at which time it will be voted on for adoption.

Draft Meeting Summary

Commencement

Mr. Shannon Frazier

The meeting commenced on time with the general announcements and introductions by meeting participants.

Comment was requested on the previous meeting summary which was provided with the meeting invitation. No comment was voiced, and a motion was made to adopt the meeting summary as-is. A second to the motion was heard and the vote to adopt was unanimous.

The next meeting of this Subcommittee will be held on March 7, 2019.

Update from Landscape Irrigation

Mr. Al Fuentes

Mr. Al Fuentes, TCEQ Office of Compliance and Enforcement, provided an update on the Landscape Irrigation Program (LIP). The program has been updating Standard Operating Procedures and dealing with a backlog of complaints. The LIP is currently dealing with 10 open complaints. New members will be joining the Irrigator Advisory Council (IAC), their tenure begins in February. Changes have been made to the LIP website and there is an email list for people who would like to receive LIP updates.

IAC Rule Petition

Mr. Al Fuentes

Mr. Al Fuentes also provided an update on the IAC rule petition. After careful consideration, several recommendations were made and approval to proceed was received. Some of the **recommendations** were:

- All irrigation systems will not be classified as health hazards;
- Double check valves will not be eliminated;
- Testing of backflow prevention assemblies on non-health hazard irrigation systems will be required at least triennially.
- Spill resistant pressure vacuum breakers should not be used to provide backflow protection from irrigation systems.

- Chapter 344 of the Texas Administrative Code will be amended for better enforceability, consistency with statute, readability, and to make grammatical and punctuation corrections.

The anticipated proposal date for rules is October 16, 2019, with an anticipated public comment period date of December 1, 2019, and an anticipated rule adoption date of May 2, 2020. The latest information on the changes in the LIP rules can be found at:

<https://www.tceq.texas.gov/drinkingwater/irrigation/landscape-irrigation-regulation-stakeholder-process>

Cross-Connection Control Program

Mr. Charlie Middleton

Mr. Charlie Middleton, TCEQ Cross-Connection Control Program, provided an update on this program. Cross-Connection Control Program surveys have continued at public water systems that have been identified by TCEQ regional investigators as benefitting from this form of technical assistance. Form approval requests are still being received for systems wishing to use alternate Backflow Prevention Assembly (BPAT) Test and Maintenance reports and Customer Service Inspection (CSI) forms. Mr. Middleton also explained that there had been a recent backflow event at a public water system in Texas, which would be discussed in greater depth later in the meeting.

Occupational Licensing

Ms. Linda Saladino

Ms. Linda Saladino, Occupational Licensing (OL), provided an update from the OL section. Ms. Saladino and Mr. Erwin Madrid, OL Section, provided a demonstration of the new Occupational Licensing Electronic Application (OLEA). There was also a discussion focused on whether one 10-hour class was enough training to conduct Customer Service Inspections although many CSI classes are accompanied by additional cross-connection control training now including up to 20 hours. The TCEQ Occupational Licensing section reviews and approves training credit hours for multiple licensing areas if the content applies to the critical tasks of multiple licenses and the instructor has experience and licenses in those areas also. For example, a course may be approved for training credit hours for CSI, BPAT, and Water Operators.

Recent Backflow Event in East Texas: Lessons Learned

Mr. Kenny Dykes

The causes of a recent backflow event were discussed. The event occurred at a facility making wooden pallets, which are treated with a fungicide prior to sale. The fungicide tank is filled by extending a hose down to the bottom of the tank to prevent foaming of the fungicide. This created a direct cross-connection to a health hazard. The facility also had access to a fire hydrant which was used to fill a small water tank on a truck in order to keep mulch piles wet and prevent fires. The loss of pressure when this hydrant was used allowed the contents of the fungicide tank to back-siphon into the potable water distribution system, contaminating the drinking water of many customers.

Previously conducted CSIs did not identify any potential contamination hazards. However, a TCEQ investigation after the backflow event identified in excess of 20 sites where there was an actual or potential cross-connection requiring the need for backflow prevention to protect the potable water supply.

TCEQ presented possible changes to the BPAT T&M form to include Type II assemblies. Revisions and ideas were discussed and TCEQ will edit and reevaluate the form to best fit the testing and reporting requirements. Presently, most testers are submitting results for these assemblies on two forms. The proposed changes discussed in the meeting will be presented to management for approval and finalization prior to the next meeting on March 7, 2019.

Mr. James Garvin gave a presentation reviewing backflow protection requirements for private pools, including whether any public water suppliers were treating private pools as a health hazard, requiring a reduced-pressure principal backflow assembly. The various methods of filling private pools noted by purveyors included filling from a hand-held hose, filling from a private well, filling from an irrigation system, or filling using rainwater. Some systems require residents to inform them of the fill mechanism for a proposed private swimming pool before being given a permit and if necessary they must fit an appropriate backflow assembly.

The following items were discussed during the working lunch:

- Standard gauges (used to test field test gauges) kits were discussed, specifically whether the same standard gauge can be used on potable and non-potable gauges and whether the same requirement applies to standard gauges that use air and standard gauges that use water. The labelling requirements for non-potable gauges were also discussed. The consensus was that using a standard gauge to test the accuracy of the differential pressure gauges that testers use on both potable and non-potable gauges is acceptable and does not pose a significant contamination hazard.
- It was recommended that gauges should also be tested before being placed into service (even if they are brand new). Most are placed into service for a year before they are tested if they are sold with a certificate stating that they had been tested before being sold. Several participants noted that when tested, new gauges are frequently found to be inaccurate, even if they have a certificate to verify that they have been tested.
- It was noted that homeowners are repairing their own backflow prevention assemblies, and that while it is not advised, they are entitled to do so. However, the assembly must still be tested by a licensed tester.
- Information from water purveyors was requested by TCEQ cross-connection control staff to help determine whether systems are struggling to meet the requirement to test every backflow assembly requiring a test annually, as per TAC Title 30 §290.44(h)(4). Some larger systems may be vulnerable to a violation if they cannot demonstrate that 100% of the backflow prevention assemblies installed on health hazards are tested annually. Tracking these and making sure none are missed can be very difficult. In addition, there may not

be enough licensed testers available to test them all annually. This topic will be further discussed.

Fireline Testing Requirements: Underground vs. Riser Rooms

Mr. Buddy Heuberger

Mr. Buddy Heuberger, Hardin & Associates, provided an update to his previous presentation on testing backflow prevention assemblies on fire suppression systems. This described who is entitled to install, maintain and service fire sprinkler systems in Texas, and who is entitled to test backflow prevention assemblies on firelines:

- Obtaining a responsible managing employee (RME) license from the Texas Department of Insurance State Fire Marshal's Office (TDI SFMO) does not allow that person to install, maintain, or service fire sprinkler systems in Texas. Companies engaged in fire sprinkler installation, service and maintenance must have a registration certificate issued by the TDI SFMO and employ at least one individual with the appropriate RME license.
- A Sprinkler Certificate of Registration (SCR) does not give a company authority to test a backflow prevention assembly or service a fire sprinkler system. The SCR defines the **type** of fire sprinkler system that a company can install, service or maintain.
- TCEQ requires fireline backflow prevention assembly testers to be permanently employed by an approved fireline contractor. The TDI SFMO requires that any person performing maintenance on a fireline be employed by an approved fireline contractor.
- A BPAT does not have to have an RME to test a backflow assembly on a fireline but must be permanently employed by an approved fireline contractor. The **contractor** must have an SCR and at least one full time RME.

Testing Backflow Prevention Assemblies (BFPA's) during a Boil Water Notice Mr. Fred Baird

Mr. Fred Baird gave a presentation and lead the discussion on restricting the testing of BFPAs during a Boil Water Notice (BWN), where a water system has indicated that the water in its distribution system may be unsafe for consumption or may pose an acute health risk. There was general agreement that testing should be suspended until a boil water notice had been lifted, in an effort to prevent the contamination of gauges. Water that requires boiling prior to consumption would be treated the same way as non-potable water. Once a gauge has been used to test a BFPA on a non-potable water line it must never be used to test a BFPA on a potable water line. The possibility of the gauge containing pathogens received from non-potable water creates a risk of transferring pathogens to potable water if the same gauge is used on a potable water line. Any gauges used to test a BFPA on a non-potable water line, or on a potable water line during a BWN must be painted purple and a purple decal must be added to the dial inside the lens cover with "NON-POTABLE USE ONLY" printed in white lettering.