

# **Texas Commission on Environmental Quality Cross-Connection Control Subcommittee**

**June 7, 2018**

**Building F, Room 2210**

**Time: 9:00 – 3:15**

*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.*

*Note: Due to key personnel not able to participate in this meeting and last-minute changes to the agenda, the information for some of the topics is abbreviated.*

## Commencement

Mr. Al Fuentes

The meeting commenced on time with the general announcements and introductions by meeting participants. Ms. Katherine McGlaughlin, TCEQ Cross-Connection Control Program, was introduced as the newest member of the program.

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 September 6, 2018.

## Landscape Irrigation

Ms. Macy Beauchamp

Ms. Macy Beauchamp, TCEQ Landscape Irrigation Program, provided a brief update on the Landscape Irrigation Program (LIP). LIP is currently working on the rule petition put forth by the Irrigator's Advisory Council (IAC). For more information on this rule petition, please visit the LIP web page at: <https://www.tceq.texas.gov/drinkingwater/irrigation>

A summary of the rule petition has not yet been written however, a summary is expected to be presented at the September 5<sup>th</sup> meeting of the TCEQ Commissioner's Agenda. This rule petition will also result in the opportunity to update Chapter 344, The Rules on Landscape Irrigation.

In order to adequately consider the challenges faced by local City and Water Utility landscape irrigation programs, the LIP is conducting a survey to receive information from local programs. The 17-question survey was provided to members of the subcommittee with the opportunity to fill it out. To date the response to the survey has been low.

There was some discussion on the requirements for backflow prevention and when it was appropriate to require the Reduced Pressure Principle Backflow Prevention Assembly (RP). Apparently, there is much information out in industry and some of it is incorrect. The recommendation was made to identify and provide outreach to the relevant organizations such as the Texas Irrigation Association (TXIA) with correct information based on TCEQ regulations.

Mr. Deric Patton, TCEQ Occupational Licensing, provided an update. Changes have been made to the licensing process to:

- Improve internal tracking, i.e. QA/QC;
- Make the webpages more user friendly;
- The online application process is being updated.

There have been 150 new applications for the backflow prevention assembly tester license received as well as 429 renewals. The passing rate for exams is at 49%.

A request was made to provide the rates for those taking the test a second time. Mr. Patton will see about determining those numbers.

Mr. Charlie Middleton, TCEQ Cross-Connection Control Program provided the following update:

- Program Staff continue traveling to TCEQ Regions to conduct on-site Cross-Connection Control Program Surveys;
- Program staff provided a presentation answered technical questions at the annual TCEQ Public Drinking Water Conference.

Mr. Jack Schulze, TCEQ Contractor, provided a presentation on the relatively new Revised Total Coliform Rule (RTCRC). Training on RTCRC is given to water systems by TCEQ contractors. Chapter 8 in the training manual contains a section on Cross Connection Control. It is important to note that a poor Cross-Connection Control Program is considered, by the RTCRC, a “sanitary defect.”

Sanitary Defect is defined by the EPA as: *A situation or condition that (1) could provide a pathway of entry for microbial contamination in the distribution system or; (2) is indicative of the failure or imminent failure of an existing barrier against microbial contamination that is already in place.*

An unprotected cross-connection is an ideal “pathway of entry for microbial contamination.”

This topic will be re-visited at the next meeting of this Subcommittee.

Mr. Bruce Rathburn, American Backflow H2O, led the discussion on testing backflow preventers on fire suppression systems. The following question was asked, “Who can test the containment backflow preventer on a water line that provides water for both domestic use (drinking, cooking, cleaning, etc.) and also for the fire suppression system?”

As a result of the discussion, the Subcommittee was in general agreement that if you are a licensed Backflow Prevention Assembly Tester (BPAT), you could test this backflow preventer. However, a BPAT cannot test the backflow preventer on a dedicated water line to a fire suppression system unless he is permanently employed by an approved Fireline Contractor. Per the discussion, this should be added to Regulatory Guidance Document No. 478 (RG-478).

- Backflow Prevention at Sewage Lift Stations

After some discussion by the Subcommittee, the general consensus was that Waste Water Treatment Plant Operators need to be trained and aware of contamination hazard so that they do not accidentally form a cross-connection between the potable water supply and sewage.

- Can a Licensed Plumber Repair an Assembly?

During the discussion, it was the general consensus of the subcommittee that a licensed plumber can repair and remove backflow prevention assemblies. Please note, below is what we have written in the DRAFT Regulatory Guidance Document No. 206 on Customer Service Inspections:

***Who can test and repair backflow prevention assemblies in Texas?***

Backflow prevention assembly testers (*BPATs*) licensed by the TCEQ can test and repair assemblies on any domestic, commercial, industrial, or irrigation service in Texas. For information about BPAT licenses, please contact the TCEQ's Occupational Licensing Section, 512-239-6133, or visit its webpage at <[www.tceq.texas.gov/licensing](http://www.tceq.texas.gov/licensing)>.

A licensed plumber may also repair a backflow prevention assembly, however without the appropriate license, he cannot test the assembly to document that it is working correctly. This will require additional coordination to have a licensed BPAT test the assembly after repair.

- Improvements to the Cross-Conn Webpage

Ms. Jessika Gunn-Reece, TCEQ Response and Capacity Development Team, provided an update on changes made to the webpage:

- The Cross-Connection Control Subcommittee hyperlink located in the first paragraph of the main Cross-Connection Control and Backflow Prevention webpage now takes users directly to the subcommittee webpage.
- Major formatting revisions were made to the Agendas and Summaries from Past Meetings section of the Cross-Connection Control Subcommittee webpage. Agendas and summaries are now listed in reverse chronological order and grouped triennially in accordions (expandable boxes).
- All TCEQ webpages are responsive, meaning content automatically resizes, moves, etc. to look good on all devices, including cell phones.

ABPA Convention

Mr. Troy Baird & Mr. Bill Hamrick

Mr. Troy Baird, Bac-Flo Unlimited, and Mr. Bill Hamrick, ATB Services, provided a brief update on their attendance at this year's American Backflow Prevention Association (ABPA) Conference in Orlando, Florida. Some of the presentations they like the best were:

- Customer Service Inspections
- Mock Trial for Fraudulently Filling Out a Form
- Legionella
- Lead Free Standards
- Enforcement in the Southern States

Mr. Ron Lord, Dispensing Equipment Alliance, provided a presentation on the ASSE International's Standard 1055. Mr. Lord spoke on amending the 1055 Standard to be in line with the US and Canadian Standard and changing the name to ASSE Standard 1055-2018, working with industry to increase compliance, air gaps, complying with the plumbing codes, and visual inspections. Mr. Lord will also provide this information at this year's Public Drinking Water Conference put on by TCEQ.

Integrity Challenges to Electronic Record Keeping

Mr. Bruce Rathburn

Mr. Bruce Rathburn led the discussion on using commercially available record keeping services to comply with the TCEQ record retention requirements for Cross-Connection Control Programs. Specifically, he spoke on the challenges of data entry.

TCEQ regulations require the tester to fill out the test report, this is specified in:

*30 TAC §290.46(h)(4)(C) A test report must be completed by the recognized backflow prevention assembly tester for each assembly tested. The signed and dated original must be submitted to the public water supplier for recordkeeping purposes. Any form which varies from the format specified in commission Form 20700 must be approved by the executive director prior to being placed in use.*

Of concern is the apparent inability of some software companies to allow the licensed tester to enter the test results of the initial testing of a new assembly. What has been happening is, some companies require the tester to send in the first test report (electronically or otherwise) and administrative staff enter the test results. This practice inhibits the accuracy of the information entered and is not allowed per 30 TAC §290.46(h)(4)(C) listed above. Some concerns noted were:

- The tester's remarks are not entered;
- There are inaccuracies due to legibility of the writing;
- Liability for incorrect information. This reflects directly on the tester's license.

TCEQ program staff will look into this and, if need be, use the alternate form approval process to help correct this.