

Texas Commission on Environmental Quality
Cross-Connection Control Subcommittee
December 5, 2019
Building F, Room 2210
Time: 9:00 – 3:00

Commencement

Mr. Charlie Middleton

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

Ms. Linda Saladino was noted to no longer be with the Occupation Licensing Division. With these changes, the previous subcommittee meeting summary was voted and seconded to adoption.

The next meeting of this Subcommittee will be held on March 5, 2020.

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 and others as benefitting from this form of technical assistance. Common issues identified during surveys include a lack of understanding of CSI as a tool and frequent staff turnover. Survey follow-ups include record reviews for following investigations.

The TCEQ Cross-Connection Control Program remains occupied with conducting surveys and trainings across the state.

Landscape Irrigation

Mr. Al Fuentes

Mr. Al Fuentes, TCEQ Office of Compliance and Enforcement, provided an update on the Landscape Irrigation Program (LIP).

Chapter 344 was opened up for revision and was currently with the Texas Register. The public comment period will be open from January 31, 2020, and March 3, 2020.

The Landscape Irrigation Program continues to face issues with irrigations and the familiarity with on-site sewage facility (OSSF) requirements. The presence of an OSSF raises the hazard classification of an irrigation system from a non-health hazard to a health hazard. Many irrigators are unfamiliar with these requirements - these requirements should be brought up during cross connection control program surveys.

Statistics for FY19 Landscape Irrigation include: 43 new recorded incidents, 32 investigations conducted, and 17 total violations recorded. 15 Notices of Violation (NOVs) were issued - 12 violations were resolved within the 30 day compliance period, and 4 outstanding NOVs from FY18 were resolved. As of FY20, 6 new incidents were recorded, 7 complaint investigations have been conducted, and 4 NOVs have been resolved.

The LIP noticed a trend regarding certain municipalities. Certain municipalities are requiring two backflow prevention assemblies on connections with private wells attached to irrigation systems, with one being on the line from the well to the irrigation system. This may result in an increase in complaints. TCEQ has no regulations in Texas Administrative Code Chapters 290 or 344 addressing protecting ground water sources from irrigation systems. Protection can be provided by local ordinances.

It was noted during the meeting that the Texas Municipal League is currently reviewing landscape irrigation regulations.

Occupational Licensing

Ms. Tamara Calhoun

Ms. Tamara Calhoun, Occupational Licensing (OL), provided an update from the OL section. The following updates were noted:

At this time, there are approximately 5,800 current BPAT licenses. OLS received 500 BPAT applications this last quarter. The number of tests administered decreased, but the percentage passed remained the same (43%). There are 2,181 current CSI licenses - an increase 1% from previous quarter. OLS received 200 CSI applications this last quarter. The percentage pass remains the same (48%).

The subcommittee members raised a question during OL updates. Specifically, how does an applicant prove their water experience requirement? At this time, the OL Division does not require proof to be submitted for licensing and relies on honesty. Additional documentation as proof may be requested as part of a license application for a CSI or BPA tester. Ms. Calhoun further clarified that shadowing another BPA tester does not qualify for the experience requirement. "Helpers" for plumbing have to be working as an apprentice for a licensed company under a registered master plumber.

RG-476 & RG-477 Updates

Mr. Kenneth Dykes

Mr. Kenneth Dykes, TCEQ, introduced updating regulatory guidance documents:

- RG-476 "A Public Water System Guide to Responding to a Backflow Incident"
- RG-477 "A Public Water System Guide to Preparing a Backflow Incident Emergency Response Plan"

It was noted that the documents were first published over 10 years ago and have become dated. Members noted the documents were missing information including managing storage tanks, recognizing issues, and issuing notifications. Interested members were asked for input refining these guidance documents. Updating these guidance documents may create the need for additional updates on other backflow prevention regulatory guidance documents.

Next steps for this task include identifying other guidance documents that need updating, deciding on an order to review, and updating contact information

CSI Training Stakeholder Meeting

Group Discussion

TCEQ staff and stakeholder members noted frequent issues raised regarding the current CSI class. At this time, the CSI class is a 10-hour course that is part of the prerequisite for getting a CSI license. Several students have indicated they do not feel sufficiently prepared to conduct a CSI after the class. Recently licensed CSIs have contact TCEQ for advice on conducting CSIs.

Members discussed the potential of expanding the class length from 10-hours to 24-hours and introducing a mentoring program for new CSIs. Such an increase would give more time for education without needing to make a rule change. Two levels may be necessary to fully explore CSIs – residential hazards and commercial hazards. An ideal addition to the CSI training includes an experienced CSI trainer filming themselves conducting a CSI and identifying example hazards.

Consideration needs to be given to the additional burden placed on educators. Concern was also raised that students may not remain engaged for a 24-hour class. The feasibility of a field work component was discussed if the course length is increased.

Mr. Bruce Rathburn, American Backflow H2O, elected to head the CSI Training Stakeholder Workgroup. Additional members volunteered to work with Mr. Rathburn and develop ideas for the CSI Training.

Lead Labeling Requirements

Mr. Kenneth Dykes

Mr. Kenneth Dykes introduced a discussion on lead labeling requirements listed on Form TCEQ-20699; specifically:

Plumbing installed on or after January 4, 2014 bears the expected labeling indicating $\leq 0.25\%$ lead content. If not properly labeled, please provide written comment.

CSIs can be conducted on finished buildings, where piping has been in place and pipe identification is difficult. Even though a product has not been certified and labeling has been removed, the piping may still meet lead free requirements. Contacting the piping manufacturer may be required to verify lead content. Verifying the lead content is not the responsibility of the CSI, but instead of the water customer.

The EPA Lead and Copper Rule comment period closes on January 20, 2020. These rules may require 20% of schools to be tested annually for lead content. In addition, the rule may require testing at community water systems to determine where lead service lines may be.

Gauges for Fireline Testing

Group Discussion

Several water purveyors have recently started to consider fire lines as non-potable, with one public water system painting its fire lines purple.

It was recommended that TCEQ's gauge calibration guidance be updated to reiterate that fire lines are potable lines.

Non-potable gauges should only be used for reclaimed Type 1 or Type 2 water.

The following items were discussed during the working lunch:

RG-206 “A Public Water System Guide to Customer Service Inspections” is near finalization and publication. A new index page and updated links are amongst the updates made to the guidance document.