

Texas Commission on Environmental Quality Cross-Connection Control Subcommittee

March 5, 2020

Building F, Room 2210

Time: 9:00 – 3:00

Commencement

Ms. Katherine McGlaughlin

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

Changes to previous minutes were proposed; specifically, Mrs. Shannon Watson was added as a speaker, and clarification on Occupational Licensing information was made.

The next meeting of this Subcommittee will be held on June 4, 2020.

Cross-Connection Control Program

Ms. Katherine McGlaughlin

Ms. Katherine McGlaughlin, TCEQ Cross Connection Control Coordinator, provided updates to the Cross-Connection Control program.

Regulatory Guidance (RG) 206 “A Public Water System Guide to Customer Service Inspections” was republished to the TCEQ’s website in January 2020. Significant changes from the previously posted version of RG-206 include minor formatting changes. Irrigation rule changes will be added in later iterations.

TCEQ staff conducted 1 technical assistance cross connection control program survey in TCEQ Region 11. More surveys are to be scheduled for this upcoming quarter. TCEQ staff was aware of a backflow incident in January 2020, but this incident was handled by the Region-11 office.

Notifications for future Cross Connection Control Subcommittee meetings will be delivered via TCEQ GovDelivery e-mail notifications. This will allow for other interested parties to subscribe and unsubscribe to notifications to the subcommittee meeting and other TCEQ topics.

Landscape Irrigation

Mr. Al Fuentes

Mr. Alfonso Fuentes provided updates to the Landscape Irrigation Program (LIP), along with Mr. Peter Abel and Ms. Chelsea Atkinson. Mr. Fuentes introduced Ms. Chelsea Atkinson as a new staff member with LIP.

The Irrigators Advisory Council (IAC) meeting was held February 6, 2020. At this time, IAC is working on their end of year report.

Progress continues on the IAC Rule Petition. A public hearing was held on February 27, 2020 for public comments. Three comments were received from interested parties, bringing the total amount of collected comments to approximately 75. A variety of comments given are regarding the classification of irrigation systems as health or nonhealth hazards. Ms. Chelsea Atkinson is working on aggregating comments. The estimated adoption date is in July 2020.

LIP asked the Subcommittee for recommendations to ensure commercial irrigation systems were being acceptably regulated. Several concerns were noted:

- The IAC could conduct benchmark testing to compare to other states
- the IAC could reevaluate how incidents are reported
- the IAC could stress public education
- the IAC could reclassify irrigation systems as health hazards
 - a subcommittee member noted that Texas was one of two states that do not classify irrigation systems as health hazards.
- The IAC could address rebuilding backflow prevention assemblies in the rules
 - A subcommittee member noted that other states require a full backflow prevention assembly rebuild every five years, and certain assemblies require rebuilding as per manufacturer recommendations

Occupational Licensing

Ms. Tamara Calhoun

Mrs. Tamara Calhoun, TCEQ Occupational Licensing (OL) Division, provided updates in conjunction with Mrs. Shannon Watson and Mrs. Jaya Zyman.

Over the 2nd Quarter, OL received 722 applications for backflow prevention assembly tester (BPAT). OL administered 249 license tests, of which 113 passed, resulting in a 45.4% pass rate. 104 new and 216 renewal licenses were issued. The total number of licensed BPATs rose to 5,844.

In the same time period, OL received 316 applications for customer service inspector licenses. OL administered 117 customer service inspector license tests, of which 58 passed, resulting in a 49.6% pass rate. 51 new and 242 renewal licenses were issued. The total number of licensed customer service inspectors rose to 2,188.

Committee members representing training providers inquired about ill students getting continuing education units (CEUs) during a 30-day administrative period. OL expressed that extensions are hard to obtain and are granted on a case-by-case basis. Students should plan to meet CEU requirements as soon as possible and to plan for contingencies whilst avoiding procrastination. OL urged training providers to stress that the 30-day extension is not for getting CEUs, but instead for extenuating administrative circumstances (paying fees, filing paperwork, etc).

Temporary Management & Receivership

Ms. Dorothy Young

Ms. Dorothy Young, TCEQ Response and Capacity Development Team (RCDT), introduced information regarding Receivership and Temporary Management. Ms. Young discussed how the program assists troubled public water systems while searching for long term solutions. The program

works with the Public Utility Commission and the Attorney General's office nominating a receiver or temporary manager to operate the water system. Ms. Young expressed she was looking for interested parties that may be interested in getting involved in these programs, including operators, attorneys, managers, engineers, and others.

Ms. Young is also looking for systems to be nominated for a new Recognition Program. If you are, or know of, a water system who has helped another water system, you may nominate them for the program here:

<https://www.tceq.texas.gov/drinkingwater/recognition#categories>

Fire Suppression & Gauges

Group Discussion

Mr. Byron Hardin, Hardin and Associates, noted a trend in municipality requirements. Specifically, certain public water supplies in North Texas, South Texas, and the Gulf Coast regions are requiring backflow prevention assembly testers to use non-potable gauges on fire lines. The subcommittee speculated erroneous information is being taught by misinformed training providers.

The type of gauge that should be used is determined by the type of water upstream of the backflow preventer. This information is addressed and recorded in RG- 493 "Accuracy Testing of Gauges Used for Testing Backflow-Prevention Assemblies.

Mr. Brian Fiorosi, Test Gauge, Inc., presented information regarding labeling potable and non-potable gauges. Mr. Fiorosi noted that RG-493 requires a purple decal inside of the test gauge lens cover, but this is not always possible for all gauge types. Only certain manufacturers are manufacturing test gauges and conversion kits specifically meeting this requirement. Most testers convert their old potable gauges to non-potable gauges since potable line testing is more common. A PWS could verify the conversion, though online tracking systems have difficulty differentiating between potable and non-potable gauges unless a different model or non-potable signifier is used. In addition, to prevent contamination, hoses may be denoted as for use with non-potable gauges by marking them with purple banding. A proposed edit to RG-493 "Accuracy Testing of Gauges Used for Testing Backflow-Prevention Assemblies" included revising the final paragraph to read:

Licensed backflow-prevention-assembly testers that test assemblies on both potable and non-potable water lines must use two gauges. The gauge used to test assemblies on nonpotable water lines must have a purple decal—affixed to the dial inside the lens cover— with "Use ONLY for NON-POTABLE Supplied Assemblies" printed in white lettering. This gauge must not be used to test backflow preventers on lines for potable water. Hoses and fittings must also be marked with Purple marker. The gauge will be identified by adding -NP to the current Model Number.

These modification would aim to clarify which gauge is appropriate to use during a test, as well as strengthen identification ability.

Following this discussion, the subcommittee watched a news segment regarding a recent backflow incident in January 2020. The incident was reported when certain Austin, Texas residents noticed "soapy" water in their taps. Mr. Adam Taylor, Austin Water, discussed the event and identified it as a backflow incident. The local fire department responded to a fire and supplied certain fire trucks with concentrated foam. The concentrated foam backflowed into the water supply via backpressure from the firetruck. Water department staff responded by issuing a "Do Not Use" order, isolating the

area of contamination, and conducting unidirectional flushing. Mr. Taylor stressed the need for effective communication and cooperation with multiple teams when responding to incidents.

Subcommittee members identified that it would be difficult, if not impossible, to install a backflow preventer on a firetruck – the drop in pressure would impact firefighters’ abilities, and would require a costly firetruck redesign. Training on responsible use for these firefighting foams is important to prevent backflow incidents similar to this.

RG-477 “A Public Water System Guide to Preparing a Backflow-Incident Emergency-Response Plan” and RG-476 “A Public Water System Guide to Responding to a Backflow Incident” address emergency response to backflow incidents. The subcommittee noted that these resources may need updating and greater distribution.

CSI Stakeholder Meeting Workgroup Updates

Mr. James Cantrell

Mr. James Cantrell, San Antonio Water Supply, provided updates to the current stakeholder meeting workgroup. Mr. Bruce Rathburn, American Backflow H2O, originally volunteered to lead the workgroup, but asked to briefly step down due to scheduling issues.

The goal of this workgroup is to create a longer, more thorough customer service inspection (CSI) training for inspectors. Ideas that have been discussed within the workgroup include:

- Establishing a 2 phase license (residential and commercial),
 - At this time, the 10-hour CSI course focuses on residential issues, but less so on commercial and industrial issues.
- Create a video walk through of a CSI,
- Have a hands on inspection exercise, and
- Pairing up with a partner in industry to give field experience.

Concerns regarding extending the training included:

- Additional costs for students
- Additional time commitments for training providers

A member of the subcommittee expressed concern about scope creep for the workgroup. A CSI’s purpose is to identify whether potential sources of contamination exist. A revised training should remain within the scope of Texas Administrative Code Chapter 290, and not rope in concerns addressed by other inspections (ie, plumbing inspection).

Establishing and Managing a Cross Connection Control Program

Ms. Katherine McGlaughlin

Katherine McGlaughlin gave an informational presentation to the subcommittee’s review about cross connection control basics. The presentation was presented to attendees at this year’s Eagle Pass Water and Wastewater Conference on February 25, 2020.

This presentation is given to water systems as an introduction to TCEQ rules, and the subcommittee gave insight as to what should be added or expanded to best express the roles and requirements of a PWS’s CCCP. Additions to the presentation included:

- Discussing RG-477 and RG-476,

- Including local customer service inspectors as potential contacts,
- Explaining documented incidents,
- Exploring examples of cross connections, and
- clarifying fireline testing requirements.

Other Topics

Mr. Charlie Middleton

Mr. Charlie Middleton, TCEQ Response and Capacity Development Team, brought up a discussion on backflow test and maintenance form submission. Mr. Middleton received an inquiry asking if public water suppliers could set time restrictions on submitting forms (ie, a test & maintenance form must be submitted within 10 days). A similar rule is located in Texas Administrative Code (TAC) Chapter 344:

30 TAC 344.52(c) The irrigator shall ensure the backflow prevention device is tested prior to being placed in service and the test results provided to the local water purveyor and the irrigation system's owner or owner's representative within ten business days of testing of the backflow prevention device.

This rule does not cover all backflow prevention devices unless supported in a local rule or ordinance.

It was noted that requiring a fee to register with a public water supplier can serve as a revenue source and facilitate maintenance of tester documentation. This also would need to be codified in a local rule or ordinance as a requirement. Subcommittee members observe that additional requirements and fees placed on testers can decrease compliance and form submission rates. TCEQ does not regulate recouping testing and administrative costs, but public water supplies have found methods of charging.

The following items were discussed during the working lunch:

Additional workgroups are being formed to revise the RGs, including RG-345 and RG-477. If you would like to join a workgroup, please contact Katherine McGlaughlin.