

DRINKING WATER ADVISORY COMMITTEE

DEQ State Office

Legal Conference Room

Thursday, December 17, 2009

2:00-3:30 MDT

DRAFT MINUTES

Attendees:

DWAC Members:

John Wiskus, AWWA/CH2M Hill

Dennis Fickes, (for Gregg Wyatt) United Water Idaho

Dave Six, Water/WW Systems Manager, City of Lewiston

Kody Van Dyk, City Engineer, City of Sandpoint

Lynn Tominaga, Idaho Ground Water Appropriators

Mac Pooler, Mayor, City of Kellogg

Kellye Eager, Health Departments

Cyndi Grafe, USEPA-Boise Office

Steve Tanner, DEQ Coeur d'Alene Office

DEQ

Lance Nielsen

Mike Piechowski

Joan Thomas

Guests

Bill Thompson, United Water Idaho

Matt Mulder, Assistant City Engineer, City of Sandpoint

Introductions/Review of Agenda Items – John Wiskus

- Roll Call was taken and introductions made. A quorum was assembled with 9 of the 14 members present.
- Minutes of October 13, 2009 meeting were approved as written.
- Goal of meeting: Prepare recommendations to DEQ regarding residential backflow requirements and DEQ Rules for Cross Connection Control (CCC).

Report back to DWAC on miscommunication between DEQ and City of Sandpoint – Lance Nielsen

- DEQ followed up with the City of Sandpoint to resolve any confusion regarding the state CCC requirements. Dan Redline, DEQ Coeur d'Alene field office, contacted Sandpoint city officials to discuss and clarify any misunderstandings they may have on the Idaho CCC requirements. Mayor Heller was familiar with the CCC requirements and felt the City met the State's requirements. There had been some confusion regarding testable double check valve assemblies and the dual check valve devices (which are not testable).
- The Mayor understood that the City's ordinance needed to be modified last summer to remove the exemption for single family residences. The current Sandpoint CCC ordinance, which no longer exempts single family residences, is consistent with state rules and meets the minimum CCC requirements of the Idaho Rules for Public Drinking Water Systems.
- There had been confusion on the part of two Sandpoint citizens between the use of dual check valves, which are not testable, and double check valves, which are testable. Sandpoint officials indicated that they install un-testable dual check valves at every new connection as an added measure of protection for the distribution system, but not as a requirement under their CCC program. Sandpoint does not install dual check valves for regulatory purposes, and they understand that dual check valves do not satisfy the CCC requirements of the DEQ rules. (Note: The Idaho Standards for Public Works Construction (ISPWC) illustrates dual check valves as an additional precautionary measure in their standard drawings. The ISPWC drawings may have contributed to the confusion of the citizens.) The EPA Cross Connection Manual also illustrates the use of the dual check valves as a measure to prevent backflow and did cause confusion with two of the Sandpoint residents.

Discussion of Idaho DEQ Rules for Residential CCC Requirements – All

- The committee concurred that the State's CCC requirements were appropriate. They also agreed that it was up to individual systems whether they added dual check valves as an additional level of protection.
- The Idaho Rules for Public Drinking Water Systems, Section 543 states in part; "There shall be no connection between the distribution system and any pipes, pumps, hydrants, water loading stations, or tanks whereby unsafe water or other contaminating materials may be discharged or drawn into a public water system."
- After a meeting in 2008 between DEQ and the backflow tester instructors, changes were made in 2009 to the CCC sections of the rules which clarified the responsibilities of water purveyors. The rules were

clarified to formally acknowledge that DEQ would accept CCC programs that included premises isolation or containment, internal or in-plant isolation, fixture protection, or a combination of these approaches. The changes explicitly allowed for placement of backflow devices within premises that are under the jurisdiction of the local plumbing authority or the Plumbing Bureau having jurisdiction, so long as the water purveyor can verify that the proper device was installed and tested.

- Idaho rules used to include a list of acceptable backflow assembly types according to the situation or degree of hazard. The list was taken out of the rules because assembly types and usage change frequently, and DEQ relies upon the AWWA and University of Southern California for listing recommended or required backflow device types for various facilities.
- There was a concern raised by two citizens at the last DWAC meeting regarding “unlimited” access to their homes by the city, and the cost for annual testing being borne by the resident. DEQ review of the Sandpoint ordinance indicated that access requirement was limited and reasonable. It was determined that access to all backflow devices was needed to comply with the state CCC rules, and that annual testing is a cost of doing business.
- Regarding the Revised Total Coliform Rule (TCR) – Cyndi Graph, EPA, indicated that EPA was not going to add cross connection control requirements in the TCR regulations; however, they will be conducting additional CCC research in the future.

Roundtable Discussion: should changes be made to the CCC portions of the Drinking Water Rules - All

- The committee generally agreed that the State’s CCC rules were appropriate and made the following recommendations:
 1. Consistency in terms such as residence, premises, facility and connection. Perhaps the word “premise” would cover all connections.
 2. Consider requiring the same CCC standards for non-community systems as for community systems in Section 552.07.
 3. Remove the reference in the DEQ rules to the outdated EPA CCC manual – the manual could be interpreted to imply that it is okay to use un-testable dual check valves as “good” backflow protection.

Finalize Recommendations to DEQ regarding CCC requirements:

Motion/Action Taken: In response to Director Hardesty’s request for the DWAC to review the DEQ cross connection control (CCC) requirements, the DWAC supports current CCC portions of the Idaho Rules for Public Drinking Water Systems (IRPDWS) as being reasonable and appropriate and satisfies the EPA requirements in 40 CFR 142.10 (b) (5). The next time the CCC sections of the IRPDWS are revised, the DWAC recommends:

1. Delete references in IDAPA 543.04 to the outdated EPA CCC manual, and replace it with a reference to AWWA M-14 (AWWA National Cross Connection Control Manual).
2. Make consistent use of the terms facility, residence, and premise to clarify that all are included and covered by the CCC portions of the IRPDWS.
3. Consider increasing the CCC requirements for non-community public water systems in 552.07 to be equivalent to the requirement for community water systems.

MOTION MADE BY: Kellye Eager

SECOND: Mac Pooler

Results of vote: Individual roll call vote was taken. Results: 9 Yes, 0 No

(Note: A simple majority is needed to pass a motion. Because there are 14 advisory committee members, 8 votes are needed for a majority.)

Summary, Review of Discussion – John Wiskus

- The committee’s motion and recommendation to the DEQ Director was reviewed and finalized.

Adjourn at 3:30 p.m.
Next Meeting TBD