



February 26, 2018

The Honorable C.L. “Butch” Otter
Governor of Idaho
Office of the Governor
P.O. Box 83720
Boise, ID 83720

Subject: HCR 035 and HCR 037

Dear Governor Otter,

On behalf of the Idaho Rural Water Association (IRWA), I am writing to express our opposition to current House Bill HCR 035 and HCR 037 regarding back flow prevention for drinking water utility systems, and more specifically, the importance of annual backflow assembly inspection and testing requirements. IRWA is an association of Idaho drinking water and wastewater system utilities whose mission is to provide technical assistance, training and a strong representative voice for the benefit of Idaho’s drinking water and wastewater utility systems. IRWA represents over 350 drinking water and wastewater systems throughout the state.

Nearly 2,000 public drinking water systems in Idaho depend on the proper installation and function of backflow prevention assemblies as a barrier to contamination. Without these protection measures in place, public water systems are vulnerable to contamination that may impact public health. One contamination incident may result in considerable liability to Idaho’s communities that may be avoided by simply retaining inexpensive, annual testing that is already in place.

We object to HCR 035 and HCR 037 because they eliminate an established annual testing process that results in inspection and verification of backflow prevention assemblies needed to protect against system contamination. Backflow is the unwanted flow of used or non-potable water, or any other substances from domestic, industrial, or piping systems back into a potable drinking water system. Contamination from one failed backflow device can impact an entire public drinking water system, potentially resulting in a public health crisis for a community, its citizens, and its water supplier. Backflow prevention assemblies help provide reasonable protection against contaminating a citizen’s or community’s water supply. These backflow assemblies are installed in various settings for different threat levels. They are installed within buildings, on irrigation systems, typically fed by surface water sources, and at connection points between private premise lines and the public water system. Sediment, debris, freeze/thaw events, improper winterization blow-out/installation practices, and chemicals from these sources can and do interfere with the proper function of a backflow assembly,

contributing to potential contamination occurrences if backflow devices are not maintained regularly and verified in proper working condition.

From a public health perspective, we are very concerned with the proposed elimination of annual backflow assembly inspection and testing. The existing rules under Idaho Administrative Code 58.01.08 and 07.02.06, which require annual inspections and testing of all installed backflow prevention assemblies, were established on multiple code and industry leader recommendations including the Uniform Plumbing Code, American Water Works Association and the University of Southern California Foundation for Cross Connection Control and Hydraulic Research. We agree and support recommendations of these and other like entities.

Currently, many of Idaho's public water systems have ordinances in place to help enforce the requirement for annual backflow assembly testing inspections. If the ordinances currently in place incorporate by reference the rules for backflow assembly testing in IDAPA 58.01.08 and/or 07.02.06, and these rules are eliminated, the existing ordinances will require updating, resulting in additional cost to these communities.

A benefit for public water systems serving 1,000 or fewer people is that if the system has an effective cross connection control program in place, the water system may qualify for reduced monitoring for total coliform as allowed by the EPA's Revised Total Coliform Rule per 40 CFR 141.855. If DEQ's rules are removed or altered to remove the testing requirement, DEQ would not be able to approve a cross connection control program. More than 400 public drinking water system in Idaho may be financially impacted if they no longer qualify for reduced monitoring for total coliform without the addition of disinfection. The total costs may vary from a nominal fee for additional monthly tests up to several thousand for continuous disinfection for their drinking water system.

We believe this proposed legislation circumvents this critical verification process that in turn increases risk to public health resulting in a large step backwards in protecting public drinking water. We would appreciate any assistance you may provide to ensure HCR 035 and HCR 037 be rejected. If there is any information we can provide regarding our position on this proposed piece of legislation, please feel free to contact me or our CEO, Shelley Roberts.

Respectfully,



Bruce Evans
President
Idaho Rural Water Association

cc: David Hensley, Chief of Staff, Office of the Governor
Katrine Franks, Special Assistant for Natural Resources for the Governor's office
House Environment, Energy & Technology Committee
House Business Committee