

CROSS CONNECTION ADVISORY BOARD

Seventh Public Meeting

Friday March 7, 2007

10:00 am to noon

Corvallis, Oregon

971-673-1220 XCC Program/DWP

Agenda and Minutes

1. **Call to Order:** at 10:00 am
2. **Introductions:** Board and Attendees in attendance: Steve West, Chairperson, EWEB, Dewey Darold, DHS/DWP, Arlo Langford, APBA, Joe McNelly, City of Hillsboro, Ron Robertson, Plumbers Union 290, Jerry Thomas, Manufacturers, Loren Anderson, Gail Shibley, DHS, Monica Anderson, Engineers Rep, Mike Briesemeister, EWEB, Ray Johnson City of Redmond, Pat Dorning, City of Redmond.
3. **Approval of Minutes:** the minutes of November 27, 2006 were approved with two modifications. Steve requested that the word “only” be omitted from item 5 describing Washington’s program and scratch the word “testing” as well. Another change was to #6 where Mary had volunteered one of her employees (Garret) and Pat had volunteered Ray Johnson. The amendments were approved.
4. **DHS Reports:**
 1. Steve introduced Gail Shibley. Gail is the administrator of the Office of Environmental Public Health, within which the Drinking Water Program resides. Gail offered a 2007 Legislative Update. Gail reported that the Department is actively seeing the resources needed for the DWP to accomplish its legislative mandates and that the early results were prompting cautious optimism.
She described the situation as a 3 part problem: a) we don’t have the resources to fully implement current EPA standards or to do sanitary surveys on the prescribed frequency; b) there are new EPA rules in the works that we can’t implement and for which must seek a 2 year extension; and 3) we have zero capacity for dealing with “state regulated” systems which are those public water systems having 4-14 connections that are regulated in Oregon but are not part of the EPA program. Gail said these are large problems for which we can’t pretend we are meeting the public health mandates. Last session, we passed the direct lab reporting bill and raised fees for plan review and operator certification that hadn’t been raised since ’83 and ’87. These programs were being subsidized by other areas of the program. The challenge for resources remain the same.

The three part problem has a three part solution in the form of three key bills this session. **HB 2187** addresses issues that first surfaced in '03 following the Secretary of State audit. They were brought forward by a taskforce under the direction of Rep Jensen of Pendleton. This bill establishes authority for the program to adopt a fee for sanitary surveys. The amount of the fee will be established with the input of stakeholders. The bill also allocates an additional \$2.6 million of general funds (in addition to the current \$1.4 million) for the biennium. The fee and additional general funds will allow the DWP to access the final remaining matching federal dollars available. It will allow us to add additional staff to meet these deficiencies.

HB 5032 summarizes and revisits new fees that were adopted since the last session. These were the fees for Operator Certification, plan review and the annual XCC assessment to public water systems. The third bill is **SB 156** which establishes a statutory advisory committee consisting of the various interest groups whose interests intersect those of the DWP. The Department wants Drinking Water issues to be more visible and this is a way of assuring that visibility. The Public Health Division Administrator, Dr. Susan Allen will make the appointments based on recommendations from constituency groups. We're envisioning staggered terms to assure continuity. Gail noted that the Committee will include a representative "organizations representing plumbers or backflow testers."

Gail noted that with DWP bills active in both the House and the Senate, it allows us to talk to both chambers at the same time which can help to invigorate the discussions. She noted that Ways and Means is the key committee as they allocate the final budgets but she is optimistic.

Steve asked about the prospects for xcc to be a more significant part of the sanitary survey process in order to raise the profile of that issue. Gail acknowledged that the existing sanitary survey process is only hitting the high spots and that more quality and depth is required and that will be expected with the additional resources.

Steve asked whether the DWP would be contracting out or adding more staff if the bills pass. Gail responded that the direction from the task force is for more staff at both the state and local level. She noted the need for agencies to maintain a critical mass of technical expertise going forward and that is the current focus.

Steve thanked Gail and asked Dewey for his report to complete the DHS report. Dewey reported:

1. ASR Mailings for 2007: Dewey reported that DHS had sent the annual ASR reporting forms to all community PWSs in January which has generated a lot of phone calls and related activity. The reports are due by March 31. To date 450 (of 868 required or 52%) had been received. He noted the history of improvement that occurs when we mail the ASRs directly. He noted that he has not been able to do much analysis with them and that they were under review (by committee) to be more valuable.
2. Dewey also reported that annual invoices to PWSs had been sent in November with a late fee being incurred January 1. He reported that compliance was generally good with this new fee.
3. He brought the idea of a rule revision to clarify that when Specialists renew their certification, the rules are unclear in that they allow either taking the specialist update class or classes relating to cross connection that are OESAC approved. Since OESAC doesn't qualify the content or scope of those classes, Dewey proposed that this alternative be removed in the next round of rulemaking. After some discussion, the Board approved a motion to support eliminating that rule.

3. **New Business.**

1. Steve noted the need for a vice-chair. Monica Anderson was asked and agreed to take the position. She was nominated and elected vice-chair.
2. Procedural calendar regarding terms of office for board members was discussed. Each term on the Board is 3 years with officers serving one year terms, no more than two years and Board terms are limited to 2 terms (six years). Steve noted the need to schedule a lottery to provide for those rotations and decided to carry that over for future discussion
3. He also proposed to set up meetings and a date for elections. The next meeting was scheduled for June 20 at the Portland State Office Bldg. Room to be announced. There was a discussion about trying to format future meetings for a particular day of the week and the 2nd Wed of the month was tentatively agreed upon. September 19th and Nov 28 were set for future meetings. The bylaws say the meetings will be in Portland but there was agreement about rotating them to different locations. It was suggested that the September meeting be in Clackamas and the November meeting back at the PSOB. Steve proposed that the November meeting would also include elections with the new officers taking over in the first quarter. Motion passed.

Old Business: Committee Reports

1. Repair (Ron and Pat). Pat reported that there had not been much change and that it would likely require legislation. He noted that the plumbing

code doesn't require annual testing so it falls back on the water purveyor to assure testing. He did not know where local 290 stood on changing that. Steve noted it was important to understand local 290's perspective. He passed out a matrix showing who does what in Washington. BAT are certified for three years (for \$42) then have to re-exam. He noted that in the 1960's when business was good, the Washington plumbers decided to focus on the inside of buildings and leave the outside of buildings to the water purveyors. They regret that decision. Hence in Washington, a BAT who is also a licensed/bonded contractor can test/repair and replace devices outside of buildings. With those certifications and with a "limited" license, they can also do everything inside buildings.

2. ASR Revisions (Mary Howell) –Mary was unable to attend so it was put off to the next meeting
3. Guidance Document (unassigned)- report not available
4. Statewide Guidelines-no report
5. Training & 3rd Party Certification (unassigned)-report not available
6. Gauge Calibration (Jerry)-report not available.

Correspondance: none received

Public Comment:

Next meeting: June 20 at the PSOB