

Final Operator Certification Rule

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2014 BAT Forum



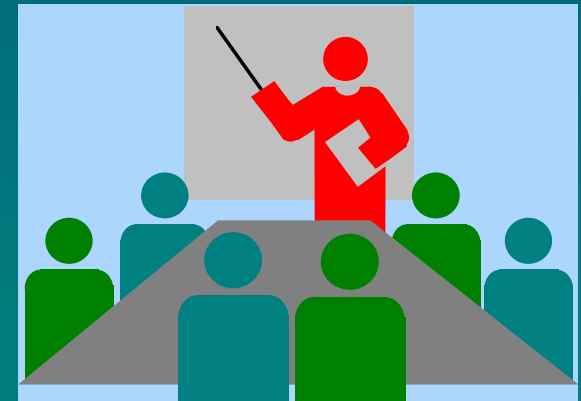
Mission

To protect the health of the people of Washington State by ensuring safe and reliable drinking water.



Today's Presentation

- 💧 **Operator Certification Rule**
- 💧 **CCS public list**
- 💧 **CCC-related sections**
- 💧 **CCC Program update**



Operator Certification – Ensuring Safe Drinking Water

- Focus on prevention – certifying qualified water system operators
- “Multiple barrier” concept
- Certified operators – the “front line” in protecting public health



Operator Certification Rule Status

- 💧 Rule finalized!
- 💧 Effective *January 4, 2014*
- 💧 Formal public review
 - Addressed comments and concerns
 - Incorporated where possible, but couldn't make "substantive changes"



Final

Operator Certification Rule Highlights

Summary of Rule Changes

- 💧 **Strengthens/clarifies our authority to:**
 - Certify BATs and CCSs
 - Take enforcement
- 💧 **Incorporates existing guidance into the rule**
- 💧 **Changes education and experience requirements**



Requirement for Designated CCS

- 💧 “New” language added to WAC 246-292-050 (existing section)
- 💧 Requires purveyors to designate a CCS to be in responsible charge of the water system’s CCC Program



CCS - Education and Experience

Operator Category	Education*	Experience
CCS	12 years (high school diploma or GED)	6 months: <ul style="list-style-type: none">Operating a water treatment plant or distribution system; or<i>NEW - implementing a CCC program for a system exempt from Group A Rules (under WAC 246-290-020)</i>

***All operators may substitute one year of “water-related” experience, year-for-year , for first 12 years of education**

BAT - Education and Experience

Operator Category	Education*	Experience
BAT	<i>NEW</i> -12 years (high school diploma or GED)	None required

* All operators may substitute one year of “water-related” experience, year-for-year, for first 12 years of education

Op Cert Program Enforcement

- 💧 Rule changes allow us to better respond to complaints
- 💧 New suspension/revocation authority
 - Adds fraud and deceit
 - Applies to CCSs and BATs
- 💧 Civil penalties – can issue to operators



Operator Certification Complaints

- 💧 Revising complaint process
- 💧 Contact Op Cert for:
 - Complaint form
 - Info - how to file
- 💧 *Documentation critical!*
- 💧 Developing complaint database



Rule Implementation

- 💧 Updating Op Cert Guidelines to complement the new rule
- 💧 Communication/rollout
 - Operator conferences and workshops
 - Water Tap articles
 - BATalk articles
 - ODW web pages



Getting a Copy of the Final Rule

- Final Rule available *online*

- Search for WAC 246-292

- ODW rules web page
- Legislative web page



- We'll post revised guidelines when available

New DOH CCS Public List

💧 **CCS Public List now available**

💧 **CCS services**

1. **Develop/update program plan**
2. **Implement existing program**
3. **Conduct hazard surveys**
4. **Inspect backflow prevention assemblies/air gaps**

💧 **www.doh.wa.gov/ccspubliclist**

Final Operator Certification Rule

CCC-Related Changes

Purpose: CCC-Related Sections

- 💧 Clarify CCC personnel duties
- 💧 Establish minimum test report content
- 💧 Provide basis for enforcement
- 💧 Support your CCC programs



New CCC-Related Sections*

1. *BAT duties*

2. *Field test report content*

3. *CCS duties*



**These address issues “parked” in the 1990s.*

New Section
WAC 246-292-034
BAT Duties

BAT Duties Overview

- 💧 Duties track with and complement WAC 246-290-490
- 💧 WAC citations included
- 💧 Duties reflect industry practice
- 💧 *Minor changes from last year*



BAT Duties - 034(1)

- 💧 **A BAT shall inspect, field test, maintain, and repair backflow prevention assemblies, devices, and air gaps that protect the public water system and report the results as required under WAC 246-290-490(7)***

**Note: Reflects Substitute House Bill 1283, Laws of 2009*

Equipment/Capabilities - 034(2)

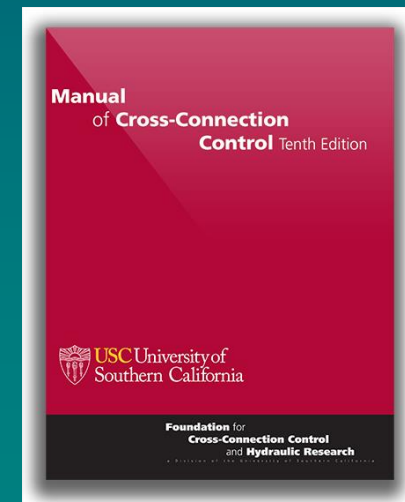
💧 A BAT shall be equipped with and capable of using a field test kit, all tools, and other equipment needed to:

- Inspect and field test backflow prevention assemblies
- Inspect air gaps and AVBs



Test Procedures - 034(3)

- 💧 When inspecting/testing, a BAT shall:
- 💧 (a) Use field test procedures that:
 - (i) Meet WAC 246-290-490(7)(d) (acceptable to the department)
 - (ii) Are consistent with procedures used on BAT's most recent (hands-on) exam



Field Tests/Results - 034(3) (cont.)

- 💧 (b) Accurately perform inspections and field tests
- 💧 (c) Record results completely, accurately, and legibly on a test report that meets WAC 246-292-036



Interpret Results- 034(3) (cont.)

- 💧 **Accurately interpret inspection/test results and determine if:**
 - **(d) Preventer is installed properly**
 - **(e) Assembly passed or failed field test**
 - **(f) Air gap met approved air gap definition**
 - **(g) AVB is properly installed/operating**



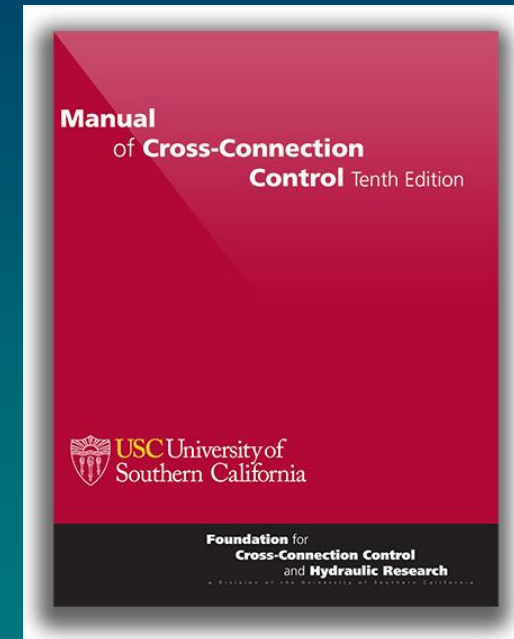
Test Report – 034(4)

- 💧 **A BAT shall submit a completed inspection and field test report:**
 - **In original, copy, fax, or electronic format**
 - **To backflow preventer owner and purveyor**



Field Test Kit Criteria - 034(5)

- 💧 When field testing an assembly, BAT shall use a field test kit that meets USC 10th Edition Manual Appendix A, Section A.7 criteria
- 💧 *Note: USC-approved test kits not required at this time*



Test Kit Evaluation – 034(6)

- 💧 (a) A BAT shall have test kit and components evaluated, pressure-tested, and checked for accuracy:
 - (i) At least once within the 12 months before the field test date
 - (ii) By an independent lab that meets the criteria and uses procedures in USC 10th Edition Appendix A Section A.7

Test Kit Evaluation - 034(6) (cont.)

- 💧 (b) If the test kit fails to meet USC 10th Edition criteria, a BAT shall have test kit:

- Recalibrated
- Repaired, or
- Replaced



Submittals to Purveyors - 034(7)

- 💧 A BAT shall submit to the purveyor:
- 💧 (a) Lab documentation that:
 - Verifies accuracy of test kit
 - Provides pressure testing results
- 💧 (b) Current BAT validation card from the department

Required in WAC 246-290-490(3)(g) - testing QA/QC

Maintenance/Repair - 034(8)

💧 When inspecting, testing, maintaining, or repairing a backflow preventer, a BAT shall:

- (a) Only use replacement parts from original manufacturer to maintain approval
- (b) Retain or restore the manufacturer's design, material, and operational characteristics to maintain approval
- (c) Be certified as required in RCW 18.106 (Plumber Certification Law), *if applicable*

BAT Duties Concerns

- 💧 Test kit approval
- 💧 Test report submittal
 - Form/format *acceptable to purveyor*
 - Electronic submittals
- 💧 Company vs. BAT duties
- 💧 Air gap clarifications



New Section
WAC 246-292-036
Inspection and Field
Test Report Content

Report Content Overview

- 💧 **Focus - content not format**
- 💧 **Consistent with current industry practice (WETRC, Group/SRC4)**
- 💧 **Had to omit *additional info requested by purveyor***
- 💧 ***No other major changes***

Test Report Content Summary

1. Facility and hazard info
2. Backflow preventer info
3. Installation info
4. Inspection/field test results
5. Maintenance/repair info



Report Content Summary (cont.)

6. Field test kit info
7. BAT remarks
8. BAT info
9. Date work performed
10. Certification statement and signature



Introduction – 036(1) and (2)

- 💧 (1) A BAT shall complete a backflow preventer inspection and field test report as required under WAC 246-292-034(3)(c)
- 💧 (2) The completed test report must contain...



Facility/Hazard Info - 036(2) (cont.)

- 💧 (a) Facility name
- 💧 (b) Service address
- 💧 (c) Name and contact info for owner/owner's rep
- 💧 (d) Description of downstream hazard or premises (Table 9), *if known to BAT*



Backflow Preventer Info – 036(3)

- 💧 (a) Physical location
- 💧 (b) Type
- 💧 (c) Make
- 💧 (d) Model
- 💧 (e) Serial #, if applicable
- 💧 (f) Size
- 💧 (g) Approval status



Preventer Info - 036(3) (cont.)

💧 (h) Whether preventer is:

- New
- Existing
- Replacement



💧 (i) If assembly is a replacement, the serial number of the previous assembly, *if known to BAT*

Installation Information - 036(4)

- Whether or not preventer is properly installed as follows:
 - (a) In approved orientation
 - (b) Per industry standards
 - (c) So air gap under the relief valve of an RP meets the approved air gap definition in WAC 246-290



Field Test Results – 036(5)

- 💧 (a) Test kit readings for *initial* field test
- 💧 (b) Test kit readings for test *after maintenance and repair*, if applicable
- 💧 (c) Whether assembly passed or failed field test



Maintenance/Repair Info - 036(6)

- 💧 If applicable and known to BAT
- 💧 Including description of:
 - (a) Maintenance performed
 - (b) Repairs made
 - (c) List of materials or replacement parts used



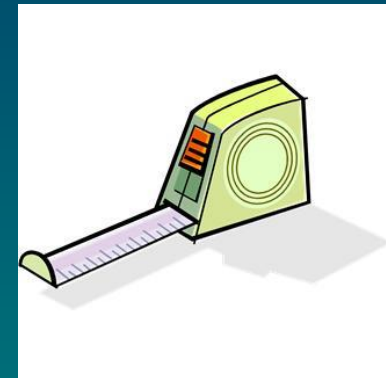
Field Test Kit - 036(7)

- 💧 (a) Manufacturer
- 💧 (b) Model
- 💧 (c) Serial number
- 💧 (d) Date of most recent accuracy verification or laboratory calibration



Air Gap Inspections - 036(8)

- 💧 (a) Supply pipe diameter measurement
- 💧 (b) Air gap separation measurement
- 💧 (c) Whether or not the air gap meets (or doesn't meet) approved air gap definition



BAT Remarks - 036(9)

- 💧 (a) Assembly not on Approved Assemblies List
- 💧 (b) List of missing or defective assembly components
- 💧 (c) Description of conditions that could adversely affect preventer performance

BAT Info and Date - 036(10) and (11)

💧 (10) Tester information

- (a) Name (printed)
- (b) Company name
- (c) Phone number
- (d) BAT certification number



💧 (11) Date work performed

Certification Statement - 036(12)

💧 Statement certifying the BAT:

- (a) Personally inspected/
field tested assembly
- (b) Personally inspected
air gap
- (c) Used test procedures
acceptable to department
- (d) Provided true, complete,
and accurate info in report



BAT Signature - 036(13)

- Signature of BAT who inspected, field tested, maintained, or repaired the backflow preventer
- Signature must be in original, copy, fax, or electronic format



Report Content Comments

- 💧 **Purveyors asked us to add:**
 - *Including but not limited to...*
 - More minimum elements, such as line pressure, service restored, detector meter readings
- 💧 **DOH can't enforce third-party requirements, so require at local level**

Report Content Comments (cont.)

- 💧 **Submittals:** original, copy, fax or electronic – *purveyor's choice*
- 💧 **Goal – give purveyors flexibility to:**
 - Adapt to changing technology
 - Make decisions at the local level
- 💧 **Example field test report – plan to develop and post to CCC webpage**

New Section

WAC 246-292-033

CCS Duties

CCS Duties Overview

- 💧 Duties track with and complement WAC 246-290-490
- 💧 WAC citations included
- 💧 Duties reflect industry practice
- 💧 *No changes from last year*



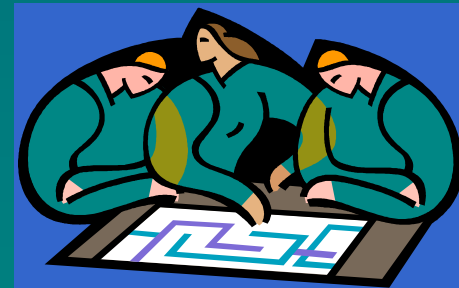
CCS Duties - 033(1) and (2)

- 💧 (1) A CCS shall *develop, implement, and maintain* a CCC program that meets WAC 246-290-490
- 💧 (2) A CCS *shall* perform the following duties...



CCS Duties – 033(2)

- 💧 (a) Conduct hazard assessments
- 💧 (b) Determine appropriate backflow preventer to protect public water system
- 💧 (c) Inspect preventer installations to verify protection appropriate for degree of hazard



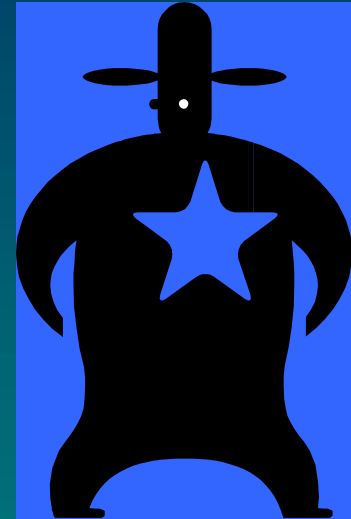
CCS Duties - 033(2) (cont.)

- 💧 (d) Investigate and respond to backflow incidents
- 💧 (e) Maintain purveyor's CCC records
- 💧 (f) Complete/sign
 - Backflow incident reports
 - CCC Annual Summary Reports (ASRs)



CCS Duties- 033(2) (cont.)

- 💧 (g) Take corrective action against consumers failing to comply with purveyor's CCC requirements
- 💧 (h) Review test reports/take follow-up action on incomplete, erroneous, or fraudulent reports (Element 6 - QA/QC)



CCS Duties – 033(3)

- 💧 If purveyor allows Exceptions to premises isolation, CCS shall...
- 💧 (a) Determine if granting appropriate
- 💧 (b) Complete/sign forms
- 💧 (c) Include forms with ASR
- 💧 (d) Submit to department on request



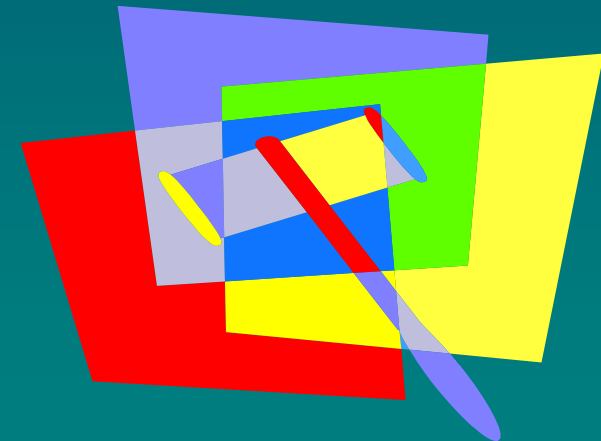
CCS Duties - 033(4)

- 💧 CCS duties *may* include inspecting:
 - 💧 (a) Air gaps to determine if meet approved air gap definition
 - 💧 (b) Backflow assemblies for:
 - Correct installation
 - Department-approval status



CCS Duties – 033(5)

- 💧 CCS duties in this chapter do *not* relieve a purveyor of the responsibility to comply with Chapter 246-290 WAC (drinking water rules)



CCS Comments

- 💧 **Duties - performing vs. managing for record-keeping**
- 💧 **Expanding CCS certification to include exempt systems**
- 💧 **Tie test report review to WAC 246-290-490 Element 6 (testing QA/QC)**



Rule Summary – CCC Issues

- 💧 Finally addressed CCC issues from 1990s!
- 💧 Clarifies:
 - Duties of BATs and CCSs
 - Minimum test report content
- 💧 Ultimate goal: improved public health protection in Washington



CCC Program Update

Approved Assemblies List

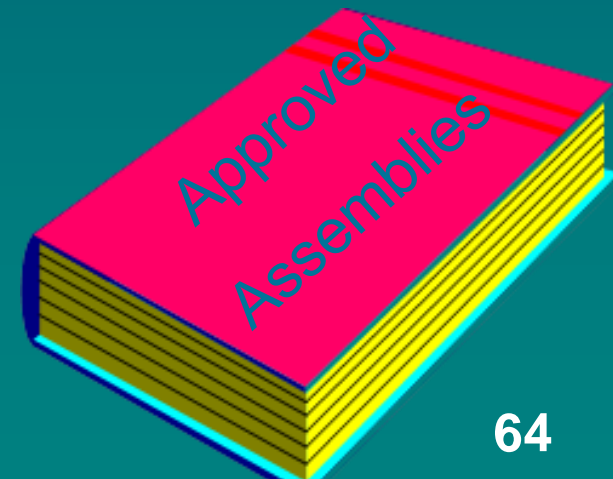
- 💧 **USC-Approved Assemblies List now online *for free* at:**

www.usc.edu/dept/fccchr/list.html

- 💧 **Download in Excel or pdf**

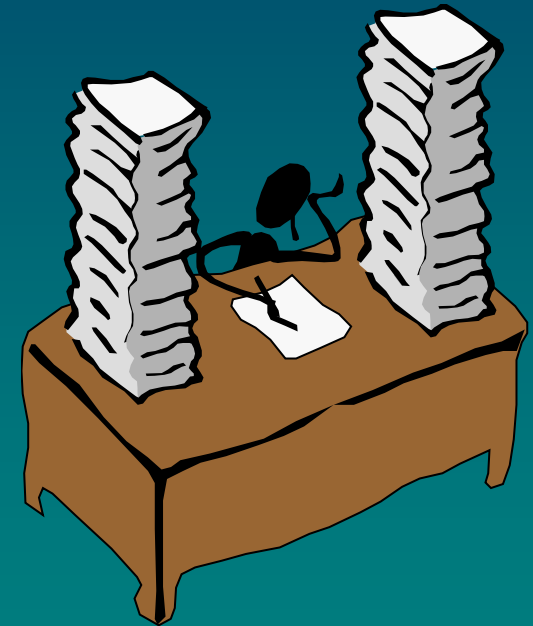
- 💧 **Mobile app available**

- 💧 ***DOH no longer producing CDs***



2013 ASR Implementation

- 💧 Plan to open website
March 24, 2014
- 💧 Will email notice
- 💧 ASR forms due
June 23, 2014
- 💧 Internet-based training
for new staff – late April



Contact Information

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Questions?