

# **Water Utility Council**

**John Hardwick, Chair**

## **WUC Backs Backflow Legislation**

*The following article was written by James Probst, President, Indiana Backflow Prevention Association (INABPA), who recently became a member of the Water Utility Council*

The INABPA first learned this year that Indiana has no requirements for testing and maintaining backflow protection assemblies within the internal plumbing system of facilities. This information came to light while attending the State's Plumbing Review committee currently tasked with adopting a new 2006 International Plumbing Code. The current plumbing code requires backflow preventers be installed for protection against on site potential hazards posing risk to the drinking water. The fault with this law is that these requirements are only enforceable during the construction phase or during changes to the plumbing system. The plumbing code is not enforceable for testing and maintenance after the construction phase is complete.

At issue are mechanical backflow devices required to be installed per the plumbing code but not required to be tested or maintained by the owner after the construction phase. Backflow preventer that is untested or not maintained at prescribed intervals leaves everyone with a false sense that drinking water is protected when it is not. This is contrary to regulations requiring testing and maintaining of backflow preventer at the service connection under Indiana Department of Environmental Management (IDEM) 327 IAC 8-10 rules. Testing, installing and maintaining backflow assemblies at the service connection are strictly enforced by IDEM.

With the above knowledge, one would question how can the Indiana Plumbing Code require a backflow device to be installed without testing or maintaining the assembly? So INABPA began to draft legislation that would address the intended spirit of backflow protection regulations missing from the Indiana Plumbing Code. The Indiana Section Water Utility Council of the American Water Works Association, (AWWA), American Society of Sanitary Engineering (ASSE), Indiana State Pipe Trades Association (ISPTA) and Mechanical Contractors Association of Indiana (MCAI) have lent their support the INABPA legislative efforts.

INABPA has contacted several legislators. After explaining the issues, Representative. David Niezgodski, South Bend, agreed to author the bill and introduce Bill 1384 into the Indiana House of Representatives last December. The bill was co-sponsored by Representatives Steve Stemler, David Wolkins and Tim Neese. Bill 1384 would establish rules for testing requirements and procedures for backflow prevention assemblies contained in a owner's facility plumbing system; require continuing professional education for an Indiana registered cross-connection control inspectors and establishes the cross-connection control inspector continuing education fund used to administer the cross-connection control inspector continuing education program.

Currently HR 1384 has not moved out of the House Ways and Means Committee. Unless last minute efforts can save the bill, it will die for this session. InABPA is committed to continued efforts in the future to see this legislation passed in future legislative sessions if it does not pass during the current session. The InABPA has partnered with the Indiana Section - AWWA on four workshops this year, should you be interested in attending one of them. Key note speaker will be Rick Miranda from the IDEM Drinking Water Branch, and several other backflow specialists. You can visit our website at [www.inabpa.com](http://www.inabpa.com) for workshop dates and locations.