

Water Meeting

2/19/15

J.T. LANE: Good afternoon everyone. Sheree, I think we can start with the roll.

SHEREE TAILLON: Dirk Barrios (absent), Vern Breland (absent), Ben Bridges, Robert Brou, Jeffrey Duplantis, Greg Gordon (absent), Jimmy Guidry, Jimmy Hagan (absent), Randy Hollis, Patrick Kerr, J.T. Lane, Rick Nowlin (absent), Rusty Reeves, Chris Richard (absent), Keith Shackelford (absent), Cheryl Slavant (absent), David Constant, Joe Young (absent). We do have nine for a quorum.

J.T. LANE: Thanks everyone for making the time to be here and giving us a quorum so we can continue our work together. I hope y'all had a great Mardi Gras, didn't have to spend too much time recovering. It's been a great week for us. With that I think everyone should have a copy of the minutes from the last meeting. Are there any questions about the minutes? If not do I have a motion to approve them?

RANDY HOLLIS: Motion.

PATRICK KERR: Second.

J.T. LANE: Any objections? All right, with that I guess we'll start with Pat. We're looking forward to hearing from you with part 10.

PATRICK KERR: I guess I'll start by saying there's not a lot of difference between this and the existing code and the things that are different is what I would like to talk about.

J.T. LANE: Real quick if I could just reiterate for everyone to use the mike before you start speaking so we can get it on the record.

PATRICK KERR: I should know that by now. I have to also say that we as a committee did not approve this language because we have not had opportunity to meet again since we couldn't get a quorum. But we continued to meet with the public and with Caryn's presence. So

this is language that came out of that. It's not been approved by the committee, but it has to be approved by the board regardless. I would ask that we move forward with the language. A couple of things that I think are important in this, one is we're trying to contain water that has left a public water supply in the customer's plumbing if there's a threat to the public water supply. And that really is the overarching goal of this. I haven't addressed at all isolation practices. I assume that those tables would be added to this also. We spent a lot of time talking with backflow prevention experts and asking the question can we hear an example of the failure of a pressure vacuum breaker causing contamination in the system. No protection causes problems and check assemblies causing problems, but I've not found a single properly installed pressure vacuum breaker that caused a backflow or back siphon event in a public water supply. Someone in this room may have one, unfortunately we didn't cross paths in this process. So probably the most arguable point in this is that I believe that public water supplies would be well protected if we can get pressure vacuum breakers installed on irrigation systems and inspected upon installation for proper installation. If they're installed a foot above the highest head of anything on the system and they can only be used in situations where there's no pressure downstream of the vacuum breaker itself so no pumps can be allowed on a system downstream. It cannot be a system that draws water from a pond or a river and takes public water supply. That meets that air gap, not a pressure vacuum breaker. That that provides adequate protection. That's probably the most contentious thing in here. And I don't know if any of you have read this before the meeting or want to take some time to read it. I believe that's the only thing in here that is at issue. We want, the argument about commercial and what is commercial and what is residential and who should be inspected when I think we all agree that annual inspections are required on commercial. We all agree that if an entity, a customer let's call them, chooses not to allow a survey of their plumbing to be done by

someone who is qualified, a backflow prevention specialist, then a surveyor, then they need the highest level of protection so we leave it up to the customer to either certify that their system could be adequately protected with a double check or they put in an RPZ. They may also certify that they need no protection and that would apply to folks hanging shingles and running law offices out of a commercial building. They may very well need no protection. We had the argument in here on another issue about how you define commercial and the easier thing to do is have them prove they don't need backflow prevention. We do not have in the State of Louisiana people who are qualified to do backflow prevention surveys. It's something we'll have to develop. They exist, there is such a certification, but we don't have it in Louisiana. I think we would make a market for it by passing a rule like this. Other than that unless you want me to go through point by point, which I'm happy to do, that is what we're submitting as part 10.

J.T. LANE: Don't need to do it word for word, but just go through it.

PATRICK KERR: And these are done in sections. There is no part 10 in the ten state standards. This comports to the sections in the state sanitary code. No connections between potable water supplies and any other supplies. There being no physical connection means the only way to do it is an air gap. There is no connection between a public water system and any other supply. Unless that supply is also under the same supervision by DHH in which case we have to get prior permission and that is not, I don't believe, in the code. It may be, but we do need prior permission based on this. We need to tell DHH we're making the connection. My voice is changing. The second sentence is my way of saying that containment is critical. Once the water passes into your plumbing system it is not to return to us. Some states allow water to wheel through to do cooling or heating and things like that. We've never allowed that in Louisiana and I don't think it's a good practice. There's too many issues of cross contamination, the failure in a cooling

jacket or something like that. I really think that Louisiana should stay away from that. The third C is about the air gap, defining an air gap. Present code I believe says 2 pipe diameters. We say 2 pipe diameters or 2 inches, whichever is greater in this. It just gives you the ability to see the water flowing and ensure there is no cross contaminations. Moving on to 344. Right now the code says that water suppliers shall protect the public water supply from certain of their users and we're just putting more meat in that about who those users are. And this goes into language about them certifying that they don't need protection in having someone do that. All the testing requirements are the same. The last sentence talks about what a high risk residential customer is. It's defined there. And so anyone who is injecting pesticides into their system downstream of a pressure vacuum breaker is a high risk residential and would require, actually I don't know that this says, but I imagine it would require an RPZ. Jake, is that correct?

JAKE CAUSEY: High risk residential, yeah.

PATRICK KERR: Right now a pressure vacuum breaker is used on high risk connections and that's the purpose of it. But we're going further and saying that's not enough if you're injecting chemicals downstream. Because just that injection pump, and a lot of them just use suction which shouldn't be a problem, but if you have an injection pump you can over pressurize the system. The pressure vacuum breaker is not adequate for that. Commercial, industrial and governmental. This is the language about certification if you want not to have an RPZ. So this building for example a survey could be done and a double check assembly which today would be adequate for this building. If the State of Louisiana refused to have that survey done an RPZ would be required because we just don't know what's going on behind the meter. Next paragraph some push back on. I'm a big advocate for this. If backflow prevention cross control protection is critical to protect the public health I don't think it should be grandfathered. I'm sorry. And this is going to

cause a lot of consternation from the public, but it should be remedially corrected. I don't know, we probably should work out some kind of a phasing process for that. There are not enough contractors to put everything in immediately, but maybe the department can come up with some kind of phasing. This is huge and it's going to be hard. But again, single checks on buildings like this are inadequate to protect the public health. Next page 3 at the top, the fire marshal's representatives have asked several times that we make known, although this doesn't have the authority of any regulation, that any changes need to be cleared through them. When we change from a single check to a dual check assembly and change the plumbing it may very well change the capacity to fight fires so the fire marshal asked us to put this in. I hope you'll entertain it. It's something they are pretty adamant about. C is what we talked about earlier about not having to do annual inspections on just regular lawn irrigation systems for residential customers. I think we can go a long way toward improving the protection of public health by forcing an inspection on installation. It's not happening right now. I don't find out about residential irrigation systems for the most part. Plumbers put them in, but so do licensed irrigation specialists who are not plumbers and we don't find about it at the water system. Can I go out and do a survey and find them, yes if you put it in front of your house I may very well see it. Can I ask our customers to tell us whether they have irrigation systems or not, yes. But there's no, I've spent quite a lot of time actually trying to crunch the data that we have on users and there are lots of folks who use a lot of water and that's not necessarily an irrigation system. Some's a pool, some's people drag hoses. I mean there's all kinds of things going on. I think we can ameliorate the blow of this by making people install them correctly and protecting the public health. If y'all want to ratchet this up going forward, but I really would like to know a justification. Show us some properly installed pressure vacuum breakers that have failed and then we can sell it to our customers. Otherwise I think the

state is doing a disservice to water system customers. This seems duplicative, the next one, but this is how it's written in the code today. Talking about back siphonage. I think we're just laying down, actually trying this is probably closing some loop holes people have found in the past I would imagine. Sidney would probably know better than I. This is specific language about certain customers. Water loading stations this is new language. I think this covers everything that Caryn and Jake and I discussed. Actually I think I have taken some feedback from you Jake and incorporated in this. I really don't have a horse in this race other than I think we do need to have a process for protecting, not only the public water supply, but the users of water from public loading stations. Usually in emergency situations, but today when the state fairgrounds comes in and they want a meter put on a fire hydrant down there. We put it in, we do in fact sample when we put those hydrants in when they're for that use and get it bac-t tested, but I have no idea what kind of pipe and hose they are running it through and distributing it to the fairgrounds. This puts some meat in what's required to provide that water to the public. I think this is good language. It's something that doesn't exist today, but it would be good. That's what I consider to be part 10. Available to answer any questions or comments about what should be added or deleted.

J.T. LANE: I have two. The pressure vacuum breakers that are properly installed. If there've not being any instances where they were properly installed there was an issue, but do we know how many are not properly installed?

PATRICK KERR: Lots of them. My favorite example is the one Sidney found on this building.

J.T. LANE: I'm familiar with that one.

SIDNEY BECNEL: Not this building, next door.

PATRICK KERR: I think a survey needs to be done. What I would suggest is customers who've not had such a certification should have a period of time in which to do it. So they

need to have an initial inspection and then once it's inspected and installed correctly if they're too low, the biggest problem with them is people put them in a low area and then they build up to their back gardens and things and there is static head in that water and it can pass through.

J.T. LANE: My concern would be that we need to know what the frequency of that would be. Because that would still be a public health threat.

PATRICK KERR: Absolutely. And maybe what we write into this is that initial inspection is required. Not on installation, but I don't know within a year of promulgation of this rule or pick a number.

J.T. LANE: I guess my last question was about the water supply containment practices should not be subject to grandfather revisions. Which I don't have a specific comment about that exactly, but since you mentioned the cost would be more primarily by customers when we do the grandfathering subcommittee and get to that point in this process I would assume then that, we mentioned phasing in for example, should we be looking at phasing in most revisions or do we need to develop some criteria about depending on what the specific item is, but looking at them for based on risk and cost and things like that because a lot of the grandfathering is simply around the cost of it. Whatever we're putting forward we say that we all agree with and then look at grandfathering, but really should it be that there are phasing plans whether it's five years, ten years and what not should we develop some sort of matrix of criteria that allows us to be able to work with water systems to come into compliance with what we're going to ultimately pass as a committee over whatever appropriate period of time that may be.

PATRICK KERR: I think so. I don't know that needs to be codified. You do it today. Today when we have a significant risk, excuse me, if there is a significant risk to public health you fix it. If there is something that may be less than optimal we talk about it and y'all give us a

reasonable amount of time to do it and I think that's a great way to do it. I don't know how you do it. If you say five years everybody is going to start in year four.

J.T. LANE: I don't know. I'm saying I wonder if we should examine it.

PATRICK KERR: Backflow and back siphonage, in my opinion, are the greatest risk to a public water in the State of Louisiana. I think the last ten years all the new stuff is well protected. I'm more of an advocate of installing it and then we'll work on getting it inspected. I think the equipment is pretty fail safe. It tends to fail and they don't get water which makes them fix it. I'm not as big an advocate of really forcing people to inspect, although I think we need to start that. We're now 10 years at least into this, maybe 15 Jake since we started fighting with the...

JAKE CAUSEY: I think early 90s.

PATRICK KERR: And all the new stuff is getting adequate backflow prevention. So it's time to start reining in the stuff that's been grandfathered and overlooked. Those threats are as big as a new building. If not greater. I'd love to see that start to happen. It's going to cause you a lot of heartache. You're going to hear from a lot of people, but it's the right thing to do. I've been fighting this for years because we didn't have the teeth in the regulation. I didn't think we had the enforcement tools to do it. If we write this well and give ourselves the tools we can really make a difference.

J.T. LANE: What does everybody else think?

RANDY HOLLIS: I've got one question. Pat just for some edification here, for like Rusty who's tons of small systems and everybody, on the first page there appears to be a conflict, but I don't think there is, under B which states it's the customers' responsibility to ensure no water's returned to public supply. That puts that responsibility on the customer clearly for the physical devices and everything and the testing. And then down under line starting on 16 on page 1 says each water supplier shall protect it by ensuring commercial, industrial

complies. So logistically is it the water supplier that has to keep up with the accounting of every backflow prevention device out there?

ROBERT BROU: That's the way the current law is. We are responsible.

RANDY HOLLIS: I mean there's two responsibilities here that almost seem to be mixed.

PATRICK KERR: I think the distinction is that the question about whether you will provide service to a customer is one that the public water system needs to answer. The question about whether or not your equipment is installed properly and maintained properly is something for the customer to answer. It's the customers' responsibility to have it certified and to have it installed and then it's a condition of service. And that was my intent in the language I chose that I don't have to, a water system can provide the service, a water system can install a backflow preventer and maintain it and charge the customer to do it or not. That's their prerogative. But it's the customers' responsibility. I want to make sure it's understood that this is not something that water systems have to install.

RANDY HOLLIS: Correct, but my concern about the second part of this is if the water system is responsible to ensure that everybody has a backflow prevention device in place, let's say we miss one as a water system, have we now undertaken liability if there's a backflow because the water system didn't make that customer install it?

PATRICK KERR: So what language would you suggest?

RANDY HOLLIS: I have no clue. I'm just worried about the liability of the water systems because we didn't notify them. It's something to think about. I worry about the liability we've undertaken because we didn't notify someone.

PATRICK KERR: So if I said each water supplier shall protect the water produced and distributed by its water supply system from potential contamination by exercising reasonable, making a reasonable effort to ensure commercial.

RANDY HOLLIS: Sure. I hate the word ensure. That means we're going to almost, we're

going to take care of it. The law says the customer has to do it.

PATRICK KERR: I can't take ensure out because I got a two page letter from Dr. Guidry that defines it.

JIMMY GUIDRY: There's a reason for that. What you're ensuring is a large user. This is not saying every homeowner. If you look at it it says commercial, industrial, governmental. You got a large user coming into your system who can contaminate you with all kinds of things. To me somebody's got to hold them accountable to not put your water at risk.

PATRICK KERR: I agree, but if I said by taking reasonable measures to ensure commercial would that be? And I think reasonable you're talking about liability, I'm not a lawyer, unfortunately I've had to spend too much money on them, but I think reasonable would be defined as industry standard. If industry standard is sending letters and cutting off water and if somebody lies to you and sends you an affidavit from a test that wasn't really done they are on the hook. It's still not going to protect us from being sued. If people get sick I expect the public water supply to be sued. They may prevail, may not have failed to meet a duty. But they are going to get sued. We can't protect from that. So why don't we say taking reasonable measures to ensure commercial, industrial, governmental, et cetera.

RANDY HOLLIS: And I'm not the least bit concerned about the large commercials. Those have to go through permit. Large commercial, no. It's the little bitty small commercial guys that show up that have a printing shop or something--

PATRICK KERR: This doesn't say large.

RANDY HOLLIS: I'm not worried about the large ones.

PATRICK KERR: BASF is going to do it right.

BEN BRIDGES: But agriculture is going to be a big problem. Cause most of your backflow contamination comes from a farmer whether it's considered commercial not as agricultural. But a farmer fills up his tank with treflan and it backfills. That's more of a risk to me than

the large buildings. I think they're going to be under more scrutiny as the building, the bigger institutions are going to have some guidance over that department. They're going to take care of that. It's the small mom and pop guy that may just hook onto it, that's the way we've always done it.

PATRICK KERR: There's no way we can protect from that through this. Farms don't require a backflow preventer unless they have irrigation systems, but most of them do not draw water from the public water supply from that. I know there are exceptions. I know we provide water in Baton Rouge to Burden Plantation for example.

BEN BRIDGES: Most of them fill their equipment from potable water, they irrigate from a well. But their filling of their tanks is from potable.

PATRICK KERR: Which should be over the rim.

BEN BRIDGES: Should be, but I think most of the cases we have on history are from agricultural mishaps, not major industry.

PATRICK KERR: We can add agriculture. The reason I'm a little hesitant to do that is that is agricultural growing grass?

RANDY HOLLIS: I think Ben's pointed out something here that you've got a farmer out there who has a meter that's from his farm property, it's not a residential house, and he's filling up equipment.

ROBERT BROU: They would still have the option of certifying that they're not required. I would put agriculture there and also on B on page 2. I don't classify, I have commercial, industrial, and residential. If it's agriculture it's commercial to me. If it helps.

BEN BRIDGES: That's more of a threat I think and has been more of an issue than the others.

PATRICK KERR: I agree. I hadn't thought about that.

BEN BRIDGES: I'm just trying to I guess focus most attention on the ones we really will have a problem where there has been instances as opposed to.

JAKE CAUSEY: I think some of those may fall under commercial, levy districts. They have an office, a barn, a shed, tractors, and tanks.

PATRICK KERR: That's governmental. It's one of the two.

JAKE CAUSEY: I have had other issues like a chicken farm. It's definitely not residential. If you only got commercial and industrial you just pick one.

BEN BRIDGES: But you can have, to delineate between the two you can have a semi farmer who has a few cows and a couple of chicken houses who also has a primary job over here. So Agricultural can be business or it can be agricultural, but chicken farmers, particularly where I live, and cattle producers we all have water troughs in the field, we don't have backflow on every device. Chicken farmers are supposed to have backflow preventers on their houses, but not all of them do. And they're adding chemicals to their water for adjusting PH. It's not bad stuff but--

ROBERT BROU: Okay, you win.

BEN BRIDGES: Public service is what we're protecting and that encompasses a whole bunch of crap.

PATRICK KERR: I agree with that.

RUSTY REEVES: Nowadays anybody can go to Tractor Supply and buy a 25 gallon tank to put on front of a 4 wheeler and they supply their own chemicals and stuff and they are more likely the one's going to drop that holes in that 25 gallon tank.

ROBER BROU: That's your high risk residential.

RUSTY REEVES: That's right, but that becomes almost every rural home or I'd say 9 out of 10 probably.

BEN BRIDGES: Well maybe that's why most systems have gone to a minimum a single check which is maybe putting a Band-Aid on the situation, but at least they're putting some effort into stopping a minor backflow by a single check which is not adequate.

RUSTY REEVES: Like Randy is coming to ensure and you can ask and they say no I don't ever mix chemicals, but maybe once a year he does mix a 25 gallon tank to ride around his 10 acres and spray (inaudible), but he really never mixes, on that survey form he never--

PATRICK KERR: The code requires that he have an atmospheric vacuum breaker on the hose connection and he's probably going to break that code too.

ROBERT BROU: Education is going to be the key.

RUSTY REEVES: It's going to take education because that fellow's going to think he's exempt and he's going to supply information to water purveyor that he's exempt and he don't do it, but then it says here we have to ensure and we just signed off that fellow said he was exempt.

PATRICK KERR: Now we're saying have to take reasonable measures to ensure. So education is part of reasonable measures. If somebody decides to go buy a pump and pump some nasty stuff in the system, and this is my biggest fear, it's going to get a few people sick, but the impact of that is going to be huge. It will be very isolated and local, but it's going to cause a panic. There's no solution for that.

RUSTY REEVES: I agree. I think our farm and agricultural people are educated that don't necessarily do the practice, but it may be some of our weekend cowboys or weekend farmers.

PATRICK KERR: You can go to Lowes and buy everything you need to make a really nasty cross connection. But the guy working there knows everything you need to know.

RANDY HOLLIS: How do we identify these people? I've had my residential meter at my house 37 years now. Paid my deposit, pay my bill every month, and I've never been asked do you have a backflow preventer, do you not, has anything changed. Even if you send forms out to everybody you'll be lucky to get 3 percent respond back. So what's the practical part of this thing in the future? When you said if I ask this farmer, how are you

going to ask these people?

RUSTY REEVES: That's what our little water systems are faced with every day right now. I'll be honest I got two cattle troughs on each water meter I have and I have no vacuum breakers on the faucet. The first freeze I throw the whole faucet away and replace everything. How many of them don't replace everything? It was good when you come around and looked when they went and showed you, but then six months down the road the next freeze they throw that away and they back to a faucet.

PATRICK KERR: They ought to have a double check assembly on their service. They ought to have a testable double check assembly on their service. Not a double check valve. But the double check valve is the best we can do because we put them on services that we consider to be questionable. We put single checks in Baton Rouge on everything 1 inch and above.

BEN BRIDGES: A lot of them do it on 3/4s and that's a minimum amount. At least it's reasonable and you're attempting. We asked our operator on our local system where are our hazards, our farmers, and stores, and provide food service such like that. We picked those handfuls, now we're not dealing with Baton Rouge which is 50 times larger, but we were able to go case by case. But that's something we had to do is go through when we did our cross connection program who is our risk, the big risk. I'm just as much a risk as the food store down the road technically, but we targeted those that would be more of a potential risk maybe. We put it back on our operator at our board. We scrutinized what we had to see.

PATRICK KERR: How many water heaters do you blow up?

BEN BRIDGES: None.

PATRICK KERR: You're lucky.

BEN BRIDGES: Because we tell them you need a thermal expansion tank, you need to call a

plumber, blah, blah, blah. I mean, you know.

RANDY HOLLIS: But the one downside to putting in those checks, spring loaded or whatever, is you're now dropping the pressure immediately and so your system pressure may be 20, but as soon as you pass through those checks you don't have 20 anymore.

BEN BRIDGES: To the point of well, and that may be a technicality for Jake. Once it gets to the meters--

RANDY HOLLIS: We're 20 at the meter that's all we have to be. That's all we have to be, 20 at the meter.

PATRICK KERR: Is that right Jake?

JAKE CAUSEY: That's right.

PATRICK KERR: You sure? You're not going to make sure there's not less than 20 downstream of a meter? So this fight we're having right now is going to stop?

JAKE CAUSEY: No, so in the plumbing code it talks about you maintain 8 PSI. Based on that you expect to see something less than 20 inside the plumbing system.

PATRICK KERR: I'm being facetious.

RANDY HOLLIS: That's one of the drawbacks unfortunately, especially spring loaded cause you lose pressure through them.

BEN BRIDGES: Well no more than 7 PSI maybe. Two on the first and five on the second.

It's not substantial, but there again you do have a pressure loss, but the single checks those are probably 2 pounds.

RANDY HOLLIS: But if you lose 7 pounds and you started at 20 you're at 13 you can't go to the second floor.

BEN BRIDGES: It's true, but if you stop at the meter you don't have to worry about that.

PATRICK KERR: Randy what we've done in every case where we required double check assemblies is leave it up to the customer to fix his plumbing. If it takes putting in a pump it

takes putting in a pump, but it's not something we've ever thought to worry about because it is what it is. If that's a risk, the connection's a risk we're going to put the double check on it and they can find the most efficient double check for their needs possible, but it's going to get installed and then we see this all the time (inaudible) pumps on their fire suppression systems. I'm sorry, it is what it is. We need to stop at the meter. Water quality I think we need to stop at the tap, but for pressure and service we need to stop at the meter.

J.T. LANE: Any other comments?

ROBERT BROU: I have one. It was my understanding part of why we're pulling this into chapter 12 is that currently the regulations reside in the plumbing code and there were issues with enforcement or knowing who is responsible. Part of what is in the plumbing code has a requirement for record keeping because it is a requirement even though they have to have them tested it is an obligation the system maintain those records. I think some of that needs to be pulled into chapter 12 as well. Even if it's just by reference, if we don't want to take it completely out of the plumbing code to put in here, but you need to have record keeping for those annual test, test when it gets installed and repaired.

PATRICK KERR: Actually it's in the sanitary code. It's in appendix D, right?

JAKE CAUSEY: So appendix D was part of 14. It's a chapter or something. In 344 how a water system demonstrates that it's taking reasonable measures to ensure certainly definitely need records to demonstrate that. Might be slightly implicit, but it's probably better just to clearly state it. I guess maybe, or at least my prospective, to kind of clarify to some extent what the current requirements are today and then what these changes are going to do at whatever point going forward. I thought might be helpful, at least on a couple points. Today basically our plumbing code says, I think as Randy indicated, the water system assures certain customers have backflow protection to protect the water supply. And in the code we provide two tables, one for containment which is kind of at the

meter and another for isolation which is within a plumbing system. And water systems' responsibility and ensuring those things are based on the containment table. So at the meter. And so we identify certain customer types such as hospitals, jails, fire sprinkler systems, et cetera. And so if you look at the context here this is just really talking about pretty much everything globally. One thing to keep in mind is this does pull in pretty much everybody rather than necessarily just those customers that you might say certainly pose a risk. There is the provision to have the surveyor come on site, do a survey, but I guess one of my questions is if you look at say one example would be like a law office where they have a single restroom and that's it. What I'm trying to understand is if they say I don't want to install an RPZ, all I have is a bathroom. So would the surveyor certify that no backflow is required, no backflow protection, or just that something less such as a double check valve assembly could be utilized and then I guess if that surveyor could basically say nothing is required what recourse does the water supplier have to effectively trump a surveyor if he's at a customer who absolutely needs an RPZ and he's writing a report that says he does not need an RPZ. Trying to get a little clarification on that scenario.

PATRICK KERR: I'll take a shot at it. And I'll say that those will be certified and certificated by the department, those surveyors, and you'll have to set standards for them. I could ask the same question about a plumber who is not playing by all the rules who could take shortcuts. It's not self policing. I don't know.

JAKE CAUSEY: I guess my thought was I think there would need to be some provision in here that the water supplier could still impose a requirement regardless of the surveyor's certificate if they deem it, I don't know whatever criteria. To basically sort of handover all your authority to protect your water supply to a third party surveyor I think would just be too much.

PATRICK KERR: Okay. And I think we said in here every three or five years. I guess we

could say something like no two surveys may be done by the same surveyor in a row or something.

JAKE CAUSEY: I think you'll get some pushback.

PATRICK KERR: And we should. That's really playing big brother.

BEN BRIDGES: Current example right now in our system for our local sanitarian said call a backflow specialist and let them come survey it to validate that they actually got off their water well. But I don't know, I want recourse for the system to say no that's still not good enough if I don't like his answer because there's still a cross connection potential or whatever. Or if the water well has to be physically disconnected is it 1 inch, 16 inch, what is the physical disconnect in a ball valve in line is obviously not adequate. We need some recourse on our side to say no that's not sufficient. My sanitarian just last week said find a licensed and I thought blackflow preventer I've been through the school and trained and I thought we were allowed to do surveys for the degree of hazard. Now there may not be a certified licensed group that you refer to.

JAKE CAUSEY: Well on that note, in the current plumbing code we do have a standard for surveyors that is adopted in the plumbing code and we were actually looking at publishing sort of a list like we do for general testers, individuals who have that certification to get that started. We do have sort of a rule in place that sets the standard who can do surveys. That does exist currently, but a lot more work that needs to be done there.

BEN BRIDGES: So are we able to say, what can we do as a water system to say you need to have this done besides obviously--

PATRICK KERR: May I suggest something Ben, what about line 12 of page 2, or 13 actually, we could say after surveyors so a certified backflow prevention specialist working for, employed by the public water supply, or if acceptable to the public water supply, a surveyor working for the customer. I think we could solve that for you in systems that want to do their own

could in fact employ surveyors and get them certified. Or they could allow a third party to do it. I think that's a fix that may take care of your concern. And then it would be up to the water supplier to maintain a list of people that they think are legitimate third parties. If you have a problem with somebody you pull them off the list and then may sue you, but there's due process in that too.

BEN BRIDGES: If it's a brother in law type deal where you think it's underhanded you can get into that very easily, but you still want a trusted opinion. Maybe the system may request you use this one or this one. But the guy we're dealing with happens to be a lawyer so he's a little more difficult to begin with and then he may want to use so and so down the road. But as long as they are certified, and qualified, whatever, there's not a whole lot we can do saying that guy's not acceptable.

JAKE CAUSEY: My only thought was a clause that just says the water supplier may reject or whatever the certification that something less is required. Sort of period the end based on whatever their own opinion might be I guess.

PATRICK KERR: How about I say, and I'll fix this, but a certified backflow prevention surveyor working for the public water supplier or if allowed by the public water supplier a third party surveyor working for the customer.

BEN BRIDGES: Well, again I thought, according to my sanitarian, he told me to tell my potential customer go get surveyed and bring me the document that it's good.

PATRICK KERR: Well that's what this says you have to do.

BEN BRIDGES: So I don't know that I want to as a system go hire unless I bill them for that.

JAKE CAUSEY: You may or may not. You have the option.

PATRICK KERR: And you have the right of first refusal basically. The public water supplier can do it or can allow third parties to do it. Your call.

BEN BRIDGES: Us do it, meaning provide our own surveyor?

PATRICK KERR: You could do that.

BEN BRIDGES: We can't go on his private property without his permission so I'd have to have a third party go in, do the inspection, or a licensed plumber who's certified in backflow go in.

PATRICK KERR: This is the age old argument Ben. If they will not allow you on their property to do a survey they get an RPZ or they don't get service. Here's the issue. What I'm saying is you have that authority as a public water supplier. You can say I'll turn it on with an RPZ or you can say I'm not connecting to you. You're such a high hazard I want an air gap unless you can prove to me that you're not this hazard. And I think that's something the public water supplier could do well. Some may choose to hire their own surveyors and if the customer won't let you on their property to do the survey. RPZ or no service. Pick one.

JAKE CAUSEY: My main concern was to make sure water suppliers don't get stuck with a third party survey report that says they don't need a backflow preventer when they really need one and the water supplier having no recourse.

RUSTY REEVES: If that surveyor is certified could they go back on their certification?

JAKE CAUSEY: Can the water supplier go back on their certification, probably not.

PATRICK KERR: What Jake said a minute ago about there's rules in the plumbing code for it. I think these people need to hold a certificate just as a operator does that DHH or OPH can pull their certificate for violation. Right now the way it's written if they have the training and they have a certificate from a school that's industry certified they can do it and there's no way I can pull that certificate. I think some effort needs to be put into...

JAKE CAUSEY: Since you bring that up. This is something that I haven't had a chance to discuss with Dr. Guidry or J.T. but there's the bill last session where we're transitioning plumbing codes to the IPC with a long list of amendments. The last discussion, which was just a week ago, certification for general testers and surveyors came up and I guess generally

they were adamant they didn't want anything about certification or licensure in the plumbing code under the co council. That basically their response was DHH we want you to keep doing that. And our response is we don't have the authority to do that because we can't regulate anything regarding plumbing whatsoever anymore. So to continue certification of general testers and surveyors fundamentally we'll have to have some bill in the legislature that authorizes like operator certification to license or certify individuals to do that otherwise they're not going to exist because we won't have any authority to do it. It won't be in the code any longer. That's definitely a huge gap that's going to have to be plugged. Somewhere somehow. It's sort of paramount to this topic.

PATRICK KERR: Interestingly though the language Ben just had us insert would protect the systems because we could have our own certification for that third party and say you're qualified and certified my system while you're working out your problem. He's not an acceptable third party. Yeah he's got a certificate, but I want a bond, I want whatever. This gives us authority to do that as a system.

JAKE CAUSEY: I would certainly want utilities to be able to determine who they accept even if it meets some state criteria even more so narrow that down for their system. I expect if we don't have any state level criteria that we're going to have water suppliers that don't establish any criteria. It's still going to be a big gap for us.

JIMMY GUIDRY: The committee has certainly referenced here and continue to discuss and I keep seeing hands in the audience for public input. I don't know if y'all want to recognize public input cause they may want to touch on this subject, but we can certainly continue to discuss on the committee and have them say something afterwards. But I saw Rusty had his hand up as well.

RUSTY REEVES: My only comment was we've been working with a group that is certified people to the American Sanitary, ASSE, Society Sanitary Engineers. Testers, administrators,

and surveyors. My person that is going through this course are actually water system operators so they can provide a survey service for their own needs. My understanding to get a surveyor certificate you got to have a testers and the administrators' course.

JAKE CAUSEY: Just testing.

RUSTY REEVES: Just testing. In other words it's two weeks of schooling and testing and it's the ASSE testers' certification and a pretty hefty fee for the course. It's a hefty fee for a water system, for a small water system.

PATRICK KERR: I think as people, there's other ways to meet the requirements of an ASSE course other than go to a ASSE testing course. And so I think if there was a demand we could, with the department's help or with your help at rural water, figure out a way to put together a school that gets people certified. And they don't have to be ASSE stamped, but if the code said something like ASSE certification or equipment then we can teach the equivalent course. And again, policing them after they have certificates. Certificates shouldn't be a lifetime do whatever you want in my opinion. There should be some continuation training. That's up to if the department can get that legislatively approved it would be great, but if not then maybe we come up with some language that's best practice and say this is what the water systems should require or something like that.

RUSTY REEVES: And we shopped this training around and it was the most reasonable option we come up with for the complete package for the testing and everything.

JAKE CAUSEY: We were looking at the code says ASSE 5120 surveyor certificate or equivalent currently. And so we looked at those this morning actually and so ASSE 5120 is the surveyor certification. 5150 is the backflow program administrator certification which does include a good bit of surveying and so we were going to accept that for surveying as well either one from ASSE. ABPA specialist cross connection control specialist include survey and I believe the Trio program manager is a certification that includes surveying. Those are

probably the only ones that I'm aware of that have enough of the survey component that we would consider those individuals qualified to do that. I know other states certify general testers, Texas Mississippi, and surveyors. And the certifications do require recertification every three years, but it's strictly CEUs and there's no ability to resend someone's certification or not recognize it based on poor performance or other issues. It's not really sort of a state license or certification.

BEN BRIDGES: Based on that that's why I would push for the operator of the system to be a surveyor. He has a vested interest in it. When we first started doing this in the 90s the plumbers were really unhappy with us because we owned the device, we maintained it, we did the whole 9 yards. I did because I went to Trio and got certified to do that. We didn't charge them to fix it, but the plumbers weren't happy because they wanted that fee which was pretty hefty or could get hefty. The operator we elected to keep that in house and have a couple individuals trained to do that. It was more beneficial for the system. It protects us better cause we're the one doing it and we're not worried about making the money. We want to make sure we are protected. I focus more on the operator being able to be certified, to be licensed, to be able to inspect or survey as I would an outside plumber. It comes down to a financial gain or not.

JAKE CAUSEY: So for the ABPA specialist you don't necessarily have to be a certified tester to qualify. They will accept if you have been an operator for five years so to speak. I think in the ASSE to get the 5120 certification you have to have been a tester, but to get the backflow prevention administrator you don't have to have that. The money thing there are a few little options there that may make it a little more financially viable or feasible. I guess the only other thing I'll mention I know there are some states California, I don't know there's a lot of states that do require each, I don't know if it's just community water supplies, to have an operator on staff who does have formal training in cross connection control.

That's sort of the extent of the requirement. It's pretty vague, but they do have someone on staff who has training in cross connection control. That has been one huge problem more so from just push back in PR is with water suppliers implementing programs having very little knowledge about what they're doing and being not able to communicate very well to their customers about why it's important and that's a huge, huge piece of mitigating the push back frankly is the education and the training of operators to be able to speak intelligently about what it is and why it is important to the customers rather than just saying I don't know why we're doing this, I think it's ridiculous, but DHH told us we had to do it. That will get them pretty mad pretty quick and we get a lot of people calling just based on experience.

RUSTY REEVES: We found in the past it takes two courses or two classes of testers to go through for us to have enough people to fill one class of surveyors. All testers want to be a surveyor. We have a minimum of ten people per class and it usually takes us two classes of testers to produce one class of students who want to go survey.

PATRICK KERR: May I ask a question, is that something that should color the language we're using here or is this language acceptable to you about requiring that surveys be done or that you install an RPZ? Who else is going to do it if we don't have enough surveyors? I would rather air on the side of safety of the system. If there's a big push back from our customers and the system can do the work itself that's another solution. I think this strikes a good balance.

RUSTY REEVES: I'm fine with that language here. My only question is the surveyor's status and his credentials. Like in Ben's situation if Ben's a small rural system and we're running the same thing we don't want Joe's brother in law to come up there, sorry if there's anybody named Joe, to come up there and say well I've got a surveyor's credential and I went out there and looked at it there's no real big problem and he walks away. The next week

something happens, we contaminate the drinking water, well y'all had a surveyor come up there and he looked at it. Some credentials that he should have to present. Like somebody mentioned being even bonded to that degree if he's going to go do work for other systems.

PATRICK KERR: I think that's fine if that system wants to add a bonding requirement that's their prerogative. My concern right now I did not realize the implications of the severance of plumbing from DHH last year and I don't think any of us recognized. I don't think we can fix that, but we can fix our problem. We can work with the state to get legislation passed to help, but let's just do it this way so that we don't need the legislation and you can protect your system from cross connection.

JAKE CAUSEY: I guess those systems that are here that understand this well can. I think most of the other 99 percent we don't know who the surveyor is or the credential they should require are not going to be able to do it very well. Even with this framework they're just not going to understand that. I guess that's what I'm just kind of saying with the certification of general testers and surveyors is a huge gap. The top 1 percent understanding can set their own criteria about who's going to do the work, et cetera, but I don't feel like all the other systems are going to be able to do that without either someone giving them a template. And then actually reading the template and understanding, that's been the process. I definitely agree with the idea of a licensed certification those individuals would have that other utilities could basically say you have to have this from DHH.

MIKE SOBERT: Mike Sobert, Consolidated Waterworks, general manager. I think I got lost somewhere. For the last 16 or 18 months the Louisiana Standards Committee has been meeting to develop a set of standards for public water systems to follow in taking care of our customers. You've told us how high to build pump stations or what to do with an overflow,

elevated tank, all that was great. It's on our shoulders, we can handle. Now I'm getting a little nervous because now I think I'm being told that eventually this will be used in a sanitary survey to us of which I have to make a customer, who also carries a gun, do something. And I don't think I've seen, or at least not in here, read the teeth that I would like to have to go to people in Terrebonne Parish and say look this is the law, this is what we got to do. We have 45,000 customers, 5,000 meters 1 inch and greater. I'll just put that in the commercial, industrial, or manufacturing section. I can identify those, I can go to them and say you don't have a backflow preventer you need one. Really what bothers me is in three years I've been there I've never seen one special report from plumbers. Only had two plumbers in the entire parish that are certified to inspect. One of the two to repair it. This ain't happening guys and ladies. Now and I'll do what you tell me to, but is this something I got to go to the local parish government and say hey guys would y'all with our backing pass an ordinance so I can get a little extra help here so when I call the sheriff he'll come. This is going to get nasty to a lot of people. This is not going to be a cake walk. Where I'm at every highway on both sides is a bayou so everybody's, as we call them, hosepipe is sticking in the bayou all the time and they don't have any cross connection. I'm just confused as to where you want this to go to get into the sanitary survey so that when I get cited I have a means to correct my problem. The big thing is when I go to pull a customer's meter because some surveyor, or plumber, or somebody said it doesn't pass you know what they holler at me. I have no power to fix it other than to say hey go find somebody to fix it for you and when they give me a certificate I'll put your meter back. Maybe if we can think about a little direction here for some of us that have to make this work every day would be greatly appreciated.

J.T. LANE: Thank you. That's really good feedback to hear. This is the first time we're talking about it so in the next meeting we're going to come back after we do some more

digging and research ourselves. This is a new issue for us to tackle so that's very helpful. When we come back for our next meeting to go over our comments about the language and a lot of the issues we've discussed I think we can provide some more firm feedback on it and I think have a more robust discussion based on what else we are able to research. Any other comments on backflow?

JAKE CAUSEY: One last comment. I guess getting back to again what's required today verses what changes here. Pat mentioned initially the testing requirement for pressure vacuum breakers on irrigation systems. Keep in mind today they are required to be tested annually under our current code. What's being proposed is to discontinue that requirement for annual testing. That requirement has been in place for 20 plus years.

PATRICK KERR: No sir, two years. Moved containment from isolation two or three years ago.

ROBERT BROU: 2012.

JAKE CAUSEY: Okay. So and then I guess additionally every single cross connection control manual publish ABPA, USC, Trio, EPA guidance manual, name them, they all require annual testing of pressure vacuum breakers. I wouldn't support to stop the required annual test for pressure vacuum breakers. Definitely willing to look at it and do some research on historical cases and look at it some. But many, many states have cross connection control requirements. They all include PVBs, irrigation systems, they all require routine testing. I do think that maybe Florida has backed off to a two year test instead of annual test for PVBs to provide a little relief on residential side.

PATRICK KERR: Please do research and I think you'll find many states do not address pressure vacuum breakers in testing requirements for irrigation systems. I've found several and I'll send you a few. They're just not addressed at all.

BEN BRIDGES: Then that lends me to the question if we're going to put them in, check them

one time, and assume they're good for 20 years why bother putting them in in the first place. We have a false sense of security after prolonged time. I understand your condition with thousands and thousands in Baton Rouge, but rural systems we have a different animal. We don't have very many irrigation systems where I live like that.

PATRICK KERR: Let me tell you where I come from on this. If there's a mechanical reason to test, if there's a chance they'll fail and cause contamination if properly installed then I'm all for testing. I just cannot find any examples of cross connection of back siphonage event that happened with a properly installed pressure vacuum breaker.

BEN BRIDGES: The hinge is on properly installed. The validity of your statement is based on properly installed, but you know there are eight or ten jake-legs that are just going to put them in wherever and put the other heads up higher.

PATRICK KERR: Tested and certified. The installer has to certify to the system that it's installed correctly. If that's not the case we don't turn on the water. I don't know the solution. Am I indifferent, no. I think it's, immoral's not the right word, it's not okay to make people pay for things they really don't need. If there is a level of protection provided by testing them then let's test them. If there's not let's make a decision they can keep that money to buy something else. That's where I'm coming from. I don't mind regulation if it's for a good reason, but there's no benefit to testing.

RANDY HOLLIS: If there's a failure it's usually loss of supply to the customer. Is what you said earlier.

PATRICK KERR: If it fails or breaks water will flow through the meter and it will flood the area.

RANDY HOLLIS: There's a reason it has to be repaired and then it has to be tested.

PATRICK KERR: A pressure vacuum breaker normally has a single spring check and spring vacuum breaker that's held closed by system pressure. If you take the pressure off that spring loaded pop it will drop and it will allow air into the system. If it freezes or breaks in

some way water just flows out. If it's installed above the highest head, and we're talking inches of head, inches of head against the system. If somebody's got a sprinkler head that's 6 inches higher than. I don't know what the pressure is that that spring exerts on the pop itself, but it's more than a few inches. Even if they were close it's going to be protected. I don't know, take a look at it. Just look at it with an open mind Jake.

JAKE CAUSEY: I guess just sort of as a point of matter RPZs are specifically designed to fail, close as well if they discharge, et cetera so I don't know that logic doesn't universally apply. We're going to test RPZs annually. They're rated for high hazards. PVBs are installed in high hazard conditions.

PATRICK KERR: With no downstream pressure. That's the distinction. An RPZ has to be installed, for example, you could put a pressure vacuum breaker on this building provide you put it on the roof and you pump the water up to it and then it will be protected. But the head in this building could overcome the pressure vacuum breaker and you could have back siphonage. So we put in an RPZ which is designed to have pressure downstream. My point is if a pressure vacuum breaker is adequate protection and a pressure vacuum breaker is reliable then we shouldn't have to test other than on installation. Jake keep an open mind, think about it. And it's the greatest pushback we're going to get as a water system provider that we go out and tell all of our customers they need to test those annually. We're talking about 80 bucks a house. That's a lot of money for a lot of people. And the plumbers will come in here and tell you they should be tested. And the guys who sell backflow prevention devices are going to tell you they should be tested.

JAKE CAUSEY: And frankly everything I've ever read anywhere says they should be tested. I think there's going to be a lot more meat to the argument about why they should be tested than why they should not.

ROBERT BROU: They have been part of the plumbing code for like you said 20 something

years, but they have never come under our jurisdiction. If they were isolation unit it got brought under in the 2012 plumbing code for the first time.

PATRICK KERR: The fact is that the way the code is written today, and I know we've had this conversation, to protect public health that pressure vacuum breaker needs to be at the meter to protect the consumer downstream of that there needs to be another one on the branch of the irrigation system. The way it's written now that's a high hazard, there ought to be one at the meter which means we ought to have two. One at the meter and one on the irrigation. I think that's big time overkill. And you and I have discussed this and Caryn and I have discussed this and I think we all agree that strict interpretation of code is if you need one you need two.

BEN BRIDGES: One way we got around it in Vacherie they charge for sewer rates on their water so they paid sewer rates. Most of them would go in and put in a separate dedicated RPZ backed irrigation system and didn't have to worry about it. Eventually pay for itself. But when they had to pay a sewer rate on water they poured on the ground that made them mad. So they were willing to spend an extra 1,000 dollars to go back and put a second separate line in just for irrigation.

PATRICK KERR: Lots of folks are doing that where they have consolidated treatment of sewage, but there's a lot of communities in this state that don't.

ROBERT BROU: I do have one other comment. I propose it as a question. I know our ordinance we have specific language that says we can refuse service if they refuse to do this. I didn't see that in this. Do we need to have it as part of the state law in particular for the small community systems that are not part of the local government and may have a very difficult time getting it passed locally that they would have something to fall back on.

BEN BRIDGES: I agree.

ROBERT BROU: Just a simple phrase that says you have the ability to refuse service when they

won't meet required.

PATRICK KERR: On page 2 line 8 commercial, industrial, agricultural customers are required, should I put in as a condition of service?

ROBERT BROU: I think it needs to be everybody. It needs to include the high risk residential. It needs to be in a separate section from that paragraph.

PATRICK KERR: Well, it needs to be in both places. But would that be adequate language for you as a condition of service?

ROBERT BROU: I would rather it more plain. I've got it in a local ordinance so it's not an issue for me, but I think a lot of these little communities that are just a water district or have a well for a neighborhood are going to have a difficult time getting the local government to pass that regulation.

RUSTY REEVES: Didn't you have it in here they cut the water off if they didn't agree?

ROBERT BROU: I do not see it anywhere. I was looking for it.

PATRICK KERR: We could be more clear. Are required to install and maintain, doesn't say if they don't.

ROBERT BROU: And I know not everybody is going to choose to do that, but at least give them the power to do it. Really the only teeth we have.

PATRICK KERR: So condition of service is that power.

SIDNEY BECNEL: Says that at the end of the sentence.

PATRICK KERR: Condition of receiving water service. Thanks Sidney. On line 10. And then on page 3 line 11 it says if you don't do it it's grounds for interruption of water service.

BEN BRIDGES: But that's under PVBs though, isn't it?

PATRICK KERR: That is under PVBs.

BEN BRIDGES: We need a catch all.

JAKE CAUSEY: What about page 2 line 4 in implementing any ordinances, rules, contracts,

policies, or other steps to achieve such compliance, water suppliers shall have the authority to prohibit or discontinue water service.

BEN BRIDGES: We just need a copy of what that code says.

ROBERT BROU: There's your catchall. Actually is there. I'm sorry. I knew we talked about it. I was looking for it. Sorry, it is there.

J.T. LANE: With that we'll move on. So our follow up we'll examine all these issues more and I think everybody has taken lots of notes and we'll research that for the committee. With that we'll move on to the national elevation standards.

RANDY HOLLIS: Glad Dirk's not here, he would be killing me. While I was reviewing some literature yesterday I just happened to see that President Obama signed an executive order January 30th to set some benchmarks for federal agencies and really what grabbed me was that for noncritical structures the executive order states they should be built 2 feet above the 100 year flood elevation. And then for critical structures 3 feet above the 100 year flood elevation. We have discussed many times in this committee what is an acceptable level for critical structures and we mentioned 100 year flood or 1 foot, 2 foot, 3 foot. I just brought this to the committee's attention to say here's something coming from the White House to FEMA stipulating what they believe critical facilities to be and they should be 3 feet above the 100 year flood elevation. It doesn't say water systems, but I have to believe water systems are considered critical facilities. I think we're going to have to go back and look at some of the sections we have passed where we have stipulated 2 feet above the 100 year flood elevation and as a committee discuss do we want to match that as far as 3 feet to match this executive order or to prevent problems down the road. That's why I brought it to the attention of everyone. Bill Cassidy in the paper today was quoted his reluctance to this, or shouldn't say reluctance, but anyway, but he doesn't mention elevations, what he mentions mostly is the sea level rise is his concern. He doesn't comment on the elevation

requirements. That's why I sent it yesterday. I think for us to consider it down the road as we approve the standards.

JAKE CAUSEY: What would be the impact really of changing it from 2 feet to 3 feet other than 1 foot?

RANDY HOLLIS: Cost. If you've got a reinforced concrete structure and you're building it the cost of building it up higher. It could be significant because now all of a sudden all your access to it has to be higher, all your roads, everything else.

J.T. LANE: That applies to any future projects that would get FEMA recovery money?

JEFFREY DUPLANTIS: Anything federally funded.

RANDY HOLLIS: But does that come in the drinking water revolving loan program from EPA. Are we going to see this as a requirement of drinking water that anything has to be 3 foot above the 100 year flood?

JAKE CAUSEY: We did ask our EPA region 6 and SRS staff and they knew absolutely nothing about this. But as you say this is pretty hot off the press so. There's more to come.

RANDY HOLLIS: I know we did pass sections already that deal with 100 year flood elevation and that's why we need to go back and look at those before we make a final vote on everything we need to look at this. That's all.

ROBERT BROU: I actually like one thing out of here that I would like us to consider. Always talk about significant improvements to a facility being a trigger point for some of the grandfathering or taking away grandfathering. They actually have a definition of that at the very bottom of the first column where it's 50 percent or more of the fair market value of the overall project. May want to consider that as well as a definition for significant improvement to your facility.

JIMMY GUIDRY: You're on record, right?

ROBERT BROU: I'm just saying we talk about. It is worth discussing. We don't have any

definition right now. We just say any significant improvement. What's that definition at this point?

JIMMY GUIDRY: So is it fair market value of a new system or fair market value of this 40 year old system? That's what I want to know.

PATRICK KERR: Part one does have a definition.

JAKE CAUSEY: Substantial renovation is the term, not significant improvement. This relates to fair market value of the overall project, structure, or facility. I'm not sure if this would be more stringent or less stringent to be perfectly honest. Couldn't begin to tell you. Different people argue it different ways.

ROBERT BROU: Just think it needs to be more clear. Still got to have some wiggle room.

JIMMY GUIDRY: When I read this it's like opened ended. It doesn't tell you what fair market value was.

RANDY HOLLIS: It would have to be the present worth of it because if you did something 20 years ago you're going to use the value 20 years ago to depreciate it, no.

J.T. LANE: Thank you for bringing that to our attention. With that we'll move on to part 11. Jake, want to do the side by side for 11?

JAKE CAUSEY: We don't really have a handout. I think we just wanted to I guess put that particular part to rest. This was with regard to the policy statements in the front of ten state standards. I guess if you recall the subcommittee report was that really it didn't appear any of that needed to become rule specifically, but that I guess the department's policy statements need to be sort of published on the website, made available to everyone. We currently have three pilot studies from membrane plants, pilot studies for pressure filters, and then UV for LT2 compliance. We put those on our website on the safe drinking water program. Those are really the only sort of issues I guess that have come up that have triggered the need for such policy statements. Really I guess two of those were

related to federal regulations and just getting something out there about how to set up your membranes, comply with surface water treatment rule and they generally just relate back to the EPA guidance document on using those alternative technologies for compliance. We're just in agreement that we don't really need to codify any of that. If we did it today we might be wanting to change it in six months or a year when EPA changes their guidance documents. I think they just are what they are on their own website. I guess our only comments on that. Nobody is proposing anything. I don't think there is really anything to vote on, just wanted to present that that we agreed. And that they are on the website.

J.T. LANE: Any questions? All right, any other topics, comments, et cetera on anything else? All right, any other comments from those attending the meeting today? Questions? All right.

SHEREE TAILLON: The only thing I have to say is for the April and May meetings, because we are going to be in session we're going to need to do those on Fridays like we did last year so that no one will be called out at the last minute. So it's going to be in the afternoon. It's going to be at 1:00 on one of those Fridays. I'm working on getting the room reserved for those days, but it's not going to be a vote. Unfortunately it's going to be me sending out a day for y'all. That's for April and May. And June we can go back to our polls to see who can make them the most.

J.T. LANE: Next meeting is March 17th at 1:00. Please look at your calendars to make sure there's no other conflicts that you can't try to resolve earlier than later that I sometimes do so we can make sure we have a quorum ongoing. So we're going to go back and do the research and compile feedback for part 10. And then we'll continue to monitor and research more on the national elevation standards executive order, see if there is any monitoring we can do for y'all and report back if we have something. Other than that do I have a motion to adjourn?

RUSTY REEVES: Motion.

PATRICK KERR: Second.

J.T. LANE: Any objections? Thank you.