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Issue 11 - Winter 2016

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*BATalk* - is an electronic newsletter sharing important certification program information with Washington's Backflow Assembly Testers (BAT).

#### IMPORTANT UPDATE

#### *FINAL BAT RENEWAL PAYMENT DEADLINE*

A second and final notice has been sent to all eligible certified BATs that have not yet paid the fee required to renew their certificates for 2016. This notice includes a late fee of \$35.00 for a total fee now due of \$77.00. **Payments must be made online** or postmarked no later than February 29, 2016.

A BAT that does not pay the renewal fee by the deadline date will receive a letter in March 2016 notifying them that their certificate has been inactivated. To become certified again, they must **apply for and pass the BAT certification exam.**

**DEPARTMENT OF HEALTH REVOKES BAT CERTIFICATION FOR 5 YEARS**

**Formal Action:**

**The following case summary covers revocation of the backflow assembly tester certification of Vince Nardone, previous BAT number B2426, Aqua Tech Services, Bothell, WA.**

Department of Health will look to take formal action when an investigation reveals clear and convincing evidence that a BAT has met the revocation and suspension criteria in WAC 246-292-100. The BAT will be evaluated for possible suspension or revocation of their backflow assembly tester certification.

This investigation was opened following a complaint filed with the Waterworks Operator Certification program by Washington Certification Services (WCS) who administers the BAT certification program on behalf of Health. WCS provided documentation with the complaint alleging that, after failing to pass his professional growth practical exam, the BAT attempted to offer an amount of money to one of the Backflow Assembly Technical Experts (proctor) to convince the proctor to give him a passing result.

A thorough review of the information by Health and the Attorney General's office resulted in a revocation of Mr. Nardone's backflow assembly tester certification for 5 years.

Mr. Nardone did not appeal the revocation of his certification.

## **DOH REQUIRES ONLY USC FIELD TEST PROCEDURES**

Occasionally questions arise about "alternative" procedures for testing backflow assemblies. At this time, the only test procedures acceptable to DOH are those specified in the USC Manual of Cross-Connection Control (10th Edition). The drinking water rule, **WAC 246-290-490**, adopted in 1999 has some unclear language which may cause confusion for BATs. The more recent Operator Certification Rule, **WAC 246-292-034**, clarifies that BATs are to use procedures that are consistent with their most recent practical exam.

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*Department of Health has determined that only USC field test procedures can be used in the State of Washington.*

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Since some states and organizations permit the use of "alternative" test procedures, DOH and interested parties met after the adoption of the drinking water rule to discuss their use of "alternative" test procedures. They evaluated five alternatives and determined that:

- Properly installed and maintained devices on the approved backflow assembly list are accurately evaluated using USC procedures.
  - Washington State has required USC approved assemblies since 1970.
  - The USC test procedures are consistent with the USC approval process.
- It is better to have a thorough knowledge of specific test procedures than a cursory knowledge of all possible test procedures, both for the tester and those providing oversight.
- USC test procedures allow the tester to compensate for leaking shut-off valves. If the leak is too great, the valve (or entire assembly) needs replacement.

As a result, Department of Health has determined that only USC field test procedures can be used in the State of Washington.

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