



Department of Commerce

Division of Industrial Compliance

John R. Kasich, Governor

Jacqueline T. Williams, Director

Ohio Sunset Review Committee Testimony on the Backflow Advisory Board Shannon Himes, Interim Superintendent of the Division of Industrial Compliance April 26, 2016

Chairman Jordan and members of the Sunset Review Committee, I am Shannon Himes, Interim Superintendent of the Division of Industrial Compliance. Thank you for the opportunity to provide testimony on behalf of the Backflow Advisory Board and to share the work they do to protect the public from contamination in potable water distributions.

The purpose of the Backflow Advisory Board ("Board") is to advise the Superintendent of the Division of Industrial Compliance in matters pertaining to the training, testing and certification of Backflow Testers. The Board consists of not more than 10 members: One from the Plumbing Section of the Division of Industrial Compliance, three recommended by the Plumbing Administrator of the Division of Industrial Compliance, one from the Drinking Water Program of the Ohio EPA, three recommended by the Ohio EPA Director and not more than two who are not employed by the Plumbing or Water Industry. The Board is appointed by the Superintendent and is directly involved in investigations, disciplinary actions and public concerns related to the Division's backflow program.

The Board also provides oversight in the drafting of the *Ohio Department of Commerce Backflow Prevention and Cross Connection-Control Manual* ("Manual"), which is developed through the collaboration of several state agencies, including:

- Ohio Department of Commerce
- Ohio Department of Health
- Environmental Protection Agency
- Ohio Rural Water Association
- Operator Training Committee of Ohio
- Ohio Section American WaterWorks Association

The Board provides necessary collaboration between the Ohio EPA and the Department of Commerce resulting in consistent training and testing procedures between the two agencies; both utilize the same training manual and same testing procedures avoiding duplication. Additionally, the Board provides mediation of conflicts that may arise between water purveyors and plumbing contractors.

The Board reviews the Manual every three years, conducts investigations on falsification of documentation, validates all backflow exam questions, reviews all backflow training agencies for compliance with the backflow rules, and hears all complaints pertaining to backflow. On these matters the Board makes a recommendation to the Superintendent for final action.

The Board members are not paid and are not reimbursed for any expenses. The Backflow Program is administered by the Division of Industrial Compliance's Plumbing Administrator and an Administrative Assistant. Approximately 120 staff hours each year are dedicated to assisting the Board.

The Backflow Program for Certification and Recertification is self-funded through application and renewal fees and generates approximately \$100,000.00 annually. Currently, there are approximately 3,200 active certified Backflow Technicians within the State of Ohio.

In summary, the existence of the Backflow Advisory Board has enabled the Department of Commerce and Ohio EPA to regularly collaborate ensuring compatible rules, training, and testing procedures of backflow devices, which are critical to the protection of the State's potable water system. For these reasons, we request the reauthorization of the Backflow Advisory Board.

Thank you, Mr. Chairman and members of the Committee for allowing me to testify today. I am happy to entertain any questions you may have at this time.