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Tennessee Backflow News

Spring 2013



NEXT BOARD MEETING

10:00 AM
 Wednesday
April 3, 2013
 Murfreesboro Water Plant
 5528 Sam Jared Drive
 Murfreesboro, TN
 For directions call
 615-848-3222

TBPA Mission Statement
 The mission of the Tennessee Backflow Prevention Association is to protect drinking water quality in the State of Tennessee by providing for education, statewide training, standardized certification, technical assistance and resources to our membership and the general public.

President's Message

Happy Spring! I am confident that Spring is on its way despite the snow and cold wind that we have had this past week. With Spring comes all the work associated with getting those lawns green and thick, the gardens growing, and the weeds killed. In most cases this involves application of chemicals and fertilizers. Every time I see the commercial for the big box store advertising the chemical weed killer attached to the garden hose I want to run screaming from the room. We must remain ever diligent in educating our customers, neighbors, friends, and associates about the dangers of connecting anything to the source of water. It is our responsibility to protect the public water source from the big risks and the small ones as well. If you are a water purveyor, take some time this year to touch base with as many landscaping and irrigation companies as you can to remind them of safe water use practices. If you are

a landscaper or irrigation contractor, review your procedures with all your employees, check your equipment to ensure it is operating properly. Let's have a safe and beautiful Spring season.

We look forward to planning our 17th Annual Conference that is scheduled for October 17th & 18th in Chattanooga. We are pleased to be working with the DoubleTree brand again this year. If you were at the Jackson conference in 2012, you can attest to how well they worked with us and the fabulous food they provided. They are offering us a special rate of \$129 per night which is good for 3 nights before and after the conference dates, so you could enjoy some time in Chattanooga with family and friends. Chattanooga has so much to offer and we will be located right downtown where all the attractions are close by. You will need to make your reservations by September 20th to guarantee this rate.

If you have ideas for topics or would like to present your Cross-Connection program, please let one of the Board members know as soon as possible. Again, we want to provide the information and education that you are interested in receiving. Last year's conference was a great success due to the quality and diversity of speakers, and we want to continue that at this year's conference. You can be instrumental in helping us accomplish that. Also, our vendors are always a key to providing great information and bringing quality advice to our conference participants. It takes all of us working together to make a successful conference. We value all our members' input. See you soon!

Donna Maloy
 President TBPA

Upcoming Events

- ABPA Annual Conference**
 May 6th – 8th, 2013
 Sheraton Crescent Hotel
 Phoenix, Arizona
- TBPA 17th Annual Conference**
 October 17th & 18th, 2013
 DoubleTree Hotel – Chattanooga, TN
 Board Meeting – October 16th – 5:00 PM
- TBPA Board Meetings**
 10:00 AM
 Murfreesboro Water Plant
 July 10th – October 16th

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Tennessee Backflow Prevention Association
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TBPA Board Members

Name	Affiliation	Phone # - Email	Fax #
Donna Morrell Maloy President	Knoxville Utilities Board Knoxville, TN	865-558-2366 donna.morrell@kub.org	865-558-2168
Frank Maccagnano Vice President	Murfreesboro Water & Sewer Murfreesboro, TN	615-848-3222 fmaccagnano@murfreesborotn.gov	615-848-3244
Angel Goike Past President	City of Clarksville	931-553-2489 angel.goike@cityofclarksville.com	931-553-2490
Kitty Vaughn Secretary	TN American Water Chattanooga, TN	423-771-4705 kitty.banks@amwater.com	423-267-9384
Liba Ford Treasurer & Newsletter	JEA Jackson, TN	731-422-7517 lford@jaxenergy.com	731-422-7530
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Mr. Ken Goergen ABPA Region 3 Director	Seminole, FL	727-385-7953 kpggoergen@gmail.com	
Ken Kerr ABPA President	Brunswick, OH	330-225-1420 Kerr-marketing@att.net	



The Tennessee Backflow News is published quarterly by the Tennessee Backflow Prevention Association, whose members have a common interest in protecting the drinking water from contamination through cross connections. Your ideas, experience and expertise are invited and needed by the TBPA to insure a balanced approach to backflow prevention in the State of Tennessee. Your participation and support will continue to help shape the future of this industry in Tennessee.

Opinions expressed in articles, letters or advertisements in this publication are not necessarily those endorsed or supported by the TBPA. The content of this newsletter is not to be considered as legal or professional advice. Dues are \$80 annually. Annual dues include \$20 for Tennessee and \$60 for National ABPA dues. National membership is required for Tennessee membership.

Mail membership dues to:
Jackson Energy Authority
Attn: Liba Ford
250 North Highland
Jackson, TN 38301

For newsletter advertisements contact:
Tennessee Backflow Prevention Association
Attn: Kitty Vaughn
P.O. Box 6338
Chattanooga, TN 37401

TBPA West Section News

If you missed the Annual Conference in 2012, plan to attend the 2013 Conference in Chattanooga! Please take time to read the presentation summary below.

Summary of Conference Presentation Titled Legal Issues and Responsibilities

If you attended the TBPA Conference in October 2012, you were privileged to hear the presentation by Troy McPeak, Assistant Attorney General, and William Beasley, Criminal Investigator, for the State of Tennessee. I have attempted to summarize their presentation in case you were not able to attend the TBPA Conference. Their presentation demonstrated how violations can result in both civil liability and criminal prosecution.

As you know, Rule 1200-05-01-.17(6) states that all community water systems must adopt an ordinance or policy prohibiting cross connections and establish an ongoing cross connection program. But, listed below are some things you may not be aware of that Troy McPeak presented.

The "Tennessee Safe Drinking Water Act of 1983" is found at T.C.A. 68-221-701. The definition of a "Cross connection" is found at T.C.A. 68-221-703(7). The powers and duties of the board to eliminate cross connections in the distribution system is found at T.C.A. 68-221-704(2)(B)(ix).

T.C.A. 68-221-711(6) prohibits "The installation, allowing the installation, or maintenance of any cross connection, auxiliary intake, or bypass, unless the source and quality of water from the auxiliary supply, the method of connection, and the use and operation of such cross connection, auxiliary intake, or bypass has been approved by the department."

T.C.A. 68-221-713 provides for civil penalties, civil liability for damages, and criminal prosecution. T.C.A. 68-221-713(a) states: "Any person who violates or fails to comply with any provision of this part, any order of the commissioner or the board issued pursuant to this part or any rule, regulation or standard adopted pursuant to this part is subject to a **civil penalty** of not less than **\$50.00** or more than **\$5,000** per day for each day of violation. In addition, such person shall also be **liable for any damages to the state** resulting therefrom, without regard to whether any civil penalty is assessed."

T.C.A. 68-221-713(f) and (g) further state: "Any person violating, or failing, neglecting or refusing to comply with any of this part or rules or regulations commits a **Class C misdemeanor**. Each day upon which such violation occurs constitutes a separate offense. Any person who willfully and knowingly pollutes or threatens to pollute any public drinking water system in this state or willfully fails, neglects or refuses to comply with any of this part commits a **Class E felony**."

T.C.A. 39-13-103 provides for criminal prosecution in the event of Reckless Endangerment. "A person commits an offense who recklessly engages in conduct that places or may place another person in imminent danger of death or serious bodily injury. Reckless endangerment is a **Class A misdemeanor** but in some cases can be a **Class E felony**. Reckless or intentional conduct regarding cross-connection and backflow prevention could lead to charges of reckless endangerment.

T.C.A. 39-14-114 provides for criminal prosecution in the event of forgery. Forgery includes making false entries in books and records such as falsifying documents and falsifying test results. Forgery is at least a **Class E felony**.

T.C.A. 39-16-504 provides for criminal prosecution in the event of destruction or tampering with governmental records.

T.C.A. 39-16-702 provides for criminal prosecution in the event of perjury. Perjury includes making a false statement, not under oath, but in a declaration stating on its face that it is made under penalty of perjury.

T.C.A. 39-16-302 provides for criminal prosecution in the event a person conducts unauthorized practice of a profession. It is unlawful for a person to conduct an activity without a required license or certification. Backflow prevention device testers must be certified.

We are sorry to say that many times cross connection (backflow) is not taken as seriously as it should be. As was demonstrated in this presentation at the annual conference, violations can result in both civil liability and criminal prosecution. Everyone, not just those who manage cross connection control programs, should be aware of these penalties.

Thanks again to both Troy McPeak and William Beasley for an excellent presentation!

TBPA/ABPA MEMBERSHIP FORM

Tennessee Backflow Prevention Association
American Backflow Prevention Association

NAME: _____

COMPANY: _____

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PHONE: _____

FAX: _____

E-MAIL: _____

CHECK ONE: RENEWAL: _____ MEMBER # _____
NEW: _____



ABPA DUES: \$60.00
TBPA DUES: 20.00
ANNUAL DUES TOTAL: \$80.00

Please remit total to:
Tennessee Backflow Prevention Association
Jackson Energy Authority
Attn: Liba Ford
250 North Highland
Jackson, TN 38301

Includes bi-monthly ABPA News Magazine
and quarterly Tennessee Backflow News
Pre-payment of dues required to process application.
Membership is non-transferable. National ABPA membership required for state TBPA membership

(continued from page 3)

Backflow Repair Class

Location: MLGW Cross Connection Training Lab
488 North Dunlap
Memphis, TN 38105

Wilkins (Limit 8 per class)

April 12: 8:00 – 9:45 & 10:00 – 12:00

October 11: 12:00 – 1:45 & 2:00 – 4:00

Watts (Limit 12 per class)

August 9: 12:00 – 4:00

Conbraco (Limit 8 per class)

June 14: 8:00 – 9:45 & 10:00 – 12:00

December 13: 12:00 – 1:45 & 2:00 – 4:00

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Training Information

- **Plumbers and Pipefitters, Local 572, Nashville, Tennessee:** Backflow Classes for Apprentices and Journeyman: (615) 227-5542
225 Ben Allen Rd., Nashville, TN 37207
- **Plumbers & Steamfitters, Local #43 JACT:** Contact Woody Evans, 3013 Riverside Drive, Chattanooga, TN 37406, (423) 365-9972
- **Knoxville Plumbers & Steamfitters, LU #102 JATC:** Knoxville, TN Contact Wayne Summers, 1218 N. Broadway, Knoxville, TN 37917 - (865) 525-6305 or lu102jatc@bellsouth.net
- **Plumbers Local Union #17:** For information on classes contact Howard Burgess at (901) 368-9099 - 4229 Prescott Road, Memphis, TN 38118
- **Backflow Control:** Backflow Training Classes and Certification Classes for Mississippi, Alabama and Tennessee. For more information contact Roger Crane at (662) 333-9007
262 Boatner Road, Potts Camp, MS 38659
- To list or update your training classes contact Liba Ford at lford@jaxenergy.com.



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TBPA Board Meeting Update - January 9, 2013

Present: Donna Maloy, Frank Maccagnano, Steve Betty, Bradley Tomlin, Liba Ford, Michael Robeson, David Risner and Brent Ogles.

Absent: Angel Goike and Kitty Vaughn

Minutes: Approved with the correction of the Treasurer's report. Corrected Balance \$16,905.63.

Treasurer's report

Checking Account Balance \$ 6,564.47 and a CD balance of \$5,500.00. Total \$12,064.47. The Quarterly report and Annual Reports were approved. Liba will submit the Annual information to ABPA.

The 2012 Conference made a profit of \$2,467.97 and a total of 12 new memberships.

Old Business

Donna will follow-up with Dale Reagan about a TBPA blog. The Board believes it would be better for individuals with questions to contact local representatives or their Section Director who can disseminate the information or question to the Board and membership as needed. A blog necessitates the monitoring of posts on a continual basis which may not be feasible for our Board at this time.

Newsletter

Liba encouraged all Section Directors to submit a short article for the newsletter. They are due the 10th of the month before the Board meeting. She will send out reminders.

TBPA Conference 2012

Pros and Cons of the event were discussed. We had 39 registered attendees (not including vendors). Brent said he preferred the Vendors to be in the room with the speakers. Liba will put Troy McPeak's legal presentation in the next newsletter.

Everyone was pleased with the USC speaker and the Legal representatives and agreed they would like to see USC come back again. Overall the topics and presentations were diverse, relevant, and well accepted by the attendees.

TBPA Conference 2013

Angel did not find a location in Clarksville for the 2013 Conference. The board voted to have the conference in Chattanooga. Steve Betty will get prices and locations, specifically the DoubleTree. Dates are open. Committee will be: Steve, Kitty, Angel & Liba. David and Frank will assist as needed. We will schedule the 2014 Conference for East Tennessee.

Board voted to have at least one speaker give a high level presentation on "how to conduct a survey". Speaker to be determined later, but it was the general consensus of the

Board that having USC present was beneficial.

Conference Policy

After the number of last minute cancellations from the 2012 Conference, it was deemed necessary to institute a Registration and Cancellation Policy. The Board approved the following policy for Conference Fees:

- Registration Deadline is 15 days in advance of the Thursday date (or first day of the conference)
- Cancellations: 30 days in advance – Full refund
29-15 days in advance - Refund less \$50 cancellation fee
Less than 15 days - No Refund
Attendee substitution can be made (Member \$0 / Nonmember \$80)
- Extenuating circumstances (i.e. death of an immediate family member) will be reviewed by the Board of Directors. A credit may be issued for the next years Conference.

IAPMO Information

IAPMO Administration & Survey classes / cost were discussed. Donna will check into this further and we will determine if we want to offer this to our members.

Region 3 Director Travel Expenses

The reimbursement for Region 3 Director travel expenses has been \$300 for a number of years. The Board voted to raise the amount we send to National for our Region Director's travel expenses if they attend our Annual Conference from \$300 to \$500 to begin in 2013.

Director-At-Large Positions

Donna will speak with Kent Bowman and Jacob Cain to see if either of them would be interested in serving as a Director-at-large to the Board.

Adjourn: 12:35 pm

Next meeting – April 3, 2013 – 10:00 AM – Murfreesboro Water Plant – Murfreesboro, TN.

Not official minutes.

James Probst
President of Operations

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TBPA East Section News

This is my first article for the newsletter as East Tennessee Director and before I introduce myself, I would like to send a big THANK YOU to outgoing Director Kent Bowman. All of his hard work over the years has been greatly appreciated!

My name is Steve Betty. I have worked at Tennessee American Water for 32 years and have been in the Cross Connection department since 2006. I look forward to serving as the East Tennessee Director and want you to feel free to contact me @ 423-771-4774 or steve.betty@amwater.com with your comments or concerns.

The weather is warming up and spring is just around the corner. If you're like me you have spring fever and ready to get outdoors. This is also the time of year people are installing irrigation systems or de-winterizing their systems. During this busy time of year, please remember safety first when testing or installing backflow devices.

We just completed a Cross Connection Control Renewal workshop and Cross Connection Control Basic workshop at Tennessee American Water Co. Thanks to everyone who helped with these classes and made them a success. A special thanks goes to Brent Ogles for his work with TAUD and TBPA. For the dates and times of upcoming classes please check the TBPA Newsletter or visit the TAUD website.

The 2013 TBPA Conference will be held in Chattanooga, TN October 17th & 18th at the DoubleTree Hotel. Room reservations must be made by September 20, 2013. You may make reservations by calling 423-755-5150 or 1-800-HILTON. (Be sure to mention TBPA) The special room rate is \$129 per night and is good for 3 days before and 3 days after the conference. I look forward to seeing you there. Be safe!

Steve Betty
East Tennessee Director

TBPA Middle Section News

I would like to begin by saying that I am proud to serve as your new TBPA Middle Tennessee Director. The TBPA Annual Conference will be held in Chattanooga this year – October 17th & 18th. Please make plans to attend if possible. We would like to have a good turnout this year. If anyone has any suggestions for speakers feel free to call 615-642-3267 or email me at drisner@murfreesborotn.gov.

The quarterly board meetings are open to all members. Please feel free to attend and voice any concerns you have about YOUR association. The board meeting dates are always in the newsletter or on the website at www.tnbackflow.com.

David Risner
Middle TN Director



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Tennessee Training Calendar

- **The Fleming Training Center:** FTC offers Basic and Renewal and Cross Connection Classes to water systems and personnel throughout Tennessee. FTC is located at 2022 Blanton Drive, Murfreesboro, TN 37129, phone: (615) 898-8090, fax: (615) 898-8064. Hours of operation: Weekdays 8:00 a.m.-4:30 p.m. Central Time. For more information and a registration form visit: www.state.tn.us/environment/fleming/. Written registration and 30 days notice is required for the following classes:

2103 Cross Connection Control Basic Workshop

Duration: 3 days • Class Fee: \$275

(full time employees of public water systems are exempt)

Testing Fee: \$60 (no exemptions)

Murfreesboro	Kingsport
May 8-10	May 22-24
June 26-28	August 7-9
July 24-26	Jackson
August 21-23	April 10-12
November 20-22	Alcoa
	April 24-26
	September 18-20

3102 Cross Connection Control Renewal Workshop

Duration: 1 day • Class Fee: \$110

(full time employees of public water systems are exempt)

Testing Fee: \$60 (no exemptions)

Murfreesboro	Kingsport
May 7	May 21
June 25	August 6
July 23	Jackson
August 20	April 9
November 19	Alcoa
	April 23
	September 17

3300 Backflow Prevention Assembly Repair Class

Duration: 1 day • Class Fee: \$125

Murfreesboro September 12

NOTICE

Beginning January 1, 2013 Fleming Training Center will upgrade their data system. All registration forms for classes and seminars must be accompanied by the required fee payment. Registration cannot be completed for a class until payment is received in full. We apologize for any inconvenience. Thank you for your understanding.

- **The Tennessee Association of Utility Districts (TAUD):** Offering classes for utilities, municipalities and other industry related businesses and contractors. Classes include Cross Connection Renewal and Basic, Confined Space Entry, CPR/First Aid, Flagger Safety, Trench Excavation and many others. Customized classes are also available. For more information please visit the Training Page at www.taud.org or contact Tonia Pass at (615) 900-1000 or ToniaPass@taud.org.

Basic Cross Connection Class

TAUD – Murfreesboro	Tennessee American Water
May 8-10	- Chattanooga
July 24-26	July 10-12
September 18-20	Larry Fleming Facility
November 13-15	- Knoxville
MLGW - Memphis	April 10-12
June 12-14	September 4-6
JEA Training Center - Jackson	
October 9-11	

Renewal Cross Connection Class

TAUD – Murfreesboro	Tennessee American Water
May 7	- Chattanooga
July 23	July 9
September 17	Larry Fleming Facility
November 12	- Knoxville
MLGW - Memphis	April 8
June 11	September 3
October 29	Sparta
JEA Training Center - Jackson	April 4
October 8	

Backflow Repair Class – Wilkins

East Utility District	JEA Training Center - Jackson
- Chattanooga	July 16
June 27	TAUD - Murfreesboro
	September 25

- **Memphis Light, Gas and Water:** Cross Connection Renewal classes are scheduled from 8:00 am - 4:30 pm. Fee is \$100 and must be received prior to class date. (Checks payable to MLGW). Test fee is \$60 (Checks payable to Fleming Training Center) Class size is limited to twelve (12). Students must bring a Test kit and flathead screwdriver.

Backflow Repair Class fee is \$50.

For more information and to register contact: MLGW Cross Connection at 901-528-7757

Cross Connection Renewal Class

Location: MLGW Cross Connection Training Lab
488 North Dunlap, Memphis, TN

Class Date	Registration Deadline
May 23	May 16
July 11	July 5
July 25	July 18
September 19	September 12
November 14	November 7

(Continued on page 4)