



MEMORANDUM

TO: Water Resources Commission

FROM: Kristopher Byrd, Well Construction and Compliance Section Manager *KB*
Brenda Bateman, Technical Services Division Administrator *BB*

SUBJECT: Agenda Item G, May 12, 2017
Water Resources Commission Meeting

Update on Division 215 Rulemaking – Back-Siphon Prevention Devices

I. Introduction

Staff will update the Commission about current rulemaking activity in the Well Construction Program related to back-siphon prevention devices (OAR Chapter 690, Division 215).

II. Discussion

To prevent potential contamination from entering an aquifer, groundwater irrigation systems that are used for the application of chemicals or fertilizers are already required to have backflow equipment installed, regardless of the size of the system. This equipment prevents backflow of the chemicals into the well if pressure is lost.

The rules for this equipment reside in OAR Chapter 690, Division 215 (Maintenance, Repair and Deepening of Water Supply Wells). When these rules were initially written, they were focused on large irrigation systems. However, field staff are now observing these practices occurring with small irrigation systems where the current rules are not practical.

In order to resolve the discrepancy, the Department organized a Rules Advisory Committee (RAC) to review current rules and develop standards related to backflow prevention devices that are more applicable to smaller systems. The rules that are being developed are meant to work with all sizes of systems without being overly burdensome on landowners or small businesses.

The Department invited the following organizations to participate on the RAC:

- BMI Backflow
- Sippel Water Care
- Oregonians for Food and Shelter
- Oregon Farm Bureau
- Oregon Department of Agriculture – Pesticides Program
- Oregon Health Authority – Drinking Water Services
- Oregrown
- The Nature Conservancy

The rulemaking process was facilitated by the Department and resulted in proposed rules that captured the suggestions of RAC members. The rules provide the ability for individuals to discuss alternatives with Department staff. The RAC also worked with the Department on the Statement of Need and Fiscal Impact.

The proposed rules will be open for public comment in May 2017. During the public comment period, the Department will present the proposed rules to the Groundwater Advisory Committee. A public hearing will be held in Salem on May 24. Once the public comment period closes, staff will review comments, make needed changes, and bring the final proposed rules to the Commission for consideration at its August 2017 meeting.

III. Summary

The proposed changes to the back-siphon prevention device rules are being developed in conjunction with stakeholders and are meant to provide clear guidance for groundwater irrigators that connect water wells to chemical or fertilizer application systems. The current rules describe a backflow device that works well for large irrigation systems, but it is not easily scaled down to small systems. The RAC discussions focused on cleaning up and modernizing the current rules, as well as providing an alternative device for small systems. The fundamental goal of this rulemaking is to protect the groundwater resource while minimizing the burden on state agencies, units of local government, and the public.

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