

CHAPTER 50
HB 109-FN-LOCAL – FINAL VERSION

11Mar2015... 0379h

2015 SESSION

15-0077
06/10

HOUSE BILL ***109-FN-LOCAL***

AN ACT relative to the testing of backflow devices.

SPONSORS: Rep. Beaudoin, Straf 9; Rep. L. Ober, Hills 37; Rep. C. McGuire, Merr 29; Rep. O'Connor, Rock 6

COMMITTEE: Executive Departments and Administration

AMENDED ANALYSIS

This bill modifies the requirements for testing drinking water distribution system protective backflow prevention devices.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struck through~~].
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fifteen

AN ACT relative to the testing of backflow devices.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 50:1 New Hampshire Drinking Water Act; Backflow Device Testing. Amend RSA 485:11 to read
2 as follows:

3 485:11 Backflow Device Requirements and Tests, Installations, Repairs and Replacements.
4 There shall be a backflow prevention device installed at every connection to a public water system if
5 the facility connected may pose a hazard to the quality of water supplied by the public water system
6 as determined by the department. Where applicable, the facility receiving water from a public water
7 supply shall be responsible for having such drinking water distribution system protective backflow
8 prevention devices inspected and tested by individuals certified by a third party who has been
9 approved by the department to conduct backflow device inspection and testing certification. The
10 facility shall also have backflow devices installed, maintained, repaired, and replaced by individuals
11 qualified by either a plumbers license or by certification by the department under RSA 332-E:3, III
12 proving competency in distribution system operation. The activities to be conducted by qualified
13 individuals shall be specifically limited to the inspection and testing, maintenance, repair or
14 replacement, and installation of the water meters, meter horns, backflow preventers, and assembly
15 devices directly adjacent to and required as part of the protection for the drinking water distribution
16 system. Testing of drinking water distribution system protective backflow prevention devices, where
17 applicable, shall occur after installation or repair to ensure that new and repaired devices are
18 working properly. There shall be a backflow prevention device installed at every connection to a
19 public water system if the facility connected may pose a hazard to the quality of water supplied by
20 the public water system as determined by the department of environmental services. The facility
21 receiving water from a public water supply shall be responsible for having such backflow prevention
22 devices installed, serviced, and tested by individuals qualified by license or certification to perform
23 these activities. Testing of backflow devices shall occur twice annually unless the public water
24 supplier determines the facility poses a low hazard, in which case testing shall be performed on an
25 annual basis. The facility receiving water from a public water supplier is responsible for ensuring
26 that the backflow prevention device is working properly to prevent backflow into the public water
27 system. Testing shall also occur twice annually for ~~[existing]~~ **any high hazard** devices ~~[unless]~~ **and**
28 **facilities. When** the public water supplier determines that the facility poses a low hazard, ~~in~~
29 ~~which case~~ testing shall occur annually. A residential property **containing a non-testable device**

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1 shall not be considered a [~~low~~] hazard facility [~~but~~] ***and shall not require annual testing. A***
2 ***residential property*** may be considered a high hazard facility if it has an irrigation system, private
3 well connection, or other feature that may cause a public health risk. If an outside irrigation system
4 is the sole reason a residential property is considered a hazard to the public water supply
5 distribution system, such irrigation system shall be tested annually during the period when the
6 irrigation system is operated. The facility receiving water from a public water supplier is responsible
7 for ensuring that the backflow prevention device is working properly to prevent backflow into the
8 public water system.

9 50:2 Effective Date. This act shall take effect 60 days after its passage.

10

11 Approved: June 2, 2015

12 Effective Date: August 1, 2015