



June 22, 2023

Houston Public Works
Permitting Center
Construction Code Modernization Task Force
1002 Washington Avenue
Houston, TX 77002

Dear CCMC Members,

On behalf of the Water Quality Association (WQA), Texas Water Quality Association (TWQA), and the undersigned businesses and organizations, we are writing to you today in support of the WQA's amendment to the City of Houston's Uniform Plumbing Code (UPC) section 603.5.18.2 on water softeners. The amendment would remove an overbearing regulation that the City of Houston had previously added that goes well-beyond model codes and national certification standards; unfairly placing a financial burden on residents who utilize these treatment systems to improve their water quality.

Water softeners are non-hazardous systems already covered by safety requirements under Section 611.1 of UPC 2021. Although the UPC uses the latest technology and safety information when crafting code, for several years, the city has gone beyond the base code by adding a requirement for a double-check valve assembly to be added when a water softener is installed. The City has defended this regulation by stating that water softeners are considered an aesthetic, low-hazard (non-health) cross-connection risk with no supporting information. We were told the city would remove these objections if WQA could provide information from TCEQ. WQA has since provided technical information from TCEQ addressing the city's concerns,

"This message is to clarify that while backflow protection is required for the drain-lines of water softeners, backflow protection is not required for the supply line to water softeners unless there is a process in the use of a water softener which increases the hazard to a potable water supply (such as chemical addition for cleaning), in which case backflow prevention may be required..."

In addition, we have provided information from the U.S. EPA and nationally recognized certifying bodies, stating that none of the materials included in a water softener (i.e., treatment tanks, resin, salt brine, etc.) are considered a pollutant, and these systems are considered non-hazardous (non-health). Furthermore, the UPC base code requires these systems to be NSF/ANSI 44 certified, a national standard for residential water softeners that covers all aspects of material safety and structural integrity. The standard also mandates that an air gap be included upon installation. An Air Gap is the highest level of cross-connection protection available and will protect the water system from back-siphonage (i.e., Section 603.2 UPC 2021), which should cover any concerns expressed previously by the city regarding safety.

At the moment, the City's regulation for a double-check valve assembly, which provides no added life or safety protections, requires annual inspections along with the initial installation



costs resulting in \$1,000's+ of additional costs for residents. As water treatment professionals, we know firsthand the struggles many people in our state face in accessing water that meets their everyday needs and the city's regulation makes it more challenging. Water Softeners play a critical role in water treatment, but they also have several other benefits, including energy savings, appliance efficiency (Water Heaters, Dishwashers, etc.), and they are sometimes needed for specific medical applications (important system pre-treatment for those with immune-compromised health conditions). The city officials have also declined to entertain any lower-cost solutions that many other jurisdictions have recognized. Section 603.5.18.2, which is not included in the base UPC, has continued to create barriers to accessing treatment systems to improve their water quality. Removing this section would permit clarity on the code by aligning requirements to base plumbing codes while also decreasing construction costs, increasing the effectiveness of regulations, and having no impact on safety.

We appreciate your consideration of WQA's amendment and urge the committee to vote in favor of reducing the financial burden on the installation of water treatment technology.

Sincerely,

Water Quality Association (WQA)

Texas Water Quality Association (TWQA)

Abacus Plumbing, Air Conditioning, Electrical, and Water Treatment

Aqua General, Inc

Aqua Sphere Inc.

Brita Pro

Culligan International Corporation

Culligan of the Rio Grande Valley

Culligan San Marcos

Culligan UltraPure

Driessen Water Texas DBAs: Culligan of Austin, Culligan of Victoria, Culligan of Plainview,

Culligan of Corpus Christi

EcoWater Systems

Elite Water Systems

EnviroTech Int'l. Inc.

Houston Water Solutions

JRC Home Solutions of Texas

Kinetico Inc.

Living Water Company, LLC

Mueller Water

Precision Installation Products

Pure & Gentle Inc.

Quality Home Products

R G & Associates, Inc.



RS Water Holdings LLC; Dba's: Culligan of Houston, Culligan of DFW, Culligan of Brazosport and Culligan of Weatherford

Superior Water Quality

Texas Water House

TG Water Systems

Water Bionics LLC

Watts Water Quality