Idaho Department of
Environmental Quality
1410 N. Hilton
Boise, ID 83706
www.deq.idaho.gov

Interagency Agreement

Idaho Division of Building Safety, Plumbing Program
and
Idaho Department of Environmental Quality

This INTERAGENCY AGREEMENT is made and entered into on this 10th day of, July 2018, between the Idaho Division of Building Safety, Plumbing Program (Division) and the Idaho Department of Environmental Quality (DEQ) for the purpose of defining and delineating the Division's and DEQ's statutory and regulatory duties and responsibilities with respect to public drinking water systems, wastewater mains or collection systems, wastewater treatment facilities, and plumbing systems within the State of Idaho, and for the purpose of promoting and effectuating a cooperative effort between the Division and DEQ regarding the conduct and enforcement of their respective duties and responsibilities. The Division and DEQ may hereinafter be collectively referred to as the "Parties."

W I T N E S S E T H:

WHEREAS, Idaho Code §§ 67-2332, 39-105, and 67-2601A authorize the Parties to enter into an interagency agreement.

WHEREAS, the Parties agree and acknowledge that provisions of the Idaho Code and duly promulgated administrative rules define and prescribe their respective duties and responsibilities with respect to public drinking water systems, wastewater mains or collection systems, wastewater treatment systems, and plumbing systems in the State of Idaho;

WHEREAS, the Parties agree and acknowledge that provisions of the Idaho Code and administrative rules include, but are not limited to, the following:

A. Statutes
   1. Idaho Environmental Protection and Health Act (EPHA), Idaho Code §§ 39-101 et seq.
   2. Plats and Vacations, Idaho Code §§ 50-1301 *et seq*.
   3. Division of Building Safety, Idaho Code §§ 67-2601A.
   4. Plumbing and Plumbers, Idaho Code §§ 54-2601 *et seq*.

B. Administrative Rules
   1. Water Quality Standards, IDAPA 58.01.02 et seq.
   2. Individual/Subsurface Sewage Disposal Rules, IDAPA 58.01.03 et seq.
   3. Idaho Rules for Public Drinking Water Systems, IDAPA 58.01.08 et seq.
   4. Wastewater Rules, IDAPA 58.01.16 et seq.

5. Recycled Water Rules, IDAPA 58.01.17 et seq.
6. Rules Governing Plumbing Permits, IDAPA 07.02.02 et seq.
7. Rules Governing Permit Fee Schedule, IDAPA 07.02.03 et seq.
8. Rules Governing Plumbing Safety Inspections, IDAPA 07.02.04 et seq.
9. Rules Governing Plumbing Safety Licensing, IDAPA 07.02.05 et seq.
10. Rules Concerning Idaho State Plumbing Code, IDAPA 07.02.06 et seq.
11. Rules Governing Civil Penalties, IDAPA 07.02.07 et seq.

WHEREAS, the Parties agree and acknowledge that it is in their best interests to define and delineate their duties and responsibilities regarding public drinking water systems, wastewater mains or collection systems, wastewater treatment facilities, and plumbing systems in the State of Idaho as set forth in the above mentioned provisions;

WHEREAS, it is the Parties' mutual intent and desire to promote and effectuate an efficient and cooperative working relationship between themselves;

NOW THEREFORE, the undersigned Parties have reviewed the above listed legal authorities, rules and codes and hereby agree and acknowledge as follows:

1. Definitions

The following definitions apply to this agreement:

a. Building Drain—That part of the lowest piping of a drainage system that receives the discharge from soil, waste, and other drainage pipes inside the wall of the building and conveys it to the building sewer beginning two feet outside the building wall.

b. Building Sewer—That part of the piping of a drainage system which extends from the end of the building drain and conveys it to a collection system or main, public sewer, private sewer, subsurface sewage disposal system, or other point of disposal [see Chapter 2, 2009 Idaho State Plumbing Code (ISPC) Section 204.0; definition of Service Line].

c. Building Supply—The pipe carrying potable water from the water supply (water main) or water system to a single building, residence, manufactured house, structure, recreational vehicle site, or any other point of use (see Chapter 2, ISPC Section 204; definition of Service Line).

d. Consecutive Public Water System—A public water system that receives some or all of its finished water from one or more wholesale systems. Delivery may be through a direct connection or through the distribution system of one or more consecutive systems.

e. Curb-stop—A valve used to control the flow of drinking water in the building service line.

f. Effluent Line—The discharge line from a septic tank.

g. Gray Water—Gray water is untreated wastewater that has not come into contact with toilet waste, kitchen sink waste, dishwasher waste, clothes washing machine waste, or similarly contaminated sources. Gray water includes wastewater from bathtubs, showers, and bathroom wash basins.

h. Meter, Water—A monitoring device, positioned in the building's supply service line, used to quantify the volume of water used in the building. Typically, the meter is located on the user's property at the end of the water service line stub-out.

i. Mobile Home Park or Community—Any real property that is rented or held out for rent to others for the placement of two or more mobile homes for the primary purpose of producing income (see Idaho Code § 55-2003(3)). If mobile home park lots are held for sale, then those lots are subject to the plats and vacations sections of the Idaho Code §§50-1301 *et seq*.

j. Pitless Adapter—A fitting that attaches to the well casing providing a seal that allows the drinking water line to exit the well casing in a sanitary and frost proof manner.

k. Plat—The drawing, map, or plan of a subdivision or other tract of land, or a replatting of such, including certifications, descriptions, and approvals. A plat containing five or more lots is defined as a subdivision. Subdivisions are required to be platted through the local platting authority. Therefore, the platting of a subdivision, with connection to an existing public drinking water system, new public drinking water system, public wastewater collection system, or individual septic system, brings DEQ plan and specification authority into the water and wastewater system review.

    1. See Idaho Code §50-1301(15) for definition of sanitary restriction.
    2. See Idaho Code §50-1301(17) for definition of subdivision.
    3. See Idaho Code §50-1326 for lifting sanitary restriction language.
    4. See Idaho Code §50-1334 for plat filing requirements.
    5. See Idaho Code §39-118 for review of plans.

l. Plumbing Systems—Public or private, means and includes the following:

    1. Plumbing fixtures, interconnecting system pipes, and traps
    2. Soil, waste, and vent pipes
    3. Building drains and building sewers
    4. Sanitary and stormwater drainage facilities
    5. Liquid waste and sewerage facilities
    6. Water supply systems and distribution and disposal pipes of any premises
    7. Water-treating and water-using equipment attached to a plumbing system except for water-conditioning equipment (those devices necessary to remove impurities and sediment from water)
    8. All the respective connections, devices, and appurtenances of any plumbing system, public or private, within or adjacent to any building, residence, manufactured housing, or structure to and including a connection with any point

of a public or private supply, distribution or disposal system or other acceptable terminal (this includes all private drinking water production, treatment, and distribution facilities; and all private wastewater collection, treatment, and disposal facilities)

9. Water heaters and all associated venting dedicated exclusively thereto (see § 54-2604, Idaho Code)

m. Point of Entry (POE) Treatment Device—A treatment device applied to the drinking water entering a house or building for the purpose of reducing contaminants in the drinking water distributed throughout the house or building. Examples of POE devices include secondary disinfection units in hospitals, carbon filters, and water softeners.

n. Point of Use (POU) Treatment Device and Managed POU System—A water-treatment device applied to a single tap used for the purpose of reducing regulated contaminants in drinking water at that one tap. A collection of POU treatment devices used by a public water system to maintain compliance with the Safe Drinking Water Act is a managed POU system.

o. Public Drinking Water System (PWS)—A system for the provision to the public of water for human consumption through pipes or other constructed conveyances, if such system has at least 15 service connections, regardless of the number of water sources or configuration of the distribution system, or regularly serves an average of at least 25 individuals daily at least 60 days out of the year. Such term includes any collection, treatment, storage, and distribution facilities under the control of the operator of such system and used primarily in connection with such system; and any collection or pretreatment storage facilities not under such control which are used primarily in connection with such system. Such term does not include any *special irrigation district*.

p. Public Drinking Water System Component—The major physical components that affect the quality and safety of drinking water. Examples include a well or source, booster pump station, pump house, central treatment unit, storage, and hydropneumatic tanks.

q. Pump House—An above-grade structure containing important water system components, such as, but not limited to, a well, hydropneumatic tank, booster pump, pump controls, flow meter, well discharge line, or a treatment unit. Pump houses are often called well houses in common usage, even though in modern construction these structures may not contain either a well or a pump. These terms are used interchangeably in national standards and trade publications. (IDAPA 58.01.08.003.100).

r. Qualified Licensed Professional Engineer (QLPE)—A professional engineer licensed by the State of Idaho; qualified by education or experience in the specific technical fields involved in these rules; and retained or employed by a city, county, quasimunicipal corporation, or regulated public utility for the purposes of plan and specification review.

s. Recreational Vehicle Park—A plot of land upon which two or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purpose (see Appendix E, 2009 ISPC Part E). If recreational vehicle park lots are held for sale then these lots are subject to the plats and vacations sections of the Idaho Code §§50-1301 *et seq*.

t. Service Connection—Each structure, facility, or premise which is connected to a public drinking water system, and which is or could be used for domestic purposes, is considered a single connection. A single-family residence is considered to be a premise. Multifamily dwellings, apartments, condominiums, and office complexes are considered single connections unless individual units are billed separately for water by the water system, in which case each such unit shall be considered a single connection (see diagrams in Attachment A).

u. Service Line—The piped connection for conveyance of drinking water from the distribution system to the user, or wastewater from the user to the sewer main. See also Building Sewer and Building Supply.

v. Sewage—Any liquid waste containing animal or vegetable matter in suspension or solution and that may include liquids containing chemicals in solution (see Chapter 2, 2009 ISPC Section 221.0), water-carried human or animal waste from residences, buildings, industrial establishments, or other places, together with such ground water infiltration and surface water as may be present (IDAPA 58.01.08.003.112).

w. STEG System—The acronym for Septic Tank Effluent Gravity System.

x. STEP System—The acronym for Septic Tank Effluent Pumping System.

y. Stub-out—

1. The initial section of the building service line that connects to the water main and terminates just inside the property line, typically at the water meter. The stub-out may terminate in a curb-stop for those systems that do not meter their customer's water use.

2. The initial section of the building sewer service line that connects to the sewer main and terminates just inside the property line.

z. Vacuum Sewer Collection System—A wastewater collection system utilizing a central vacuum pump station collecting wastewater from one or more buildings via sewer mains and services that are under vacuum (negative) pressure.

aa. Wastewater—Any combination of liquid or water and pollutants from activities and processes occurring in dwellings, commercial buildings, industrial plants, institutions, and other establishments, together with any ground water, surface water, and stormwater that may be present; liquid or water that is chemically, biologically, physically, or rationally identifiable as containing blackwater, gray water, or commercial or industrial pollutants; and sewage (IDAPA 58.01.16.010.89).

bb. Wastewater Main—A wastewater collection and conveyance piping network that receives the discharge from two or more buildings, (structures, mobile home park

lots, or recreational vehicle lots) (see diagrams in Attachment B) and conveys it to an approved treatment works.

cc. Water Treatment (conditioning) Device—A device which conditions a water supply so as to change its chemical content or remove suspended solids by filtration (see Chapter 2, 2009 ISPC Section 225.0). Typically, water-conditioning devices refer to water softeners. A POU or POE device is another type of water treatment device used to reduce the level of regulated contaminants. Other types of treatment devices remove or reduce constituents in drinking water that may cause undesirable taste and odor.

dd. Water Main—A pipe within a public drinking water system which is under control of the system operator and conveys water to two or more service connections or conveys water to a fire hydrant. The collection of water mains within a given water supply is called the distribution system (IDAPA 58.01.08.003.139); a water supply pipe for public or community use (see Chapter 2, 2009 ISPC Section 225.0). This includes any pipe carrying potable water that is not a building supply.

2. DEQ Responsibilities:

a. Idaho Code § 50-1326 requires persons filing a plat to indicate on the plat the method of water and sewer services that will be utilized for the project.

b. In addition to projects on recorded plats, Idaho Code § 39-118 requires plans and specifications for the following project types to be submitted to DEQ for engineering review and approval before construction may begin:

1. Public drinking water systems as defined in Idaho Code § 39-103 and IDAPA 58.01.08.003.
2. Public drinking water system components.
3. Individual water booster pump stations.
4. Building supply stub-outs up to curb-stop or meter, if DEQ does plan and specification review of water mains. For plan and specification review by a QLPE in areas where the Division retains jurisdiction, the QLPE shall forward a copy of the approval letter to the Division.
5. Wastewater treatment facilities.
6. Wastewater collections systems or mains, both gravity flow and pressurized, STEP, STEG, and vacuum collection systems.
7. Wastewater collection system or main stub-outs, if DEQ does plan and specification review of sewer mains, DEQ shall provide the Division a copy of the approval letter. For plan and specification review by a QLPE in areas where the Division retains jurisdiction, the QLPE shall forward a copy of the approval letter to the Division.
8. Vacuum collection systems, including central vacuum pump stations, vacuum sewer mains, and vacuum sewer services to and including outside holding tanks, if outside holding tanks are used. If vacuum fixtures are used instead of outside

holding tanks, then DEQ's responsibility includes up through the vacuum sewer mains and stub-outs.

9. Subsurface sewage disposal systems, including gray water systems, review, approval, and permitting responsibilities reside with DEQ, and may be executed through a Memorandum of Understanding between DEQ and Idaho's Public Health Districts.
10. Managed POE system installation.

c. DEQ agrees to provide the Division with copies of all approval letters for projects that include building drinking water or sewer service lines, managed POU or POE treatment systems, and building interior plumbing. This approval letter shall describe the locations or provide a vicinity map of the approved project. Copies of QLPE project approval letters for projects that include building drinking water or sewer service lines will be forwarded by the QLPE for areas where the Division retains jurisdiction. For POU or POE system installation, DEQ identifies in guidance that system owners need to obtain an installation permit from the Division and all devices to be installed by a licensed plumber. Copies of this correspondence will also be forwarded to the Division. All correspondence shall be sent to the Idaho Division of Building Safety, Plumbing Program, 1090 E. Water Tower Street, Suite 150, Meridian, Idaho 83642.

d. DEQ conducts design review and approval and inspects public drinking water systems as defined in Idaho Code § 39-103 and IDAPA 58.01.08.003.

e. DEQ's authority extends to include all drinking water system components and associated distribution systems.

f. DEQ's authority terminates:

1. At the water meter, curb-stop, or premise exterior wall.
2. In the case of single property public drinking water systems where the entire system is owned and controlled by a single owner, the following applies:
3. If all drinking water system components are located outside of the building, DEQ authority terminates where the pipe exits the pump house.
    i. If drinking water system components are located inside of the building, DEQ authority extends within the building to include all drinking water system components to the system shut off valve. If a system shut off valve is not provided, DEQ authority terminates where a system shut off valve would reasonably be installed.
    ii. Building plumbing is not considered part of the distribution system, even when sampling locations are located within the building.

g. DEQ's cross connection control regulations shall not be used to ensure compliance with the plumbing code.

3. Division Responsibilities:

   The Division inspects plumbing systems as defined by Idaho Code § 54-2604 in areas of the state where no city has established a plumbing enforcement program. In areas of the state within the jurisdiction of the Division:

   a. The Division's authority extends to include plumbing fixtures, interconnecting system pipes and traps, waste and vent pipes, building drains and sewers internal to all structures, including inside the following:

      1. Public drinking water pump houses;
      2. Public drinking water treatment works; or
      3. Public wastewater treatment facilities.

   b. The Division's authority terminates:

      1. Where the building sewer:

         i. Enters septic or gray water tanks; or

         ii. Connects to a wastewater main stub-out.

      2. Where the building supply:

         i. Attaches to the water meter, curb-stop, or water main stub-out;

         ii. Attaches to a private drinking water well's pitless adapter; or

         iii. Attaches to public drinking water system components.

   c. The Division agrees to notify DEQ whenever the Division learns of projects requiring DEQ review and approval that may not have received review and approval. This may include installation of individual water booster pump stations, POU devices on public drinking water systems, POE devices in buildings that serve more than 25 people, and gray water installations.

4. If the design of a public drinking water system or wastewater collection or treatment system results in overlapping jurisdiction, both DEQ and the Division have authority and the building owner must comply with all applicable administrative rules. Where there is a conflict between requirements, the more stringent of the requirements must be met or, if possible, all requirements may be met.

5. Installation of a POE device within a building provided drinking water by a PWS may trigger requirements to comply with DEQ drinking water regulations. If daily averages of at least 25 people have access to the treated water provided in the building at least 60 days per year, the facility meets the definition of a consecutive PWS and would become regulated by DEQ. Only buildings with in-building collection or treatment facilities would be considered for additional drinking water regulation. An example of this would be a hospital or care facility with supplemental disinfection to manage Legionella.

6. The Parties agree to not enforce other standards outside of their respective administrative rules. However, as part of an inspection, staff may elect to make any recommendation or refer suspected violations to the authority having primary regulatory responsibility; provided

however, such recommendation or referral shall be founded on the staff member's professional knowledge.

7. The Parties agree to meet as necessary to review implementation of this Agreement or to discuss any other relevant matter. Any further agreement that is reached as a result of these meetings will be forwarded to relevant DEQ and Division personnel.
8. The Parties agree to provide joint training to their respective employees regarding the implementation of this Agreement as necessary in the future. This training is to include Public Health District administration and personnel.
9. For assistance in interpreting this Agreement as to responsibilities of each agency or division, see the diagrams depicting drinking water distribution systems in Attachment A, and diagrams depicting wastewater collection and treatment systems in Attachment B. These attachments are incorporated by reference herein.
10. Local codes or ordinances may be more restrictive.
11. The Parties agree that this Agreement may be terminated by either party for any reason upon 30 days written notice to the other party.
12. The Parties agree that neither party shall be liable to the other party for any direct, indirect, consequential, or special damages for failure to provide any notification to the other party as required under this Agreement.
13. This Agreement supersedes, terminates, and otherwise renders null and void any and all prior agreements entered into between the Parties with respect to the matters herein expressly set forth, specifically to include the version executed by the Parties on April 26, 2013. This Agreement embodies the entire agreement and understanding between the Parties pertaining to the subject matter of this Agreement. The Agreement may not be changed, amended, or superseded unless by means of writing executed by both Parties hereto.

IN WITNESS WHEREOF, the Parties hereto have caused this Interagency Agreement to be executed:

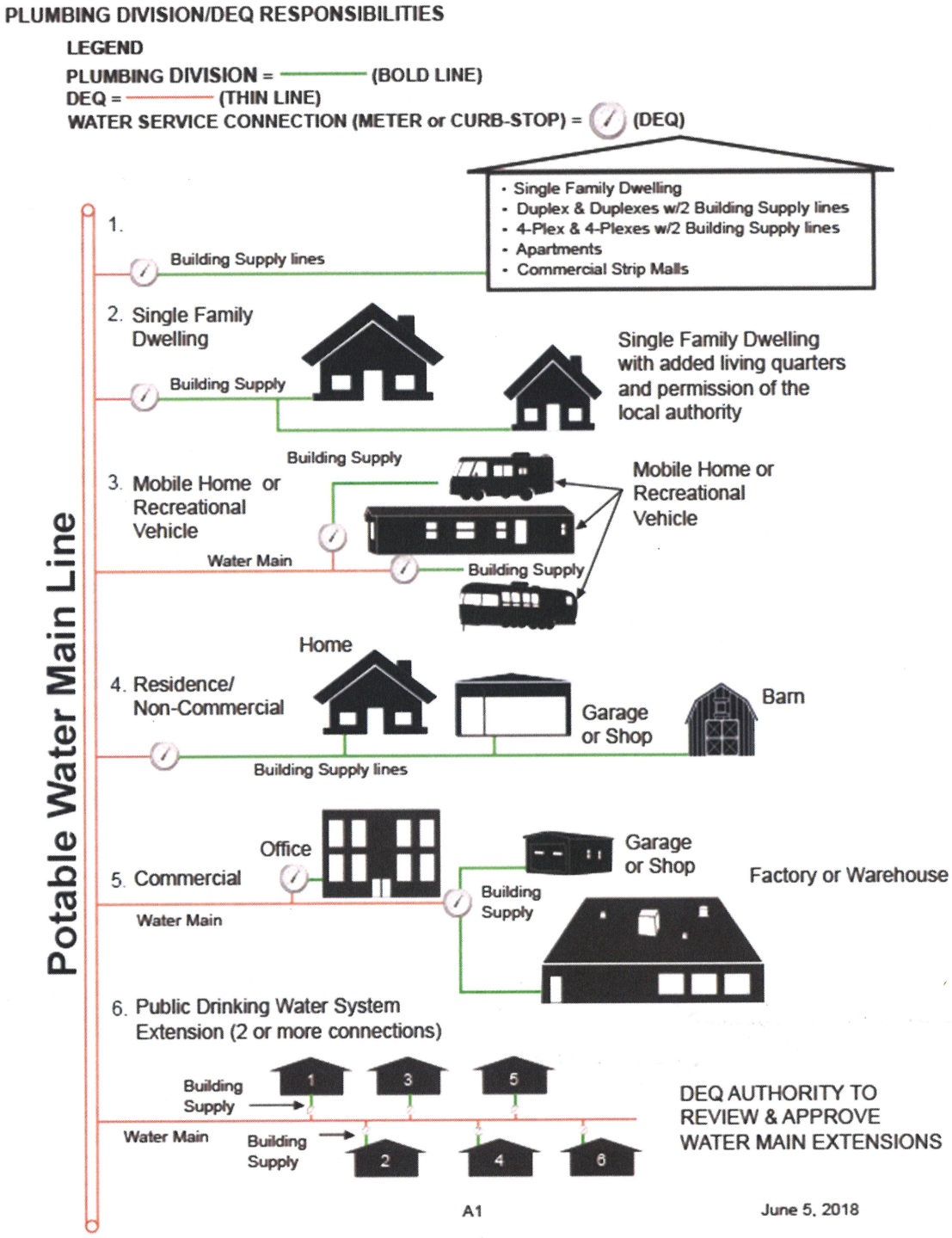
Idaho Department of Environmental Quality

John H. Tippets
Director
6/28/2018

Idaho Division of Building Safety

Chris Jensen
Administrator
7-10-18

Attachment A



PLUMBING DIVISION/DEQ RESPONSIBILITIES

LEGEND

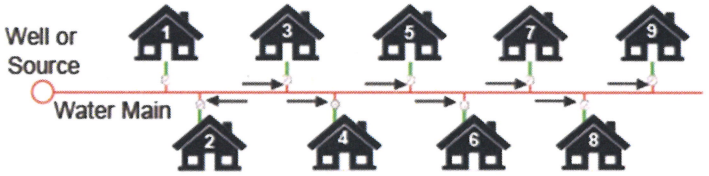
PLUMBING DIVISION = ——— (BOLD LINE)
DEQ = ——— (THIN LINE)
WATER SERVICE CONNECTION (METER or CURB-STOP) = (DEQ)

7. Single Building



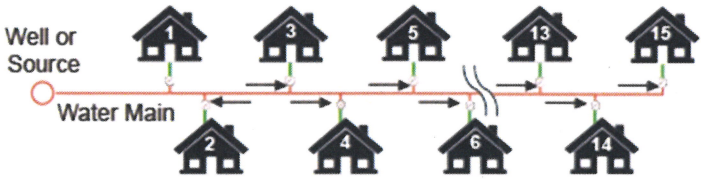
DEQ NO AUTHORITY (Unless building serves 25 or more people for 60 days or more per year, then DEQ has jurisdiction over drinking water system components as shown on next page.)

8. Public Drinking Water System (More than 25 people for 60 days per year)



DEQ AUTHORITY FOR DRINKING WATER SYSTEM COMPONENTS

9. Public Drinking Water System (15 or more connections)



DEQ AUTHORITY FOR DRINKING WATER SYSTEM COMPONENTS

Public Drinking Water System may or may not have meters.

PLUMBING DIVISION/DEQ RESPONSIBILITIES

LEGEND

PLUMBING DIVISION = ——— **(BOLD LINE)**

DEQ = ——— **(THIN LINE)**

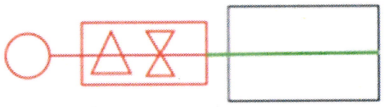
BUILDING EXTERIOR WALLS = ——— **(THIN LINE)**

SOURCE =

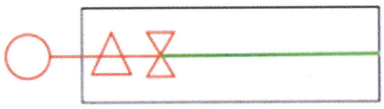
COMPONENTS (PUMPS, TREATMENT, SAMPLE TAP) =

SYSTEM SHUT OFF VALVE (OR WHERE EXPECTED) =

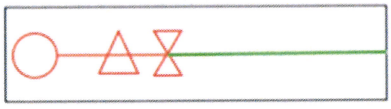
1. Source and components (and treatment, if applicable) outside the building or in a separate pump house.



2. Source outside and components (and treatment, if applicable) inside the building.



3. Source and components (and treatment, if applicable) inside the building.



NOTE: Other system configurations may exist. Jurisdictions may overlap and these diagrams show primary authority only. Please refer to the guidance document for implementation. Contact the DEQ State Office with further questions.

Single Property PMS Memo

A3

June 5, 2018

PLUMBING DIVISION/DEQ RESPONSIBILITIES

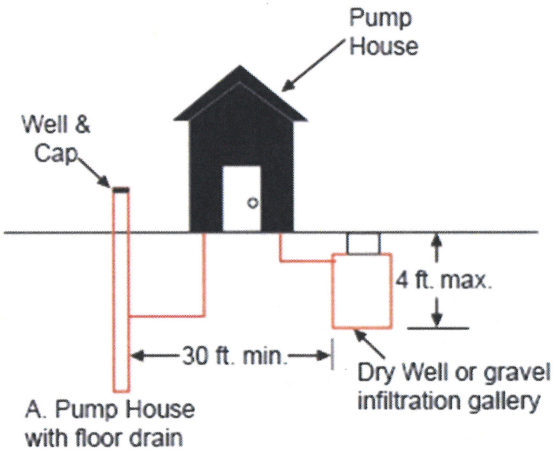
LEGEND
PLUMBING DIVISION = ——— (BOLD LINE)
DEQ = ——— (THIN LINE)

1. Public Drinking Water Pump House jurisdictions.

DEQ Authority for Public Drinking Water (PDW) facilities (IDAPA 58.01.08.501)

PDW Pump House's "Floor drains shall not be connected to sewers, storm drains, chlorination room drains, or any other source of contamination. Sumps for pump house floor drains shall not be closer than thirty (30) feet from any well." (IDAPA 58.01.08.541.01.i)

2. Plumbing inside pump houses, drinking water treatment facilities, and wastewater treatment facilities shall be inspected by the Plumbing Division to assure Idaho State Plumbing Code (ISPC) compliance.



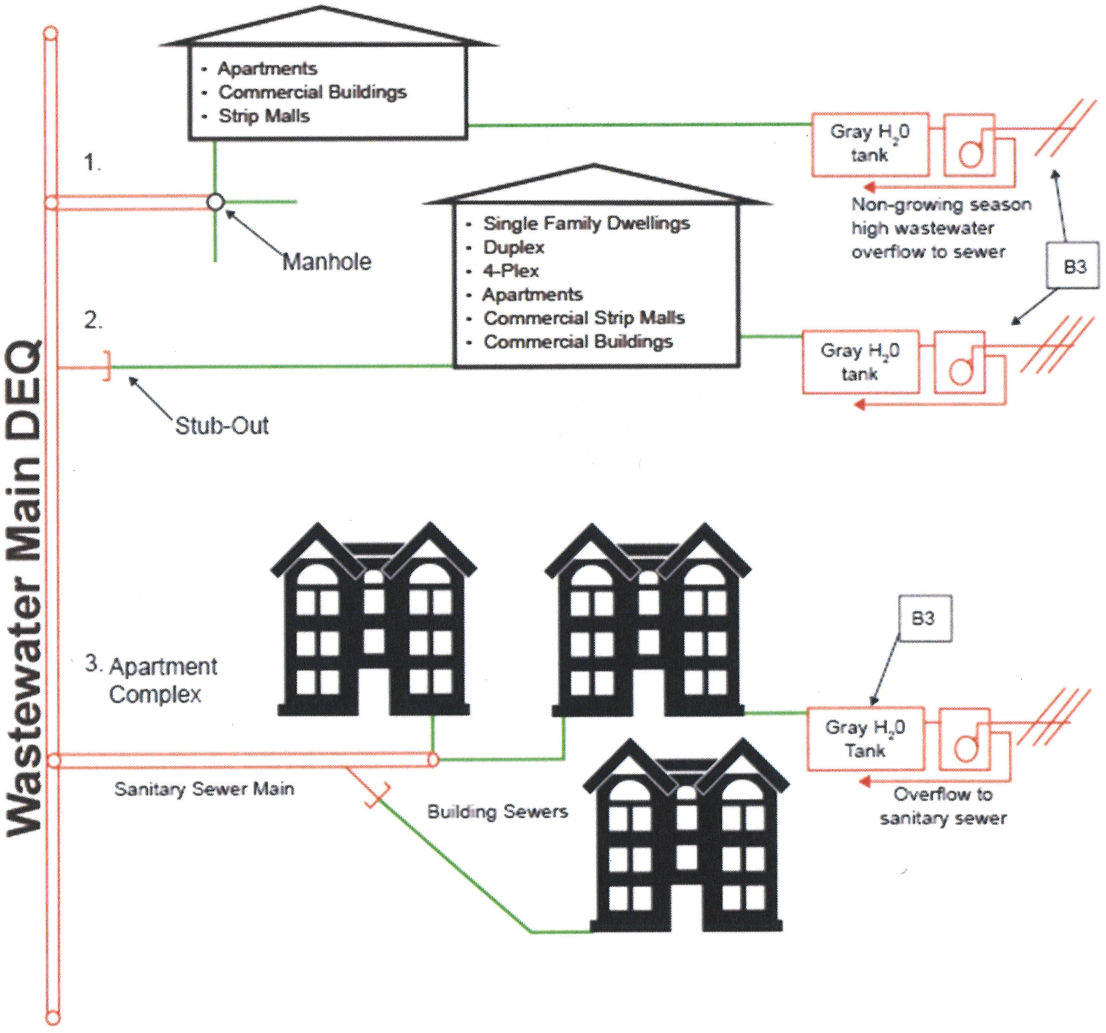
Attachment B

PLUMBING DIVISION/DEQ RESPONSIBILITIES

LEGEND

PLUMBING DIVISION = ——— (BOLD LINE)
DEQ = ——— (THIN LINE)

Note:
B1. All examples on this page (B-1) are for single buildings.
B2. Plumbing Division gray water system jurisdiction includes building sewer to the gray water tank.
B3. All individual and community septic and gray water systems must obtain an installation permit from the appropriate Public Health District.
B4. Gray water systems installed at facility serving more than 20 people must registered with IDWR's Underground Injection Control (UIC) program.
B5. Installation of Gray Water System requires the building contain a Plumbing Division approved dual wastewater collection system.
B6. Floor drains in commercial garages and shops shall not be attached to subsurface sewage disposal systems.

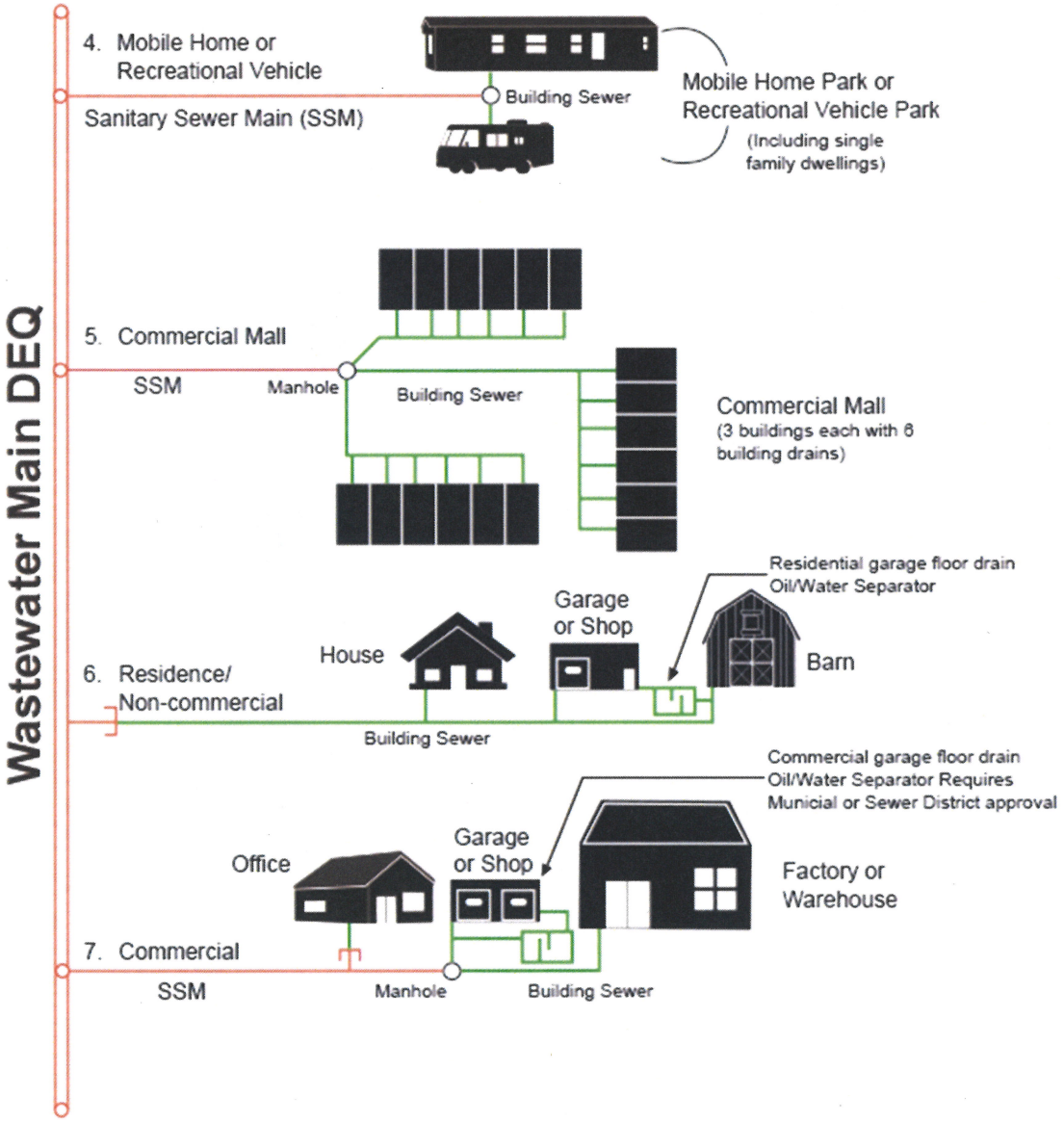


B-1 June 5, 2018

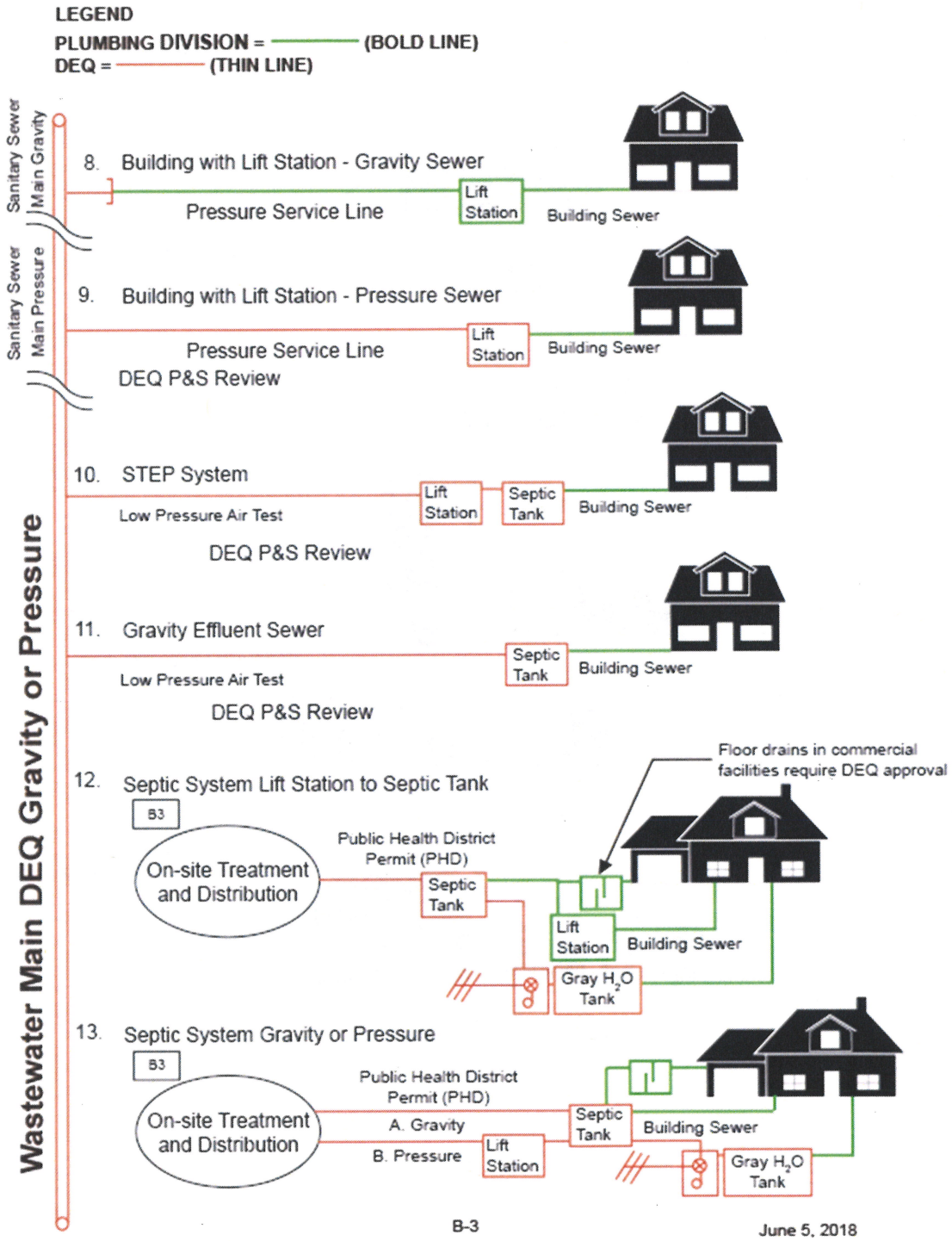
PLUMBING DIVISION/DEQ RESPONSIBILITIES

LEGEND

PLUMBING DIVISION = ——— (BOLD LINE)
DEQ = ——— (THIN LINE)



PLUMBING DIVISION/DEQ RESPONSIBILITIES



B-3

June 5, 2018