

CROSS-CONNECTION AND BACKFLOW PREVENTION ORDINANCE

NO: 20100301

WHEREAS, The Public Water Utility of the City of Romney (PWS# 3301405), recognizes that cross-connections and backflow conditions either existing or potential in a public and/or customer water system pose a threat to the public health and the environment. Therefore by adoption of this ordinance, the following program and articles of policy apply to PWS# 3301405 (Water Purveyor) and to all customer/owner water distribution systems served.

Purpose:

A. To protect the public potable water supply served by the City of Romney PWS# 3301405 from the possibility of contamination or pollution by isolating, within its customers internal distribution system such contaminants or pollutants which backflow or back-siphon into the public water system, and

B. To promote the elimination or control of existing cross-connections, actual or potential, health hazards between its customers in-plant potable water systems, and non-potable systems, and

C. To provide for the maintenance of a continuing program of cross-connections control that will effectively prevent the contamination or pollution of all potable water systems by cross-connection.

Authority:

A. By the Federal Safe Drinking Water Act of 1974, and the Code of West Virginia Chapter 16, Article 1 and Public Health Laws, WV Bureau for Public Health Chapter 1, Article 5B, the Water Purveyor has the primary responsibility for preventing water from unapproved sources, or any other substances, from entering the public potable water system.

B. City of Romney PWS# 3301405, Rules and Regulations, adopted by ordinance.

Responsibility:

The Water Purveyor shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to backflow or back-siphonage of contaminants or pollutants through the water service connection. If, in the judgment of the Water Purveyor, that an approved backflow assembly is required at the water service connection to any customer's premises, the Water Purveyor or his delegated agent, shall provide written notice to said customer to install an approved backflow assembly at each service connection to his premises. The customer shall at their own expense fully comply within a maximum of 90 days. Failure, refusal or inability on the part of the customer to install the assembly within 90 days shall constitute grounds for the discontinuation of water service to the premises until such assembly has been properly installed and inspected by the Water Purveyor. **If the Water Purveyor at any time determines that a**

serious threat to public health exists, water service will be immediately terminated.

Definitions:

Auxiliary Water Supply - any water supply or water source on or available to a customer's premises other than the water purveyor's approved water system.

Backflow - the undesirable reversal of water flow or introduction of other liquids, mixtures or substances caused by a pressure differential in the distribution lines of the potable water system.

Backflow Condition - any set of circumstances, actual or potential, that could be construed to create a cross-connection allowing for backflow of contaminants or pollutants into the potable water system.

Backflow Prevention - a device, assembly or means approved by the Water Purveyor and designed to prevent backflow in a potable water system.

Backpressure - a condition in which the customer's system pressure is greater than the water purveyor's system pressure.

Back-Siphonage - the flow of water, other liquids, mixtures or substances into the distribution lines of a potable water system from any source other than the primary source caused by a sudden reduction of pressure or negative pressure in the potable water system.

Community Water System - a public water system that serves a minimum of 25 residents year round or has 15 service connections serving year round residents.

Containment (external protection) - a method of backflow prevention which requires a backflow preventer assembly be installed after the meter and prior to any water service connection.

Contaminant - A substance that will impair the quality of potable water resulting in a serious public health hazard causing - but not limited to poisoning or the spread of disease.

Cross-connection - any connection between the public potable water system and an unapproved water supply or other source of contaminants or pollutants.

Customer - a billing unit or service connection to which drinking water is delivered by a public water system. May also be identified as an owner.

Degree of Hazard - is the potential risk to health and the potential adverse effects upon the public water system based on the probability of backflow occurring, and the type or nature of the contaminant.

Health Hazard (blue - 2) – any condition, device or practice which creates or may create a danger to public health and well being.

Pollutant Non-health Hazard (green - 1) – any condition that could degrade the quality or adversely affect the public water system. Does not create an actual hazard to public health, but does adversely and unreasonably affect the water for domestic use. Example: (appearance/color, odor, taste)

Owner – any person who has legal title to, or license to operate, or resides in a property which is supplied water from a public water system. May also be known as a customer.

Pollutant – a foreign substance that if permitted to enter the public water system, will degrade potable water so as to constitute a non-health hazard or impair the usefulness of the water. Does not create an actual hazard to the public health, but does adversely and unreasonably affect the appearance, color, odor or taste of potable water.

Potable Water – water that is safe for human consumption as described by the West Virginia Bureau for Public Health.

Severe Health Hazard (red -1) – any health hazard (contaminant) that could result in significant public morbidity or death.

Water Purveyor – the municipal water department, water board, public service district or other administrative entity invested with the authority and responsibility for a public water system.

WVBPH – West Virginia Bureau of Public Health

Administration:

- a. The Water Purveyor will establish, operate and promote a cross-connection and backflow prevention control program while maintaining necessary documentation and records compliant with the WVBPH regulations.
- b. The owner/customer shall allow their property to be inspected for possible cross-connections and shall follow the provisions of the Water Purveyor's program compliant with the WVBPH regulations.
- c. If after inspection, it is determined by the Water Purveyor that the public water system be protected by containment; the property owner/customer shall be responsible for the installation and maintenance of the required backflow preventer assembly bearing all expense.

Requirements: Water Purveyor

- a. On new installations, the Water Purveyor will provide an on-site evaluation/inspection of proposed plans to determine the necessity and type of backflow preventer assembly required – if any, based upon the degree of health

hazard and potential for cross-connections.

- b. For existing accounts, prior to the adoption of this ordinance; the Water Purveyor will prioritize inspections based on the degree of health hazard and complete an on-site inspection to determine the actual or potential cross-connections and backflow conditions. The property owner will receive results in writing with required corrective actions – if determined, for completion within a maximum of 90 days. Failure, refusal or inability to comply will result in termination of water service to the premises until corrective actions are completed and confirmed by the Water Purveyor.
- c. **If at any time, the Water Purveyor determined that a serious threat to public health exists, water service will be immediately terminated.**
- d. The Water Purveyor will report any backflow incident occurring in the public water system as soon as possible but no later than 24 hours after the incident to the WVBPH.

Requirements: Owner/Customer

- a. The Owner/Customer, bearing all expense shall be responsible for the elimination of all actual or potential cross-connections and/or backflow conditions on their premises.
- b. The Owner/Customer shall authorize the Water Purveyor to evaluate any proposed plans, providing a copy of the proposed backflow assembly design as related to this ordinance to the Water Purveyor. The Owner/Customer will also permit the Water Purveyor to perform on-site inspection(s) of their premises as related to this ordinance.
- c. Upon the receipt of the written inspection results, the property Owner/Customer shall complete all recommended actions within a maximum of 90 days.
- d. The Owner/Customer will only install backflow assemblies approved in writing by the Water Purveyor.
- e. The Owner/Customer is required to maintain for a minimum of (3) years, all records of installation, removal, repair and maintenance for all assemblies in the Owner/Customer's water system – making said records available upon request to the Water Purveyor and/or the WVBPH
- f. The Owner/Customer will report any backflow incident occurring in their water system to the Water Purveyor as soon as possible but no later than 24 hours after the incident. Failure to communicate the incident will result in a \$500.00 fine and possible termination of water service based upon the degree of hazard as determined by the Water Purveyor.

Degree of Hazard:

The Water Purveyor acknowledges its responsibility to recognize and resolve all threats to the public water system arising from cross-connections and backflow conditions. All threats will be classified by the degree of hazard to public health which will determine the requirements for the installation of approved backflow preventer assemblies. There

are (3) degrees of hazard defined as follows:

1. pollutant non-health hazard – (green-1): no actual threat to public
2. health hazard – (blue-2) creates or may create a moderate threat
3. severe health hazard – (red-3) resulting in significant morbidity/death

If determined by the Water Purveyor that a serious threat to public health exists; the Water Purveyor will have full authority to immediately terminate water service.

Testing:

- a. Backflow preventer assemblies will be tested and inspected annually. The Water Purveyor may mandate more frequent inspections in cases where there is a history of test failures and/or a high degree of health hazard.
- b. Testing must be completed by a WVBPH certified tester.
- c. The Water Purveyor may perform random and periodic testing of backflow assemblies within the public water system. Any backflow preventer assembly that fails testing will require repair or replacement within 90 days of the test date. Upon completion, the assembly will be retested to insure correct operation. **Severe hazard situations will not be permitted to continue unprotected and will require immediate resolution.**

Records:

For a minimum of (3) years, the Water Purveyor will maintain the following records:

- a. Master Inspection File of all owner/customer accounts ranked by degree of health hazard. (document on spreadsheet and submit annually to City Administrator)
- b. Customer files to include a copy of the backflow assembly design, tests, repairs and replacement records. Customer files will remain active for (1) year after removal from service and then retired to archives.
- c. Master Backflow Incident File – records and reports of any backflow incident occurring in the public water system will be maintained for a minimum of (3) years post incident and submission to the WVBPH. (document on spreadsheet and submit annually to City Administrator)

The Water Purveyor, upon request will submit all records, documentation and/or all information as related to this ordinance to the WVBPH.

NOW THEREFORE, The Governing Body of the City of Romney by approval vote will adopt Ordinance Number 20100301 effective immediately on the date of passage and adoption.

First Reading:	March 1, 2010
Second Reading (title only):	March 1, 2010
Final Reading:	June 7, 2010

By Council vote thereon was as follows:

<u>Signature</u>	<u>Vote (Yes or No)</u>
<u>David M. Moss</u>	<u>Yes</u>
<u>Gregory D. White</u>	<u>Yes</u>
<u>Miller</u>	<u>Yes</u>
<u>Ronald D. Dicks</u>	<u>Yes</u>
<u>Jeff. A.</u>	<u>Yes</u>
<u>James R. Ricks</u>	<u>yes</u>

Daniel C. Hileman
Mayor Daniel O. Hileman

Cliff Maphis
Recorder Cliff Maphis