



Clackamas River Water Cross Connection Control Program Customer Compliance Practices for Ordinance No. 01-2015

Purpose: The purpose of the Clackamas River Water (CRW) Cross Connection Control Program and its customer compliance requirements is to protect the public from waterborne contamination in the distribution system. An important goal of the program is to work in partnership with our customers in keeping the water supply safe, while enhancing customer relationships. To that end, CRW goes to great lengths to educate and work with its customers in making changes that enhance the safety of our public water supply. CRW understands the burden that compliance can put on our customers and strives to work with customers through the compliance process. CRW typically provides assistance to CRW customers via site surveys; technical consultations and clearly relayed requirements and timelines. When non-compliant situations require, CRW contracted backflow assembly testing and/or repair, fines, penalties or termination of water service may be implemented until modifications to mitigate a Health Hazard or Non-Health Hazard are completed. The following compliance practices discuss some common compliance situations addressed by Oregon Administrative Rule (OAR) 333-061-0020 through 0090 and CRW Ordinance 01-2015.

OAR 333-061-0020 (93) *“Health Hazard (Contamination)” means an impairment of the quality of the water that could create an actual hazard to the public through poisoning or through the spread of disease by sewage, industrial fluids, waste or other substances.* Any water supply situation where an actual cross connection has been confirmed between the public water supply and an unapproved water source, usage, or process is considered by the Oregon Health Authority and CRW to be a Health Hazard. Facilities or properties with no actual cross connection to the public water supply may also be considered a Health Hazard if the unapproved water source, usage, or process is deemed by CRW to be a potential danger to the public water supply. Alternate water supplies such as wells, streams or ponds that are not cross connected to the public water supply but are known to be hazardous or plumbed in close proximity to the public water supply may also be considered a Health Hazard. The Oregon Administrative Rules and Revised Statutes, 333-061-0020 through 0090 list common Health Hazard situations. The required remedy for a Health Hazard may include removal of the cross connection, installation of a reduced pressure backflow assembly at the point of hazard or behind the meter, or the termination of water service until required corrections have been completed.

OAR 333-061-0020 (121) *“Non Health Hazard (Pollution)” means an impairment of the quality of the water to a degree that does not create a health hazard to the public, but does adversely affect the aesthetic qualities of such water for potable use.* These can include situations such as alternate water supplies with no cross connection to the public water supply or irrigation systems with no chemical injection. Installation of a double check valve assembly at the point of hazard or immediately behind the meter may be required for Non-Health Hazards (OAR 333-061-0020 through 0090). CRW may give greater latitude in the allowance of time, such as compliance in Non-Health Hazard situations of concern with 30 to 120 day compliance schedules. Failure of the customer to comply with backflow prevention requirements within the requested time period may result in termination of water service.

Allowance of Inspections: As outlined in CRW Ordinance 01-2015(3) (d) “CRW personnel or contractors may enter the premise of a customer at reasonable times to determine compliance with the Cross Connection Control program. Reasonable access, if denied by a customer, constitutes a violation of this Ordinance and the District’s Rules and Regulations.” CRW Ordinance 01-2015 (2) (j) “Violation” means a breach of the cross connection prevention program and a cause for assessment of penalty, including but not limited to immediate termination of service under CRW’s Rules and Regulations.

Testing of Backflow Assemblies: CRW Ordinance 01-2015 (5) states that “Backflow assemblies at the service connection, and any backflow assembly on the customers premises shall at the customers expense be tested a minimum of once per year by a tester certified by the Oregon Health Authority on a date to be set by CRW unless otherwise specified. As needed, CRW will contract with a State of Oregon certified tester/repair company to complete the backflow test and/or repairs to bring the backflow assembly into compliance. These costs plus overhead will be paid by the customer.” The testing of all backflow assemblies associated with the customer’s account is the responsibility of the customer. A copy of the test results must be supplied to CRW by the tester or customer.

New Accounts Compliance: All new commercial water service installations are required to have the minimum of a double check backflow valve prevention assembly installed directly downstream of the water meter prior to activation of the water service for premise isolation.

All new residential water service installations are required to have a CRW backflow prevention assessment prior to activation of the water service. Backflow prevention measures are required only for specific water use hazards that are identified by CRW.

Existing Accounts Compliance: Existing commercial accounts that are categorized by the State of Oregon as “Non-Health Hazard (Pollution)” water use are required to be upgraded to the minimum of a double check valve assembly behind the water meter, for the purpose of premise isolation, any time that a Clackamas County building permit is pulled for any improvement to the property. Existing commercial accounts are also subject to periodic inspection and if found to have water use that is categorized by the State of Oregon and CRW as either a “Health Hazard (Contamination)” or a “Non-Health Hazard (Pollution)”, are required to complete designated backflow prevention measures within the CRW prescribed time frame as a condition of water service.

Existing residential accounts are subject to periodic inspection if found to have water use that is categorized by the State of Oregon and CRW as either “Health Hazard (Contamination)” or “Non-Health Hazard (Pollution)”, and are required to complete designated backflow prevention measures within CRW’s prescribed time frame as a condition of water service.

Penalty: CRW Ordinance 01-2015(7) states that” Service to any premise receiving water from CRW shall be contingent upon compliance with all rules and regulations of the Oregon Health Authority and/or CRW. At the discretion of CRW and to maintain the integrity of the distribution system, and protect the CRW system from contamination, service may be discontinued to any premise at any time upon five (5) days written notice for failure to comply with the rules and regulations of the Oregon Health Authority and/or Clackamas River Water. The customer may appeal this action at any time during the five (5) day period by telephone, e-mail or in writing to Clackamas River Water, and must state the nature of the appeal. The General Manager or designee may negotiate a compliance schedule with the customer to avoid undue hardship so long as control of any actual or potential cross connection and/or the testing of any designated backflow assembly is achieved, in the most expeditious manner, and without risk of contamination of the public water supply. In addition to termination of service under the Districts Rules and Regulations, violation of this ordinance shall also be subject to a civil penalty of up to \$500 for each day of continued violation.” Attachments:

CRW Ordinance No. 01-2015

OAR 333-061-0020 through 0090