



ORDINANCE NO. 2024-01

**AN ORDINANCE OF THE LA PUENTE VALLEY
COUNTY WATER DISTRICT BOARD OF DIRECTORS THAT
SUPERSEDES ORDINANCE NO. 82-2 INSTITUTING A
CROSS-CONNECTION CONTROL AND BACKFLOW PREVENTION PROGRAM
TO PROTECT THE PUBLIC WATER SYSTEM**

WHEREAS, the La Puente Valley County Water District ("District") has conducted a review of Ordinance No. 82-2 Instituting a Cross-Connection Control Program to Protect Public Health and desires to supersede this Ordinance with Ordinance No. 2024-01 to make certain revisions to reflect new policies and procedures;

NOW THEREFORE BE IT RESOLVED that the Board of Directors of the La Puente Valley County Water District hereby ordain the following:

Section 1. Purpose

This ordinance is adopted pursuant to Title 17, Section 7583 – 7605, inclusive, of the California Code of Regulations, entitled "Regulations Relating to Cross-Connections". The District is responsible for protecting its water supply from contamination by implementation of a Cross-Connection control program. The purpose of the Cross-Connection control program is:

(1) to protect the District's water supply against actual or potential cross-connection by isolating any contamination that may occur because of some undiscovered or unauthorized cross-connection on a water user's premises;

(2) to eliminate existing connections between drinking water systems and other sources of water that are not approved as safe and potable for human consumption;

(3) to eliminate Cross-Connections between drinking water systems and sources of contamination; and

(4) to prevent the occurrence of Cross-Connections in the future.

Section 2. Responsibility

The District shall be responsible for implementing and enforcing the cross-connection control program. An appropriate backflow prevention assembly shall be installed by and at the expense of the water user at each user connection where required to prevent backflow from the water user's premises to the District's water system. Premises that require a backflow prevention assembly will be subject to site inspections at all reasonable times by authorized District, County or State representatives to determine compliance with the requirements of this Ordinance. If the District determines that an approved backflow prevention assembly is required at the water user's premise, under this Ordinance the District or its designated agent(s) shall give notice in writing to

the water user to install an approved backflow prevention assembly(s) at a specific location(s) in accordance with the District's standard drawings and specifications, at the water user's own expense; and, failure, refusal or inability on the part of the water user to install, test and maintain the assembly(s), shall constitute grounds for discontinuing water service to the premises until all requirements have been satisfactorily met. The approved assembly(s) must be installed and tested within sixty (60) calendar days for all assemblies measuring less than or equal to 2.5" in size, and within one-hundred eighty (180) calendar days for all assemblies measuring 3" or larger in size.

Section 3. Definitions

Air-Gap Separation (AG): "Air-gap Separation (AG)" is a physical vertical separation of at least two (2) times the effective pipe diameter between the free-flowing discharge end of a potable water supply pipeline and the flood level of an open or non-pressurized receiving vessel, and in no case less than one (1) inch.

Auxiliary Water Supply: "Auxiliary Water Supply" is any water supply other than that received from the District's water system.

Backflow: "Backflow" is an undesired or unintended reversal of flow of water and/or other liquids, gases, or other substances into the District's distribution system or approved water supply.

Backflow Prevention Assembly (BPA): "Backflow prevention assembly" means a mechanical assembly designed and constructed to prevent backflow, such that while in-line it can be repaired and its ability to prevent backflow, as designed, can be tested or, for an AG, inspected and evaluated.

Contamination: "Contamination" means the degradation of quality in the District's water supply by any foreign substance which creates a hazard to public health or which may impair the best use or quality of the water.

Cross-Connection: "Cross-Connection" means any actual or potential connection or structural arrangement between a public water system, including a piping system connected to the public water system and located on the premises of a water user or available to the water user, and any source or distribution system containing liquid, gas, or other substances not from an approved water supply.

Cross-Connection Control Specialist: "Cross-Connection Control Specialist" means a person who is certified as a cross-connection control specialist.

Degree of Hazard: Either a pollutant (non-health hazard) or contaminant (health hazard), derived from the assessment of the materials, which may come in contact with the distribution system through a cross-connection.

Double check valve backflow prevention assembly (DC): "Double check valve backflow prevention assembly" or "DC" means an assembly consisting of two independently-acting internally-loaded check valves, with tightly closing shut-off valves located at each end of the assembly (upstream and downstream of the two check valves) and fitted with test cocks that enable accurate field testing of the assembly. This type of assembly may only be used to isolate low hazard cross-connections.

High Hazard Cross Connection: "High hazard cross-connection" means a cross-connection that poses a threat to the potability or safety of the public water supply. Materials entering the public water supply through a high hazard cross-connection are contaminants or health hazards.

Low Hazard Cross Connection: "Low hazard cross-connection" means a cross-connection that has been found to not pose a threat to the potability or safety of the public water supply but may adversely affect the aesthetic quality of the potable water supply. Materials entering the public water supply through a low hazard cross-connection are pollutants or non-health hazards.

Premises: "Premises" means the property under the ownership or control of a water user and is served, or is readily capable of being served, with water via a service connection with a public water system.

Protected: The term "Protected" means protection of a public water system's distribution system from backflow from a water user's premises through the installation of one or more air gaps or BPAs, installed as close as practical to the user's service connection, in a manner that isolates the water user's water supply from the public water system's distribution system.

Public Water System (PWS): "Public Water System" has the same meaning as defined in section 116275(h) of the CHSC.

Reduced Pressure Principle Backflow Prevention Assembly (RP): "Reduced Pressure Principle Backflow Prevention Assembly" means an assembly with two independently acting internally-loaded check valves, with a hydraulically operating mechanically independent differential-pressure relief valve located between the check valves and below the upstream check valve. The assembly shall have shut-off valves located upstream and downstream of the two check-valves, and test cocks to enable accurate field testing of the assembly.

Service Connection: "Service Connection" means either the point where a water user's piping is connected to a water system or the point in a water system where the approved water supply can be protected from backflow using an air gap or backflow prevention assembly.

Water Supplier: "Water Supplier" means La Puente Valley County Water District or any of its designated agent(s) who operate the public water system.

Water User: "Water User" means a person or entity who is authorized by the La Puente Valley County Water District to receive water.

Section 4. Public Water System (PWS) Requirements

4.1 A PWS must have operating rules, ordinances, by-laws or a resolution to implement the cross-connection program.

4.2 A PWS must designate at least one individual involved in the development of and be responsible for the reporting, tracking, and other administration duties of its cross-connection control program.

4.3 A PWS must survey its service area and conduct hazard assessments per Article 2 of the 2023 Cross Connection Control Policy Handbook (CCCPH) that identifies actual or potential cross-connection hazards, degree of hazard, and any backflow protection needed.

4.4 A PWS must ensure that actual and potential cross-connections are eliminated when possible or controlled by the installation of approved BPAs or AG's consistent with the requirements of Article 3 of the CCCPH.

4.5 A PWS must ensure all BPA testers and cross-connection control specialists used are certified per Article 4 of the CCCPH.

4.6 A PWS must develop and implement a procedure for ensuring all BPAs are field tested, inspected, and maintained and AG's are inspected and maintained in accordance with

CCCPH section 3.3.3.

4.7 A PWS must develop and implement a recordkeeping system in accordance with CCCPH section 3.5.1.

4.8 A PWS must develop and implement procedures for investigating and responding to suspected or actual backflow incidents in accordance with Article 5 of the CCCPH.

4.9 A PWS must implement a cross-connection control public outreach and education program element that includes educating staff, customers, and the community about backflow protection and cross-connection control. The PWS may implement this requirement through a variety of methods which may include providing information on cross-connection control and backflow protection in periodic water bill inserts, pamphlet distribution, new customer documentation, email, and consumer confidence reports.

4.10 A PWS must coordinate with applicable local entities that are involved in either cross-connection control or public health protection to ensure hazard assessments can be performed, appropriate backflow protection is provided, and provide assistance in the investigation of backflow incidents. Local entities may include but are not limited to plumbing, permitting, or health officials, law enforcement, fire departments, public works departments and other public and private entities.

Section 5. Policy

5.1 General Provisions

5.1.1 No new or existing water service connection to any premises shall be installed or maintained by the District unless the water supply is protected as required by Title 17-Public Health, California Code of Regulations and this Ordinance. Service of water to any premises shall be discontinued by the District if a backflow prevention assembly required by this Ordinance is not installed, tested and maintained, or if it is found that a BPA has been removed, bypassed, or if an unprotected cross-connection exists on the premises. Service will not be restored until such conditions or defects are corrected.

5.1.2 Whenever backflow protection has been found necessary (including but not limited to commercial properties, landscape nurseries, manufacturing facilities, hospitals, nursing homes and facilities, including any and all property having fire sprinkler systems or private fire hydrants), the District will require the water user to install a District-approved BPA at the water user's sole expense for continued services or before new service will be rendered. These costs shall include all labor and material necessary to construct or modify the service connection connecting to the District's water main, install the backflow device itself, construct or modify any piping work to be completed on the Water User's side of the backflow device, and the removal of any interfering vaults.

5.1.3 The water user must allow inspection by the District or its authorized representatives at all reasonable times to determine whether unprotected cross-connections or other structural or sanitary hazards, including violations of these regulations, exist. When such a condition becomes known, the District shall deny or immediately discontinue service to the premises by providing for a physical break in the service line until the water user has corrected the condition(s) in conformance with the applicable Title 17-Public Health, California Code of Regulations provisions.

5.1.4 Wherever backflow protection has been found necessary on a water supply line entering a water user's premises, then any and all water supply lines from the District's mains entering such premises, buildings, or structures shall be protected by a District approved BPA near the property line or meter before the first branch line leading off the

service line wherever the following conditions specified in this Section 5.1 exist. The water user shall only install "lead free" BPA's that have been approved by the District.

5.1.5 Each service connection from the District water system to premises having an Auxiliary Water Supply shall be protected against backflow of water from the premises into the District's water system by installing a District approved BPA.

5.1.6 BPA's shall be installed on the service connection to any premises having (a) internal Cross-Connections that cannot be permanently corrected and controlled to the satisfaction of the District, or (b) intricate plumbing and piping arrangements, or where entry to all portions of the premises is not readily accessible for inspection purposes, making it impracticable or impossible to ascertain whether or not cross-connections exist.

5.1.7 At any premises on which any industrial fluids or any other objectionable substance, as determined by the District in its sole discretion, is handled in such a fashion as to create an actual or potential hazard to the District's water supply, the District shall be protected against backflow from the premises by requiring the water user to install an approved BPA in the service line commensurate with the degree of hazard. This shall include the handling of process waters and waters originating from the District's system which have been subject to deterioration in quality.

5.1.8 Any property having two or more services supplying water from different water distribution mains to the same building, structure, or premises through which an interstreet main flow may occur, shall have BPA on each water service to be located adjacent to and on the property side of the respective meters.

5.1.9 BPA's shall be installed in accordance with the District's standard drawings which may be updated periodically by the District. The standard drawings will also delineate the limit of the District and water user's responsibility for maintaining the backflow service connection.

5.1.10 Any BPA required herein shall be a make, model and size approved by the California State Water Resources Control Division of Drinking Water (DDW). The term "District Approved" shall mean an assembly that has been manufactured in full conformance with the standards established by the American Water Works Association entitled: AWWA/ANSI C510-17 Standard for Double Check Valve Backflow Prevention Assemblies; AWWA/ANSI C511-17 Standard for Reduced Pressure Principle Backflow Prevention Assemblies; and, have met completely the laboratory and field performance standards of the Foundation for Cross-Connection Control and Hydraulic Research of the University of Southern California (USC FCCCHR) established in: Standards of Backflow Prevention Assemblies Chapter 10 of the most current edition of the Manual of Cross-Connection Control. Said AWWA and USC FCCCHR standards have been adopted by DDW. Final approval shall be evidenced by a "Certificate of Compliance" for the AWWA standards; or the appearance of the specific model and size on the List of Approved Backflow Prevention Assemblies published by the USC FCCCHR along with a "Certificate of Approval" for the USC FCCCHR Standards issued by an approved testing laboratory.

5.1.11 Any industrial or commercial building planning or engaging in the remodel or improvement of the existing water facilities served by the District will be required to comply with current cross-connection control requirements.

5.2 Water User Notification for Testing and Maintenance

5.2.1 It shall be the duty of the water user at any premise(s) where BPAs are installed to have a field test performed by a certified backflow prevention assembly tester within thirty (30) calendar days of installation and at least once per calendar year thereafter. In those

instances where the District deems the hazard to be great enough, the District may require field tests at more frequent intervals.

5.2.2 The District will notify affected water users by mail or electronic mail when annual testing of their device is required and provide water users with the necessary documentation regarding BPA information. The water user will be notified not less than thirty (30) calendar days before the date that the assembly(s) is due for testing.

5.2.3 After the initial 30-day period has expired, a "Past Due" notice will be sent to any water user who has failed to have its assembly(s) tested by the due date. This second notice will provide the water user an additional two-week period to have their backflow prevention device tested and to submit an acceptable test certification via website data entry or email to the District, or allow the water user to request termination of service. If the water user fails to supply the District with either an acceptable test certification or a request for termination of service within that two (2)-week period, the District may suspend or terminate water service to the water user until the required test is completed and any termination and/or reconnection fees have been paid in full.

5.2.4 Should the backflow prevention device not pass the backflow test, the District will terminate or suspend water service to the affected water user until the subject device is repaired, retested, and shown to be operating properly. These tests shall be at the expense of the water user and shall be performed by a certified tester. The water user shall retain a certified tester possessing a valid Certified Backflow Prevention Tester Certificate issued by the Los Angeles County Department of Public Health. These assemblies shall be repaired, overhauled, or replaced at the expense of the water user whenever the assemblies are found to be defective. Records of all tests, repairs and overhaul shall be kept and made available to the District. Test reports that are not completed by a given due date will be subject to termination fees and possible discontinuance of water service. All annual tests must be submitted to the District electronically via website data entry or email.

5.3 Water Service Termination

5.3.1 When the District encounters water uses that present a clear and immediate hazard to the District's potable water supply that cannot be immediately abated, the District shall institute the procedure for discontinuing water service to such premises.

5.3.2 Conditions or water uses that create a basis for water service termination shall include, but are not limited to, the following items:

5.3.2.1 Refusal to install or upgrade to a required "lead free" backflow prevention device.

5.3.2.2 Refusal to test a backflow prevention device.

5.3.2.3 Refusal to repair a failing backflow prevention device.

5.3.2.4 Refusal to replace a failing backflow prevention device.

5.3.2.5 Direct or indirect connection between the public water system and a sewer line.

5.3.2.6 Unprotected direct or indirect connection between the public water system or equipment containing contaminants.

5.3.2.7 Unprotected direct or indirect connection between the public water system and an auxiliary water system.

5.3.2.8 A situation which presents an immediate health hazard to the public water system or public health.

5.4 Water Service Termination Procedures

5.4.1 For conditions listed under Section 5.3.2. 1, 2, 3, or 4, the District will terminate service to a water user's premise after two (2) written notices have been sent to the water user specifying the corrective action needed and the time period in which it must be completed. If no action is taken within the specified period of time, water service may be terminated, and a termination fee will be incurred.

5.4.2 For conditions listed under Section 5.3.2. 5, 6, 7, or 8, the District will take the following steps:

- a. Make reasonable effort to contact and advise the water user of record of the intent to terminate water service within forty-eight (48) hours of written notice from the District.
- b. Terminate water supply and lock service valve. The water service will remain inactive until the District has approved correction of violations.

Section 6. Severability and Future Amendment or Replacement

6.1.1 If any section, subsection, clause, phrase, or portion of this Ordinance, or any part thereof, is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, such decision shall not affect the validity of remaining portions of this Ordinance or any part thereof. The District hereby declares that it would have adopted this Ordinance irrespective of whether any portion is declared invalid.

6.1.2 Any future amendments to or replacement of this Ordinance may be accomplished by adoption of a resolution of the District's Board of Directors setting forth the terms to be amended or provisions to replace and supersede this Ordinance.

Said Ordinance was adopted, on roll call vote, at the regular meeting of the Board of Directors held on January 22, 2024, by the following vote:

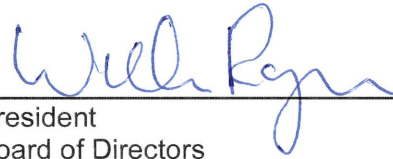
Ayes: Argudo, Barajas, Escalera, Hernandez, Rojas

Noes:

Absent:

Abstain:

I certify that the foregoing is a true and correct copy of Ordinance No. 2024-01, adopted by the Board of Directors of the La Puente Valley County Water District at its regular meeting held on January 22, 2024.



President
Board of Directors
La Puente Valley County Water District

ATTEST:



Roy Frausto, Board Secretary