

LAKEWOOD WATER DISTRICT
RESOLUTION NO. B-1476

A RESOLUTION of the Board of Commissioners of the Lakewood Water District, Pierce County, Washington updating the District's Cross Connection Control Program pursuant to Washington Administrative Code 246-290-490 and the most recent edition of the Pacific Northwest Section-American Water Works Association's (PNWS-AWWA) Cross Connection Control Manual ("Yellow Manual"); and superseding and rescinding Resolution No. B-1287.

WHEREAS, Lakewood Water District ("District") is a Title 57 water district owning and operating a public water distribution system located in the Lakewood area of Pierce County, Washington; and

WHEREAS, the District has responsibility under Washington Administrative Code ("WAC") 246-290-490(1)(d) to protect the water distribution system from contamination by the adoption and implementation of a cross connection control program ("Program"), and the District Board of Commissioners has approved such a Program by the adoption of Resolution No. B-1287 on February 28, 1996; and the Program requires all cross connections to have approved backflow prevention devices on properties connected to the District's water system; and

WHEREAS, the District now desires to update the Program to comply with the requirements of WAC 246-290-490 as such has been modified, updated and amended, and the most recent edition of the Pacific Northwest Section-American Water Works Association's (PNWS-AWWA) Cross Connection Control Manual ("Yellow Manual"); and

WHEREAS, the City of Lakewood ("City") has the responsibility to protect in-premise water supply pursuant to the requirements of WAC 246-290-490 (1) (e) and Chapter 19.27 of the Revised Code of Washington ("RCW"); and

WHEREAS, the District and the City by interlocal agreement dated September 12, 2017 (the "ILA"), which is incorporated herein by this reference, agreed it was cost effective to avoid duplication of efforts by having the parties provide a single system for tracking, inspection, and approval of backflow prevention devices installed on properties connected to the District's water system, both in-premises and otherwise; and the parties in the ILA agreed District staff would perform the District's cross connection control program and the City's responsibilities to provide in-premise cross connection control; and

WHEREAS, the District now desires to update the Program to comply with the requirements of WAC 246-290-490, the most recent edition of the Yellow Manual, and incorporate the District's responsibilities as assumed under the ILA in the Program, such updated and comprehensive Program attached hereto as **Exhibit A** and incorporated herein in full by this reference (the "Updated Program"); and

WHEREAS, the Board of Commissioners desires to protect the health of water consumers and the District's potable public water system by establishing a cross connection control program; now, therefore,

BE IT RESOLVED by the Board of Commissioners of Lakewood Water District, Pierce County, Washington, as follows:

1. Any cross connection discovered in any part of the District's water system that, in the judgement of the General Manager and/or the General Manager's designee, could be a danger to the water quality, is hereby declared to be unlawful until a backflow prevention assembly is installed, inspected, and found to be in compliance with WAC 246-290-490, the Yellow Manual, and the ILA.
2. A system of issuance of permits, plan review fees, performance of testing, and inspection of all backflow prevention assemblies shall be, and is hereby established.
3. The Updated Program in the form attached hereto as **Exhibit A** is hereby approved and shall be applied to and used in all residential, commercial, and industrial developments within the District and the City.
4. As required in the Updated Program, the District requires the annual testing of all backflow prevention assemblies, subject to District notice, to be given to the property owner and/or occupier.
5. The District shall maintain a list of certified backflow device testers, approved by the State of Washington, but the inclusion of any tester on such list shall not be deemed a recommendation or a guarantee of the quality of the work of any such certified tester.
6. The General Manager, and/or the General Manager's designee, are directed to prepare an inventory or list of all existing facilities located within the District and the City where they know cross connections exist or may exist; such cross connections shall be placed upon a priority list for correction beginning with those deemed to present the greatest danger to the public water supply.
7. The General Manager, and/or the General Manager's designee, are directed to maintain a public education program consisting of pamphlets, letters, notices, and public meetings if necessary, to explain the necessity for the requirements, implementation, and maintenance of the Updated Program.
8. The General Manager, and/or the General Manager's designee, are charged with the responsibility of maintaining the Updated Program and keeping it current; any changes or additions to such Updated Program shall be approved by the Board of Commissioners by motion before such changes and additions take effect.

CROSS CONNECTION CONTROL
POLICY AND PROCEDURES
Exhibit A, Resolution No. B-1476

The following are the policies and procedures for the Cross Connection Control Program of the Lakewood Water District (the District) in accordance with WAC 246-290-490 and the Pacific Northwest Section-American Water Works Association Cross Connection Manual (PNWS-AWWA "Yellow Manual"). These procedures shall be strictly followed unless the Lakewood Water District requires more stringent measures to be added in the best interests of LWD and/or in protecting the public water supply. Any variance from the procedures must have the consent of the Lakewood Water District Cross Connection Control Coordinator and/or General Manager. The District General Manager reserves the right to change any part of this policy at any time if he/she feels it is conducive to the best interests of the District's customers.

I. DISCONTINUATION OF WATER SERVICE FOR FAILURE TO COMPLY

The Lakewood Water District reserves the right to discontinue water service to any customer or property that refuses to comply or is otherwise non-compliant with Resolution No. B-1476, the State Board of Health Drinking Water Regulations, WAC 246-290-490 on Cross Connection Control, the PNWS-AWWA "Yellow Manual," or when public safety is at risk pertaining to a known high hazard.

The District and the City of Lakewood, by a five-year interlocal agreement dated September 12, 2017, agreed it was cost effective to avoid duplication of efforts by having the parties provide a single system for tracking, inspection, and approval of backflow prevention devices installed on properties connected to the District's water system, both in-premises and otherwise; and the parties in the ILA agreed District staff would perform the District's cross connection control program and the City's responsibilities to provide in-premise cross connection control.

There will be a \$150 charge for all plan reviews conducted by the District.

II. NEW CONSTRUCTION

All new construction (residential, business, commercial, industrial) shall be required to have an inspection by the District before occupancy will be given by the City of Lakewood Building Department. The District will assess the degree of hazard for each situation. This includes existing premises that are installing new fixtures, irrigation systems, etc. Once the permits are obtained, installation is complete, and backflow test reports submitted, the District will sign off on the project.

III. EXISTING PREMISES

The Lakewood Water District shall inspect existing premises in the following manner:

- (1) Commercial/Industrial facilities shall be contacted on a degree of hazard basis, beginning with the most dangerous known situations with a high potential for water contamination; and

- (2) Residential facilities shall be contacted if it has been established there is a potential cross connection on the premises, e.g., irrigation system, pool, or hot tub. Customers shall be contacted by the order of their account in the District's meter-reading routes.
- (3) Refusal to allow inspection will result in the automatic requirement of backflow protection at the service meter (premise isolation) to the extent deemed necessary by the District, at the customer's expense, within 20 days, or service shall be discontinued.

IV. APPLICATION OF BACKFLOW ASSEMBLIES

The Lakewood Water District reserves the right to decide how or where a backflow prevention assembly shall be installed. The District uses the standards explained in the most current edition of the PNWS-AWWA 'Yellow Manual.' Each facility is different, and it will be up to the discretion of the Cross Connection Control Program Coordinator and/or the General Manager how a particular hazard is addressed. Any exception to an approved installation will be documented in writing by the Cross Connection Control Coordinator.

V. ASSEMBLIES APPROVED FOR INSTALLATION

A backflow assembly is considered an approved assembly only if it appears on the list issued by the Washington State Department of Health Drinking Water Program. If it is not on this list, it is not an approved backflow prevention assembly and shall not be used. This list is updated annually and is available to be reviewed at the District for information purposes. Complimentary copies are available upon request; for multiple copies, there is a fee of 10 cents a page after the first 10 pages.

VI. INSTALLATION REQUIREMENTS FOR BACKFLOW ASSEMBLIES

A backflow prevention assembly shall be installed in compliance with the instructions that appear in the latest approved edition of the PNWS-AWWA Cross Connection Control Manual ("Yellow Manual"). Only the Lakewood Water District reserves the right to establish variances to this chapter, and any and all variances shall be on a case-by-case basis.

VII. TESTING PROCEDURES

If a backflow test report is filled out properly with all the information required by the Lakewood Water District, it shall be filed as a completed test report. It is up to the State of Washington to monitor and train the Certified Backflow Assembly Testers in the various test procedures available. The testing procedures shall be those methods that are approved and acceptable to the State Department of Health and the Lakewood Water District.

VIII. QUALIFICATIONS FOR BACKFLOW ASSEMBLY TESTERS

Only State-certified Backflow Assembly Testers may submit tests to the District. They shall also submit proof of possessing a current Certified Backflow Assembly Tester card (or other approved tester certification accepted by and recognized by the State Department of Health) for the calendar year in which they are testing. The current Certified Backflow Assembly Testers shall also show proof that the equipment being used to test has been calibrated within one year prior to the test they are submitting. If a Certified Backflow Assembly Tester cannot or will not meet these requirements, the test report will be returned to the testers, and their customer will be notified.

IX. TESTING OF BACKFLOW ASSEMBLIES

All backflow prevention assemblies required by the District shall be tested annually at a minimum and upon installation or relocation and/or after repair. The District does not test any backflow assemblies. It is the customer's responsibility to sign up to participate in the District's Backflow Testing Program or hire a State-certified backflow assembly tester.

X. ANNUAL TESTING

The District shall send a letter at the beginning of the month to customers whose test is due. The test report is due by the end of the month or thirty (30) days from the date of the letter. If the test is not submitted, the District will send a second "reminder" letter. This letter shall allow fifteen (15) days to submit the test. If the test is still not submitted, the District shall place a 48-hour notice of compulsory testing door hanger at the service location. This letter will have a final due date. If the report still is not received by the District by the final due date, the District will, within 72 business hours and at the customer's expense, send an authorized Backflow Assembly tester to test all out of compliance assemblies. If the tester is unable to complete the compulsory test, the water service will be discontinued the following day. Water service will be resumed only when a current backflow test is submitted to the District, or if the customer makes arrangements satisfactory to the General Manager or the General Managers designee to have all out of compliance assemblies tested. This complete process shall not exceed a total of sixty (60) days.

XI. FEES

The District shall charge a compulsory testing fee of not less than \$100.00. The fee will be assessed at the end of the 48-hour notice period. The District will charge its standard fee (the same fees charged for non-payment of water bill) for a Door Hanger and Disconnection of Water Service. If a customer has been disconnected for backflow testing non-compliance, service will not be restored until the test and disconnection fees have been paid in full.

XII. LIST OF TESTERS

The District shall maintain a list of Certified Backflow Assembly Testers to distribute to its customers. The District does not promote one tester/company over another. The requirements for a tester/company to be on the list are (1) is licensed with the State of Washington; (2) has up-to-date certified backflow assembly tester(s) employed by the company; (3) has all testing equipment calibrated at least annually; (4) is bonded as a general or specialty contractor, (5) carries at least \$500,000.00 in liability insurance, and; (6) has no reported issues or complaints from customers or non-compliance with this policy.

Once a company is removed from the list, they will no longer be eligible to be a part of the District's list. A company may be removed for failure to submit annual documentation of status, failure to submit test reports on time, failure to obtain permits, poor workmanship, customer complaints, or any other activities deemed harmful to the District or its customers.

Recommendation by the Cross Connection Control Coordinator to remove a

tester/company due to customer complaints shall be reviewed by the District General Manager. He shall ask for a meeting with the company and the Cross Connection Control Program Coordinator. Depending on the outcome of that meeting, the District General Manager will then decide if a company is to be suspended for a period of time or permanently banned from the District's list. The District's list is a convenience/ service to its customers and the certified testers/testing companies. The Lakewood Water District always reserves the right of refusal pertaining to this list.

For unresolved disputes between the Cross Connection Control Program Coordinator and the tester or testing company, the tester or company has the right to have the District General Manager evaluate and make a final decision on the dispute. A written explanation of the situation shall be submitted to the District General Manager within thirty (30) days of final decision by the Cross Connection Control Coordinator. This document shall be submitted by regular and certified mail.

The District General Manager will then schedule a meeting with the tester/company and the Cross Connection Control Coordinator. This meeting shall be scheduled not more than sixty (60) days from receipt date of the certified letter.

Any decision made by the General Manager may be appealed to the Board of Commissioners at the next open public meeting or on an otherwise agreed-upon date and time.

XIII. PERMITTING

Permits are required for all installations of backflow assemblies. This includes existing situations where a backflow assembly is removed and another is installed. In other words, any time a backflow assembly is installed in any situation, a permit is required. Inquire at the Lakewood Water District offices for permit pricing; they are subject to change. Permits can be obtained at the Lakewood Water District office in person, by mail, or by downloading a permit from the District's website. The District does not sell permits in the field.

Permit costs are \$65.00 for the first and second backflow assembly and \$32.50 for each additional assembly. There is no limitation on quantity.

XIV. INSPECTIONS

The term "inspection" means to visually look at the installation of a backflow assembly. The Lakewood Water District shall inspect all backflow installations. A forty-eight (48) hour notice is required. Inspections are by appointment only with the Cross Connection Control Coordinator. An inspection cannot be scheduled prior to obtaining a permit (if applicable). Lakewood Water District reserves the right to inspect all points of connection, even if it means delaying the backfilling of a ditch or the granting of occupancy permit approval until inspection is completed.

XV. “CUT AND CAPPED” (Severed and/or Disconnected) SYSTEMS

When an irrigation system is not in use, the backflow assembly will still be required to be tested annually. The only way to waive the requirement for a test is to physically sever the system. The Lakewood Water District will inspect the point where the system is severed and/or disconnected and photograph it. The District will periodically check on “cut and capped” (severed and/or disconnected) systems. If they are found to be in use, the customer will receive notice from the District. The District will then give the customer the option of installing a backflow assembly or severing the line again. The District reserves the right to discontinue water service if the problem cannot be resolved.

The same policy and procedures would apply to certain fixtures in a commercial/industrial situation. The fixture not in use would have to be severed and possibly removed from the premises if the District deems it might be connected and used. This would always be evaluated on the potential degree of hazard involved.

XVI. FINAL STATEMENT

The Lakewood Water District has developed this Program to be in compliance with State WAC 246-290-490, Resolution B-1476, and with the goal of reducing or eliminating Cross Connections, to the extent possible, to prevent contamination of and protect the public water system. This also includes protecting the District’s customers by reducing any chances of backflow, backpressure or back-siphonage which causes potable and non-potable water to form cross connections.

All final decisions regarding the implementation of this policy, the settling of unresolved disputes, and any other structural changes to this policy shall be at the discretion of the Lakewood Water District General Manager and/or the Board of Commissioners.

Adopted and approved by the Board of Commissioners at an open, public Regular Meeting on November 17, 2022.

9. Any customer or property owner who refuses to comply or is otherwise non-compliant with this resolution, the Updated Program, WAC 246-290-490, or the Yellow Manual shall be advised their water supply will be compulsory tested by the District or their authorized representative at the customer or property owners' expense and disconnected if there is continuing failure to comply.
10. All District resolutions, policies and procedures, including Resolution No. B-1287 and B-1432, are hereby modified, amended, rescinded and superseded to be in accordance with the foregoing.

Adopted by the Board of Commissioners of Lakewood Water District, Pierce County, Washington, at the regular open public meeting thereof held the 17th day of November 2022.

Board of Commissioners



President, Commissioner



Vice President, Commissioner



Secretary, Commissioner