

**POLICY GOVERNING CROSS-CONNECTIONS, AUXILIARY INTAKES,  
BYPASSES AND INTERCONNECTIONS**

It is agreed by the BOARD OF COMMISSIONERS of THE MADISON SUBURBAN UTILITY DISTRICT'S Public Water System that the following Provisions for Controlling Cross-Connections shall apply to THE MADISON SUBURBAN UTILITY DISTRICT'S System of Davidson County and to all customers of the water system.

Section 1. **DEFINITION:** The following definitions and terms shall apply in the interpretation and administration of this policy:

- A. **PUBLIC WATER SYSTEM.** The water works system THAT furnishes water to THE MADISON SUBURBAN UTILITY DISTRICT of Davidson County is recognized as a public water system by the Tennessee Department of Health and Environment.
  
- B. **CROSS-CONNECTION.** Any physical arrangement whereby a public water system is connected, directly or indirectly, with any other water supply system, sewer, drain, conduit, pool storage reservoir, plumbing fixture, or other device which contains, or may contain, contaminated water, sewage, or other waste or liquid of unknown or unsafe quality which may be capable of imparting contamination to the public water system as a result of backflow. Bypass arrangements, jumper connections, removable sections, swivel or changeover devices through which, or because of which, backflow could occur are considered to be cross-connections.
  
- C. **AUXILIARY WATER SUPPLY.** Any water supply on, or available to, the premises other than the purveyor's approved public potable water supply.
  
- D. **BACKFLOW.** The flow of water or other liquids, mixtures, or substances, under positive or reduced pressure in the distribution pipes of a potable water supply from any source other than its intended source.

- E. **BACKFLOW PREVENTERS.** A device or means designed to prevent backflow or back-siphonage.
1. **Double Detector Check Valve Assembly**  
  
An assembly of two (2) independently operating spring-loaded check valves with tightly closing shut-off valves on each side of the check valves, plus properly located test cocks for the testing of each check valve, a bypass line with a smaller unit, as described above, and a cubic-foot meter for the detection of improper usage of water.
  2. **Reduced Pressure Principle Backflow Preventer**  
  
An assembly consisting of two (2) independently operating approved check valves with an automatically operating differential relief valve located between the two (2) check valves, tightly closing shut-off valves on each side of the check valves, plus properly located test cocks for the testing of the check valves and the relief valve.
- F. **BACK-SIPHONAGE.** The flow of water or other liquid mixtures of substances into the distribution pipes of a potable water supply system from any source other than its intended source caused by the sudden reduction of pressure in the potable water supply system.
- G. **BYPASS.** Any system of piping or other arrangement whereby the water may be diverted around any part or portion of a water purification plant.
- H. **CONTAINMENT.** A method of backflow prevention which requires a backflow prevention device at the water service entrance.

- I. **CONTAMINANT-POLLUTANT.** A substance that will impair the quality of the water to a degree that it creates a health hazard to the public leading to poisoning or the spread of disease.
- J. **DEVICE.** A District approved, readily testable fully-assembled device with appurtenances fit for the particular application and capable of containing water of lesser known quality from the District's distribution system and/or the customer's domestic system.
- K. **HEALTH SERVICE FACILITY.** A facility which offers life-saving or vital life-prolonging health services to the public, i.e., hospitals and dialysis clinics, etc.; however, does not include clinics, dental offices, medical doctor offices, which do not routinely administer life-giving or vital life-prolonging health services on a critical-needs basis and which would turn such over to those other facilities fitting this definition. [Note: Any dispute as to whether a facility falls within this definition will be on the health provider.]
- L. **INTER-CONNECTION.** Any system of piping or other arrangement whereby the public water system is connected directly with a sewer, drain, conduit, pool, storage reservoir, or other device which does or may contain sewage or other waste, or liquid which would be capable of imparting contamination to the public water system.
- M. **PERSON.** Any individual, corporation, company, association, partnership, State, Municipality, utility district, water cooperative, or Federal Agency.
- N. **DISTRICT.** THE MADISON SUBURBAN UTILITY DISTRICT of Davidson County.
- O. **WATER SERVICE ENTRANCE.** That point in the owner's water system beyond the sanitary control of the District

generally considered to be the outlet end of the water meter after the protective device and always before any unprotected branch.

Policy Governing Cross-Connections, Etc.

Page 4

P. **CROSS-CONNECTION AGENT.** The Cross-Connection Agent, or his delegated representative, in charge of THE MADISON SUBURBAN UTILITY DISTRICT is invested with the authority and responsibility for the implementation of a cross-connection control program and for the enforcement of the provisions of the Ordinance.

Q. **OUTLET.** A passage or vent for letting something out.

Section 2.

**COMPLIANCE WITH TENNESSEE CODE ANNOTATED.** THE MADISON SUBURBAN UTILITY DISTRICT'S Public Water System of Davidson County is to comply with Section 68-221-711 of the Tennessee Code Annotated, as well as the Rules for Public Water Systems, legally adopted in accordance with this Code, which pertain to cross-connections, auxiliary water supplies, bypasses, and inter-connections and to establish an effective on-going program to control these undesirable water uses.

Section 3.

**REGULATED.** No person shall cause a cross-connection, auxiliary intake, bypass, or inter-connection to be made, or allow one to exist for any purpose whatsoever, unless the construction and operation of same has been approved by the Tennessee Department of Health and Environment; and the operation of such cross-connection, auxiliary intake, bypass, or inter-connection is at all times under the supervision of the GENERAL MANAGER of the Public Water System.

Section 4.

**STATEMENT REQUIRED.** That any person whose premises are supplied with water from the Public Water System, and who also has on the same premises a separate source of water supply or stores water in an uncovered or unsanitary storage reservoir from which the water stored therein is circulated through a piping system, shall file with THE MADISON SUBURBAN UTILITY DISTRICT of Davidson County, a notarized statement of the non-existence of unapproved or

unauthorized cross-connections, auxiliary intakes, bypasses  
Such

Policy Governing Cross-Connection, Etc.  
Page 5

Such statement shall also contain an agreement that no cross-connection, auxiliary intake, bypass, or inter-connection will be permitted upon the premises.

Section 5.

**INSPECTIONS.** THE MADISON SUBURBAN UTILITY DISTRICT of Davidson County shall inspect all properties served by the public water system where a cross-connection with the public water system is deemed possible. The frequency of inspections and re-inspections, based on potential health hazards involved, shall be established by THE MADISON SUBURBAN UTILITY DISTRICT of Davidson County in accordance with guidelines acceptable to the Tennessee Department Conservation and Health. THE MADISON SUBURBAN UTILITY DISTRICT of Davidson County or its authorized representative shall have the right to enter, at any reasonable time, any property served by a connection to THE MADISON SUBURBAN UTILITY DISTRICT'S Public Water System for the purpose of inspecting the piping system or systems thereof for cross-connections, auxiliary intakes, bypasses, or inter-connections. On request, the owner, lessee, or tenant of any property so served shall furnish to the inspection agency any pertinent information regarding the piping system or systems on such property. The refusal of such information or refusal of access, when reasonably requested, shall be deemed evidence of the presence of cross-connections.

Section 6.

Any person who now has cross-connections, auxiliary intakes, bypasses, or inter-connections in violation of this policy shall be allowed a reasonable time within which to comply with the provision of this policy. The allotted time required to complete the necessary repairs shall be designated by THE MADISON SUBURBAN UTILITY DISTRICT after a thorough investigation of the existing conditions has been made by THE MADISON SUBURBAN UTILITY DISTRICT.

**The failure to correct conditions threatening the safety of the public water system, as prohibited by this policy and the Tennessee Code Annotated, Section 68-221-711, within a reasonable time and within the time limits set by THE MADISON SUBURBAN UTILITY DISTRICT of Davidson County, shall be grounds for denial of the water service. If proper protection has not been provided after a reasonable time, THE MADISON SUBURBAN UTILITY DISTRICT of Davidson County shall give the customer legal notification that the water service is to be discontinued and physically separate the public water system from the customer's on-site piping system in such a manner that the two systems cannot again be connected by an unauthorized person.**

**Where cross-connections, inter-connections, auxiliaries, intakes, or bypasses are found that constitute an extreme hazard of immediate concern of contaminating the public water system, THE MADISON SUBURBAN UTILITY DISTRICT of Davidson County shall require that immediate corrective action be taken to eliminate the threat to the public water system. Immediate steps shall be taken to disconnect the public water supply from the on-site piping system unless the hazard(s) is/are corrected immediately.**

**Section 7.**

**Where the nature of use of the water supplies to the premises by the public water system is such that it is deemed by THE MADISON SUBURBAN UTILITY DISTRICT of Davidson County:**

- A. That the owner and/or tenant of the premises cannot or is not willing to demonstrate to the official in charge of the system, or his designated representative, that the water use and protective feature of the plumbing are such as to propose no threat to the safety or potability of the water system;**
- B. That the nature and mode of operation within the premises are such that frequent alterations are made to the plumbing; and/or**
- C. That there is likelihood that protective measures may be**

subverted, altered, or disconnected.

**Policy Governing Cross-Connections, Etc.  
Page 7**

**Then THE MADISON SUBURBAN UTILITY DISTRICT of Davidson County, or its designated representative, shall require the use of an approved protective device on the service line serving the premises to assure that any contamination that may originate on the customer's premises is contained therein. The protective device(s) shall be a Reduced Pressure zone-type Backflow Preventer approved by the Tennessee Department of Health and Environment as to the manufacturer, model, and size. The method of installation of backflow protective devices shall be approved by THE MADISON SUBURBAN UTILITY DISTRICT of Davidson County prior to installation and shall comply with the criteria set forth by the Tennessee Department of Health and Environment. The installation shall be at the expense of the owner or tenant of the premises. Personnel or Designated Representatives of THE MADISON SUBURBAN UTILITY DISTRICT'S Public Water System of Davidson County shall have the right to inspect and test the device(s) on an annual basis or whenever deemed necessary. Water service should not be disrupted to test the device(s) without the knowledge of the occupant of the premises.**

**Where the use of water is critical to the continuance of normal operations or protection of life, property or equipment, duplicate devices shall be provided to avoid the necessity of discontinuing water service to test or repair the protective device(s). Where it is found that only one device has been installed and continuance of service may be critical, THE MADISON SUBURBAN UTILITY DISTRICT of Davidson County shall notify, in writing, the occupant of the premises of plans to discontinue water service and arrange for a mutually acceptable time to test and/or repair the device(s). The public water system shall require the owner/tenant of the premises to make all repairs indicated within the time allotted, and the expense of such repairs shall be borne by the owner or tenant of the premises. These repairs shall be made by qualified personnel acceptable to THE MADISON SUBURBAN UTILITY DISTRICT of Davidson County. Also, the public water system**

shall require at the time of test or re-test the owner/tenant to sign the report to verify that the test was performed and that if

Policy Governing Cross-Connections, Etc.  
Page 7

need be repairs will be made. If the owner/tenant refuses to sign verification of the test/re-test, it will automatically be considered failure of the device(s) and non-compliance procedures will immediately go into effect.

The failure to maintain backflow prevention devices in proper working order shall be grounds for discontinuing water service to the premises. Likewise, the removal, bypassing, or altering of a protective device, or the installation thereof, so as to render the device ineffective shall constitute grounds for discontinuance of water service. Water service to such premises shall not be restored until the owner/tenant has corrected or eliminated such conditions or defects to the satisfaction of THE MADISON SUBURBAN UTILITY DISTRICT of Davidson County.

Section 8.

The potable water system made available on the properties served by the Public Water System shall be protected from possible contamination as specified herein. Any water outlet which could be used for potable or domestic purposes and which is not supplied by the potable system must be labeled in a conspicuous and reasonable manner as:

**WATER UNSAFE**

**FOR DRINKING**

Minimum acceptable sign shall have WHITE letters a minimum of one-inch high located on BLACK background.

Section 9.

The requirements contained herein shall apply to all premises served by THE MADISON SUBURBAN UTILITY DISTRICT'S Public Water System of Davidson County, regardless of political subdivision boundaries, and are hereby made a part of the conditions required to be met for THE MADISON SUBURBAN UTILITY DISTRICT'S Public Water System of Davidson County to provide water service to any premises. Such action, being essential for the protection of the water

distribution system against the entrance of contamination which may render the water unsafe health-wise, or otherwise

**Policy Governing Cross-Connections, Etc.  
Page 10**

undesirable, shall be rigidly enforced without regard to location of the premises, relative to boundaries of any political subdivision.

**Section 10.** Whenever any person neglects or refuses to comply with any of the provisions of this policy, THE MADISON SUBURBAN UTILITY DISTRICT of Davidson County shall discontinue the public water system service to any premises within which there is found to be, or the possibility exists, a cross-connection, auxiliary intake, bypass or inter-connection. Water service shall not be restored until such cross-connection, auxiliary intake, bypass, or inter-connection has been discontinued. Health Service Facilities shall not be turned off until given ninety (90) days' notice except where there is a serious hazard because of a cross-connection, auxiliary intake, bypass or inter-connection.

**Section 11.** Incorporated herein by reference is the Cross-Connection Control Policy and Program as set forth in the May 29, 1992, revision.

**Policy Governing Cross-Connections, Etc.  
Page 8**

**Adopted** \_\_\_\_\_ **by the** \_\_\_\_\_  
**Date** \_\_\_\_\_ **Officials** \_\_\_\_\_  
**of the** \_\_\_\_\_ **Public Water System.**

**Signed By:** \_\_\_\_\_  
**Name**

\_\_\_\_\_  
**Title** \_\_\_\_\_ **Date**

\_\_\_\_\_  
**Name**

\_\_\_\_\_  
**Title** \_\_\_\_\_ **Date**

\_\_\_\_\_  
**Name**

\_\_\_\_\_  
**Title** \_\_\_\_\_ **Date**

**CROSS-CONNECTION CONTROL POLICY AND PROGRAM**

**FOR**

**THE MADISON SUBURBAN UTILITY DISTRICT**

**of Davidson County, Tennessee**

**108 West Webster Street**

**MADISON, TN 37115**

**MAY 29, 1992**

**(REVISION OF OUTLINED PLAN**

**DATED JANUARY 1, 1976)**

**Approved**\_\_\_\_\_

**Date**\_\_\_\_\_

## **CROSS-CONNECTION CONTROL POLICY AND PROGRAM**

### **I. PURPOSE**

- A. To protect the public water system served by THE MADISON SUBURBAN UTILITY DISTRICT from the possibility of contamination or pollution by isolating, within its customers internal distribution system, such contaminants or pollutants which could backflow or back-siphon into the public water system.**
- B. To promote the elimination or control of existing cross-connections, actual or potential, between its customers' own water systems and the Public Water Systems.**
- C. To provide for the maintenance of a continuing program of cross-connection control which will effectively prevent the contamination or pollution of all public water systems by cross-connection.**

### **II. AUTHORITY**

- A. The Federal Safe Drinking Water Act of 1974 and the statutes of the State of Tennessee, Department of Health and Environment Codes Annotated, state that 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. These Rules and Regulations are adopted by THE MADISON SUBURBAN UTILITY DISTRICT.**

### **III. RESPONSIBILITY**

**THE MADISON SUBURBAN UTILITY DISTRICT through its authorized Cross-Connection Agent shall be responsible for the protection of the Public Water System from contamination or pollution due to the backflow or back-siphonage of contaminants or pollutants through the water service connection. If, in the judgment of the Cross-Connection Agent of THE MADISON SUBURBAN UTILITY DISTRICT, an approved backflow device is required at the District's water service connection to any customer's premises, the Cross-Connection Agent, or his delegated agent(s), shall give notice in writing to said customer to install an approved backflow**

prevention device(s) at each service connection to his premises. The customer shall, within ninety (90) days, install such approved device(s),

## **Cross-Connection Control Policy and Program**

### **Page 2**

at his own expense; and failure or refusal, or inability on the part of the customer to install said device or devices within ninety (90) days shall constitute grounds for discontinuing water service to the premises until such device or devices have been properly installed.

#### **IV. ADMINISTRATION**

- A. The District will operate a cross-connection control program under the direction of State Certified Cross-Connection personnel. The Cross-Connection Agent for the District will be so certified.**
- B. The Program is to include the keeping of necessary records which at a minimum fulfills the requirements of the Federal Laws, EPA Regulations, State Statutes, and the Tennessee Conservation and Environment Department's Cross-Connection Regulations and is approved by the BOARD OF COMMISSIONERS of THE MADISON SUBURBAN UTILITY DISTRICT.**
- C. The owner and/or tenant who utilizes the water supply of the District whether a signed-up customer or not shall allow his property or property under his control to be inspected for possible cross-connections and shall follow the provisions of the District's program. At all times, the owner/tenant shall provide for the safety of the District's personnel and third parties when inspecting the property.**
- D. The District requires that the public water supply be protected by containment; the owner shall be responsible to protect the water supply at and immediately after the water meter, if one is in service, or the backflow prevention device(s). Device(s) will be installed to the Specifications of the District. See drawings -- Specifications in Appendix "A."**
- E. The owner/tenant should utilize public health officials familiar with the state Cross-Connection requirements, District Cross-Connection personnel and/or private State-Certified Cross-Connection personnel to assist him in a survey of his property and facilities and to assist him in the selection and proper installation of outlet devices.**

The owner/tenant may have to comply with other applicable codes that affect the appurtenances that are used to supply water; i.e., the Plumbing Code of the Metropolitan Government.

## V. REQUIREMENTS

### A. District

1. For new installations, the District will review plans, provide on-site evaluation for determining the type of backflow preventer required and its location and perform inspection and testing. The owner/developer must arrange and schedule the appointments for these inspections and pre-construction reviews.
2. For pre-existing facilities prior to the start of this program, the District will perform surveys, evaluations, inspection of plans and/or premises, and inform the Owner by letter of any corrective action deemed necessary, the method of achieving the correction and the time allowed for the correction to be made. Ordinarily, ninety (90) days will be allowed; however, this time period may be shortened depending upon the degree of hazard involved and the history of the device(s) in question.
3. In those not serious or hazardous situations, the District shall inform the Owner by letter of any failure to comply by the time of the first re-inspection. The District will allow an additional fifteen (15) days for the correction. In the event the Owner fails to comply with the necessary corrections by the time of the second re-inspection, the District will inform the Owner by letter that the water service to the Owner's premises will be terminated within a period not to exceed five (5) days. In the event that the Owner informs the District of extenuating circumstances as to why the correction has not been made, an extension of time may be granted by the District; but in no case will the extension exceed an additional thirty (30) days.
4. If the District determines at any time that a serious threat to

**the public health exists, the water service will be terminated immediately.**

**Cross-Connection Control Policy and Program  
Page 4**

- 5. The District may have on file a list of Private Contractors who are certified with the State of Tennessee on backflow device testing, installation and repairs. However, any installation or repair of a device shall be made by a State Certified Backflow Preventer Plumber and said plumber shall be in compliance with the local government's code,**
- 6. The District will begin initial inspections of the premises to determine the nature of existing or potential hazards, following the approval of this program by the BOARD OF COMMISSIONERS of THE MADISON SUBURBAN UTILITY DISTRICT, during the calendar year 1992. Initial focus will be on high hazard industries and commercial premises.**

**B. Owner/Tenant**

- 1. The Owner/Tenant shall be responsible for the elimination or protection of all cross-connections on his premises. This shall be on a continuing basis.**
- 2. The Owner/Tenant, after having been informed by a letter from the District, shall at his expense, install, maintain and test, or have tested, any and all backflow preventers on his premises.**
- 3. The Owner/Tenant shall correct any malfunction of the backflow preventer which is revealed by periodic testing.**
- 4. The Owner/Tenant shall inform the District of any cross-connections of which the Owner is aware but which have not been found by the District.**
- 5. The Owner/Tenant shall not install a bypass around any backflow preventer unless there is a backflow preventer of the same type on the bypass. Owners or Tenants who cannot shut down operations for testing of the device(s) must supply additional and/or parallel devices necessary to allow testing to take place. (Ref. drawings)**

6. The Owner/Tenant shall install backflow preventers in a manner approved by the District. (Ref. drawings)

**Cross-Connection Control Policy and Program  
Page 5**

7. The Owner/Tenant shall install only backflow preventers approved by the District.
8. The Owner/Tenant will be required to install a backflow preventer at the service entrance if a private water source is maintained, even if it is not cross-connected to the District's system.
9. In the event the Owner/Tenant installs plumbing to provide potable water for domestic purposes which is on the District's side of the backflow preventer, such plumbing must have its own backflow preventer installed.
10. The Owner/Tenant shall be responsible for the payment of all fees for repairs in case the device fails to operate correctly, and for any re-inspection for non-compliance with the District's requirements.
11. The Owner/Tenant shall be responsible to pay for any fees charged by the District in administering this program, including any costs for the District's labor and materials.
12. The Owner/Tenant shall be required at the time of the test or re-test to sign a report verifying that the test was performed and that if need be necessary repairs will be made. If Owner/Tenant refuses to sign verification of the test/re-test, it will automatically be considered failure of device(s) and non-compliance procedures will immediately go into effect.

**VI. PERIODIC TESTING**

- A. Reduced pressure principle backflow devices shall be tested and inspected at least annually. Inspections performed during non-business hours for the District will be charged at the overtime rate of the employee(s) and for all associated costs.
- B. Periodic testing shall be performed by the District's certified tester or his delegated representative.

## **Cross-Connection Control Policy and Program**

### **Page 6**

- C. The testing done by the District shall be conducted during the District's regular business hours. Exceptions to this, when at the request of the Owner, may require additional charges to cover increased costs to the District.**
  
- D. Any backflow preventer which fails during a periodic test will be repaired or replaced within thirty (30) days of the test date. Upon completion of the repair, the device will be re-tested by the District's appointed representative to insure correct operation. High hazard situations will not be allowed to continue unprotected if the backflow preventer fails the test and cannot be repaired immediately. The certified tester will have authority to make final determination as to whether a hazardous situation exists. In other situations, a compliance date of not more than thirty (30) days after the test date will be established. The Owner/Tenant is responsible for spare parts, repair, tools, or a replacement device. Parallel installation of two (2) devices is an effective means of the Owner's or Tenant's insuring uninterrupted water service during testing or repair of devices; and this is strongly recommended when the Owner desires such water service continuity. (Ref. drawings)**

## **VII. RECORDS**

**The District will initiate and maintain master files on customer cross-connection tests and/or inspections.**

## **VIII.COMPLIANCE-ENFORCEMENT**

**Where it is deemed by the Cross-Connection personnel that the Owner/Tenant is not complying with the Cross-Connection Program or not properly responding so as to make timely corrections, the District shall have the right to turn the water service off at the meter to said property/facility. The Owner/Tenant shall have no recourse against the District for any physical or economic damages as a result of said shut-off of service. Unless there is a serious threat, the District will make every attempt to send notification of discontinuance of water service to the meter address as well as to the billing address, if it differs from the meter address. The failure of the Owner to receive such notification shall not be**

a reason for a cause of action against the District. The Owner/Tenant then will have the responsibility to contact the District to effectuate a restoration of the water service.

**Cross-Connection Control Policy and Program  
Page 7**

**IX. FEES FOR RE-TEST, AFTER-HOURS' TESTING AND NON-COMPLIANCE**

<b>A. Annual Test Fee*</b>	<b>No charge</b>
<b>B. Re-Test Fee*</b>	<b>No charge*</b>
<b>C. Second Re-Test and After-Hours' Testing Fee</b>	<b>Actual costs at the overtime rate of pay and including associated costs with a minimum of two (2) hours per person involved in the re-test or after-hours' testing.</b>
<b>D. Temporary Non-Compliance Fee</b>	<b>Five (5) percent of previous billing period of water bill, prorated on a weekly basis or \$100.00 a week, whichever is greater.</b>  <b>Effective on the seventh (7th) day after required compliance date and due each week or partial week thereafter for non-serious situations. (This fee is not to circumvent turn-off so as to protect the District's water system from any serious/hazardous condition.)</b>

**Any fees assessed under this policy will be added to the customer's water bill. Where water has been turned off for non-compliance, such fees must be paid in full along with any outstanding water bill before water service will be restored. This policy is necessary to enhance enforcement of the cross-connection program -- a program to protect the welfare of the District's customers.**

**\*Except where any test is done after hours, then the after-hours' fee would apply.**

**Cross-Connection Control Policy and Program  
Page 8**

**X. INFORMATIONAL AGREEMENT**

**As a courtesy to the customer, an informational packet is presented to our new customers moving into an old address where our records do not show a backflow preventer is present. The new customer must sign as a part of his turn-on procedure that he has received the packet and is willing to abide by the Cross-Connection Program. This policy should reduce field-explanation time as it forewarns the customer of his duty to prevent cross-connections.**

**APPENDIX "A"**

**Drawing Specifications for Devices, Sheets 1 through 8, are attached. These specifications are an integral part of this policy and program.**

**APPENDIX "B"**

**Informational packet for new and existing customers.**

**AMENDMENTS TO THE CROSS-CONNECTION POLICY  
EFFECTIVE: JULY 1, 2000**

All devices shall be “readily accessible” for testing and maintenance.

For purposes of this Policy, "Responsible Party" is defined as any and all users of or those placing a demand on the District's water system, including water customers, entities, landlords, property owners, tenants, developers, etc., whether for domestic, commercial, fire, or irrigation and by such use or demand would be deemed responsible to pay for said usage or demand.

**SIGN-UP CROSS-CONNECTION TEST FEE PER DEVICE**

This fee is applied and assessed to those water customers required to have a cross-connection device installed under the Cross-Connection Policy of the District. This fee is applied for each device and is assessed at the time of sign-up. It is the customer's responsibility to identify and provide information as to the number and location of devices for testing. A charge will be added to the water bill (and subject to the net-to-gross fee) for any device for which a fee has not been paid. The District will schedule with the water customer a convenient time for both parties to test the device(s) for proper functioning before the water is turned on. Notwithstanding, there shall be at least twenty-four hours' notice given to the District prior to scheduled tests and all work shall be done during normal business hours of the District. No water shall be left on if a device fails to function properly or if there is no device in place. The customer has the duty to make the device(s) available for testing. This fee is charged to offset the cost of testing these devices. Notwithstanding, water service to fire protection systems where devices have failed will not be disconnected arbitrarily. Such fire systems will be assessed per the Discontinuance Procedure and the Water Quality Fee Policies of the District. Notwithstanding, failure to pay any and all fees due under this policy will subject to non-establishment of water service.

This Fee is \$50.00/Device.

**ANNUAL CROSS CONNECTION TEST FEE PER DEVICE**

This fee is applied per each cross-connection device installed under the Cross-Connection Policy of the District and is assessed to the responsible party. The fee

Amendments to the Cross-Connection Policy

Page 2

will be added to the water bill for active accounts and/or billed to the responsible party. This fee is charged to offset the cost of testing the device.

This Fee is \$50.00/Device and is subject to the net-to-gross fee.

#### CROSS-CONNECTION RETEST FEE PER DEVICE

This fee is applied for the second retest and each retest thereafter of any cross-connection device that failed during a previous test. This fee is to offset the cost of testing the device. The fee is to be added to the water bill for active accounts and/or billed to the responsible party. This fee is charged to offset the cost of testing the device.

This Fee is \$30.00/per Device/per Retest and is subject to the net-to-gross fee.

#### WATER QUALITY RISK FEE AND COSTS (MONTHLY FEE)

##### Water Quality Risk Fee

When a cross-connection device is required under the Cross-Connection Policy of the District and no device has been installed, this fee shall apply immediately to the responsible party. This fee shall be assessed immediately upon the responsible party's failing to provide the cross-connection agent reasonable access to inspect for cross-connections or to test the device. The responsible party whose device failed but has not been properly repaired, tested, and passed within 90 days from that initial inspection failure shall likewise be subject to this fee notwithstanding the above.

A location deemed by the cross-connection agent to have a high hazard contaminant-pollutant potential will be subject to this fee or the Discontinuance Procedure if the device failed and has not been repaired within 30 days from date of testing.

Amendments to the Cross-Connection Policy  
Page 3

This is a monthly fee and shall be added to the water bill for active accounts and/or billed to the responsible party. The responsible party shall be given written notice in a timely fashion of the circumstances found and any high hazard potential, if applicable, as well as the specified date for compliance. This monthly fee shall continue until the responsible party complies with the District's Cross-Connection Policy. None of this fee is refundable.

This Risk Fee is based on the following schedule and is subject to the net-to-gross fee.

<u>Device, Meter or Supply Size</u>	<u>Monthly Fee</u>
¾"	\$ 75.00
1"	100.00
1 ¼"	125.00
1 ½"	150.00
2"	200.00
2 ½"	250.00
3"	300.00
4"	400.00
6"	600.00
8"	800.00
10"	1,000.00

### Water Quality Risk Costs

In addition, in any of the above circumstances in which these fees are to be charged and in which the general management in the exercise of reasonable discretion deems it appropriate, the District shall assess a charge not to exceed its reasonable

Amendments to the Cross-Connection Policy  
Page 4

costs of inspecting for cross-connections; of sampling the beneficial user's system for potential contaminants-pollutants; and of determining backflow status. The responsible party is entitled to request and obtain a copy of the District's sampling results and the District's determination as to backflow status. These costs shall be billed in the same manner as the Water Quality Risk Fee is billed and to the extent possible they be billed and paid in advance by the responsible party. These costs are subject to the District's net-to-gross fees. Otherwise, these costs shall be assessed to the responsible party as soon as practicable.

The Water Quality Risk Costs are charged in part based on the following schedule and are subject to the net-to-gross fee.

District Man-Hour Costs	\$ 50.00 per Hour
District Engineering Man-Hour Costs (Does not include direct costs)	\$ 100.00 per Hour
Sampling Costs	\$ 50.00 per Sample

### Water Quality Risk Fee and Costs Basis

This fee and costs are necessary for the District to fulfill its responsibility as a water purveyor and to protect the public water supply, particularly when a customer fails to install and/or to properly maintain a required device as specified under the District's Cross-Connection Policy. The failure of the responsible party to install a cross-connection device obligates the responsible party to the District for the increased costs of inspection. Fees and/or costs will be assessed until proper installation has been performed or repairs have been completed and a Madison Suburban Utility District cross-connection agent has tested the device and found it passed all requirements of the District's Cross-Connection Program. The District will perform its testing in a reasonable time frame. If the circumstances warrant, the general management has the discretion to waive fees and/or any costs that should be appropriately relieved.

Amendments to the Cross-Connection Policy  
Page 5

### DISCONTINUANCE PROCEDURE

This procedure shall have precedence over the Water Quality Risk Fee and Costs and its procedure.

### Known Backflow Status

Where there is a known backflow condition, the District shall immediately disconnect the responsible party's system from the public water supply and shall notify the responsible party (and the water user if not the same person) of such discontinuance of service and the District's reason therefor. However, ninety (90) days' notice of discontinuance of water service to the Fire

Protection System shall be given before the water is disconnected, excepting for hazardous backflow conditions as determined by the cross-connection agent in which event discontinuance shall be immediate.

In such cases, the District shall not be responsible for damages that may result from such disconnection.

Also, it is the duty of the responsible party and not the District or its personnel to notify the appropriate Fire Marshal's Office(s) of such disconnection of the fire protection systems. Further, it is the duty of the responsible party to notify the District in writing of a fire protection system that is operated through the domestic metering system to facilitate giving ninety (90) days' notice before discontinuance.

### Suspected Backflow Status

Where there is a suspected backflow condition, the District shall test the device for proper functioning and/or water for suspected contaminants-pollutants which the responsible party's system may have caused to

enter  
the water supply. The District's cross-connection agent shall assess, considering the District's Cross-Connection Policy, the potential for a hazard and define whether a backflow condition exists. If so, the District shall follow the Known Backflow Status provisions of this procedure. If not, the agents shall assess the situation as per the circumstances below.

Whenever the responsible party refuses to provide pertinent cross-connection information which the responsible party is determined to reasonably have and/or refuses the cross-connection agent reasonable access to inspect for a

Amendments to the Cross-Connection Policy  
Page 6

cross-connection and/or to test the device, it shall be considered evidence of a cross-connection and therefore deemed a known backflow. The Known Backflow Status procedure shall then be followed.

Upon inspection, if the backflow status is not readily determinable, the cross-connection agent shall take the potential hazard level for contaminants-pollutants presented into consideration and shall take the lack of a required device as an adverse extenuating circumstance when weighing whether to discontinue water service. If it is reasonably determined a backflow and/or a hazard condition could exist from these circumstances, then the Known Backflow Status procedure shall be followed.

Where there is a device but it fails when tested and the backflow status is not readily determinable, only the hazard level shall be taken into consideration for determining whether the water service shall be discontinued.

### No Backflow Status

Where it is determined that no backflow exists and will not reasonably exist, the cross-connection agent shall reasonably consider the hazard level and that status of any device to determine discontinuance of water service to the responsible party. If the cross-connection agent believes there is reasonable danger to the water system, then the Known Backflow Status will be followed.

### Discontinuance Costs

In addition to the above Discontinuance Procedures for any of the above circumstances and where the general management deems it appropriate to those circumstances, the District shall charge reasonable costs of inspecting for cross-connections; of sampling the responsible party's system for cross-connections; of sampling the responsible party's system for potential contaminants-pollutants; and of determining the backflow status. The responsible party is entitled to request and obtain a copy of the District's sampling results and the District's determination as to backflow status. These costs shall be billed in the same manner as the Water Quality Risk Fee and Costs are billed and to the extent possible they shall be billed and paid in advance by the responsible party. These costs are subject to the District's net-

to-gross fees. Otherwise, these costs shall be assessed to the responsible party as soon as practicable.

Amendments to the Cross-Connection Policy  
Page 7

The Discontinuance Costs are charged in part based on the following schedule and are subject to the net-to-gross fee.

District Man-Hour Charge	\$ 50.00
District Engineering Man-Hour Charge (does not include direct costs)	\$ 100.00
District Attorney Man-Hour Charge (does not include direct costs)	\$ 125.00
Miscellaneous Costs	As Charged

#### Reestablishment of Service after Discontinuance

Discontinued service shall not be re-established until the cross-connection agent is reasonably satisfied that a “no backflow status” exists under all the circumstances of the Discontinuance Procedure.

### NON-PAYMENT OF CROSS-CONNECTION POLICY FEES AND COSTS AND OTHER DISTRICT FEES

Non-payment of Cross-Connection Policy Fees and Costs or other District Fees, as adopted now or in the future, including but not limited to Annual Sprinkler Head Fee, Sign-up Cross-Connection Test Fee per Device, Annual Cross-Connection Test Fee per Device, Cross-Connection Retest Fee per Device, Water Quality Risk Fee, etc., shall subject the responsible party to discontinuance of water service for domestic and/or fire protection systems. For any discontinuance due to non-payment of District fees and costs, the District shall not be liable for any damages for non-payment of Cross-Connection Fees. For these fees, the District shall give 30 days’ notice to the responsible party (notice shall also be sent to the water user if not the same person) to pay before discontinuance of the domestic water service except in the case(s) where a customer fails to pay the Sign-up Cross-Connection Test Fee per Device for any non-fire system device. The water service shall be left off until payment is made in full or proper arrangements made with the general management. Ninety (90) days’ cut-off notice shall be given for non-payment of these fees for a fire protection system device.

Amendments to the Cross-Connection Policy  
Page 8

Notwithstanding the above, the water to both domestic and fire systems may be shut off without prior notice in accordance with the Discontinuance Procedure and/or Water Quality Risk Fee and Costs Policies’ procedure, the general welfare of the public requiring it.

## CROSS-CONNECTION GRIEVANCE PROCEDURE

The responsible party may appeal any of the determinations of the cross-connection agent to the general management, specifying in writing his reasons why water service should not be discontinued or why service should be reinstated, as the case may be. Economic loss will be considered but by no means will it override the District's duty to protect the public water supply. If the responsible party is not satisfied with the general management's decision, the responsible party may appeal to the Board of Commissioners, specifying in writing via the general management the reasons why water service should not be discontinued or service should be reinstated, as the case may be. The general management will then place the responsible party's grievance on the next regular scheduled Commissioners' Meeting Agenda for review. Such person will be reasonably notified of the time and place for the grievance to be heard so the responsible party may attend and be personally heard. At any proper time and in accordance with the law, the responsible party may take any other legal action or appeal available to remedy the situation.