

REGULATIONS
OF
THE SOUTHWEST REGIONAL WATER DISTRICT

REGULATION NO. 1994-004

PROHIBITION OF CROSS-CONNECTIONS

WHEREAS, Section 6109.13 of the Ohio Revised Code requires protection of the public water system from contamination through any connection whereby water from a private, auxiliary or emergency water system may enter the public water system; and

WHEREAS, Chapter 3745-95 of the Ohio Administrative Code requires protection of the public water system from contamination due to backflow of contaminants through the water service connection; and

WHEREAS, the Ohio Environmental Protection Agency requires the maintenance of a continuing program of cross-connection control which will systematically and effectively prevent the contamination of all potable water systems; and

WHEREAS, the Regulations of the District authorize immediate suspension of a membership for reasons of sanitary integrity; and

WHEREAS, in order to preserve the sanitary integrity of the public water supply of the District, it is necessary to introduce restrictions that go beyond usual plumbing code requirements.

NOW, THEREFORE, BE IT RESOLVED by the Board of Trustees of the Southwest Regional Water District as follows:

SECTION 1. That if, in the judgment of the General Manager, an approved backflow prevention device is necessary for the safety of the public water system; the General Manager will give notice to the customer to install an approved device immediately. The customer shall, at his own expense, install such approved device at a location and in a manner approved by the General Manager and shall have inspections and tests made of such approved devices as required by the General Manager.

SECTION 2. That no person, firm or corporation shall establish or permit to be established or maintain or permit to be maintained any connection whereby a private, auxiliary or emergency water supply other than the regular public water supply of the District may enter the supply or distributing system of the District, unless such private, auxiliary or emergency water supply and the method of connection and use of such supply shall have been approved by the General Manager of the District and by the Ohio Environmental Protection Agency.

SECTION 3. That it shall be the duty of the General Manager to cause surveys and investigations to be made of industrial and other properties served by the District's public water supply where, in his opinion, actual or potential hazards to the public water supply may exist. Such surveys and investigations shall be repeated as often as the General Manager shall deem necessary.

SECTION 4. That, in conducting such surveys and investigations, the General Manager, or his or its duly authorized representative(s), shall have the rights conferred upon them by R.C. sec. 6109.13 and Chapter 3745-95 of the Ohio Administrative Code.

SECTION 5. That, in accordance with the Ohio Revised Code, the Ohio Administrative Code and the Regulations of the District, the General Manager is hereby authorized, after reasonable notice, to discontinue service, and suspend the membership, for any property:

- a. wherein any connection in violation of the provisions of this regulation is known to exist; or
- b. where the customer refuses to cooperate with the General Manager in an investigation or survey being conducted pursuant to this regulation.

In addition to termination of service and suspension of membership, the General Manager shall have authority to take such other precautionary measures as he may deem necessary to eliminate any danger of contamination of the public water supply distribution mains. Water service to such property shall not be restored until such conditions shall have been eliminated or corrected in compliance with the provisions of this regulation.

SECTION 6. Prior to suspension or termination of service and membership, the General Manager shall provide reasonable written notice to the customer of the following:

- a. The facts known to the manager which, in his opinion, cause the manager to believe that a condition in violation of law and this regulation exists, or may exist, on the premises;
- b. The steps taken by the manager to attempt to alleviate said conditions with the cooperation of the customer;
- c. The action which the manager proposes to take to alleviate the violation;
- d. The customer's right to request a meeting with the General Manager of the District, or his designee, to contest whether a violation has occurred.
- e. The General Manager's right to implement the proposed action if the customer fails to respond within 3 business days of his receipt of the notice.

- f. The customer's right to request, in writing, a hearing before the board of trustees, or its designee (other than the General Manager), at any time following implementation by the General Manager of the proposed action.
- g. The customer's right to have the hearing before the board, or its designee, held within 10 business days of receipt of his request for the hearing.

Regardless of whether the customer requests a hearing before the board, the General Manager shall, at the board's next regular meeting, inform the board of his suspension of the customer's service and of the membership, and shall explain his reasons for taking such action, and the board shall vote to approve or disapprove the action taken by the General Manager.

SECTION 7. Notwithstanding the provisions of Sections 5 and 6 hereof, the General Manager may immediately interrupt a customer's service connection if, in his opinion, circumstances exist in relation to a customer's service which present an immediate and present danger of contamination of the District's public water supply. In the event of such an emergency interruption of service, the General Manager shall, as soon as possible after the interruption of service is implemented, provide the customer with written notice of the following:

- a. The facts known to the manager which, in his opinion, cause the manager to believe that a condition in violation of law and this regulation exists, or may exist, on the premises and justify an emergency interruption of service to protect the public water supply;
- b. The steps taken by the manager to attempt to alleviate said conditions with the cooperation of the customer;
- c. The action, in addition to emergency interruption of service, which the manager proposes to take to alleviate the violation;
- d. The customer's right to request a meeting with the General Manager of the District, or his designee, within 24 hours, to contest whether a violation has occurred, and whether an emergency exists;
- e. The General Manager's right to implement the proposed action (in addition to emergency interruption) if the customer fails to respond within 3 business days of his receipt of the notice;
- f. The customer's right to request, in writing, a hearing before the board of trustees, or its designee (other than the General Manager), at any time following implementation by the General Manager of the proposed action, or at any time following the customer's meeting with the General Manager where the meeting results in continuation of the emergency interruption of service;
- g. The customer's right to have the hearing before the board, or its designee, held within 10 business days of receipt of his request for the hearing.

Regardless of whether the customer requests a hearing before the board, the General Manager shall, at the board's next regular meeting, inform the board of his suspension of the customer's service rights and shall explain his reasons for taking such action, and the board shall vote to approve or disapprove the action taken by the General Manager.