

**19.003 – AMENDED AND RESTATED BACKFLOW PREVENTION AND CROSS-
CONNECTION CONTROL PROGRAM POLICY**

SUBJECT: This Backflow Prevention and Cross-Connection Control Program (“BPCCP Program” or “Program”) is adopted for the Association to comply with C.R.S. 25-1-114, the Colorado Plumbing Code, Colorado’s Primary Drinking Water Regulations contained at 5 CCR 1002-11, Section 11.39 (“Regulation 11”), and the Colorado Department of Public Health and Environment (CDPHE) policies (Policy No. DW-007) regarding backflow prevention and cross-connection control.

EFFECTIVE DATE: October 16, 2019

1. General.

- A. Colorado Revised Statutes (C.R.S. § 25-1-114(1)(h)) do not allow anyone to install, maintain or permit an uncontrolled cross connection that is connected to a drinking water system that supplies water to the public. Regulation 11, Section 11.39 requires that water suppliers that own and/or operate public water systems protect the drinking water from potential contamination through cross connections. Chemical, biological and radiological contaminants can pose unacceptable health and/or safety risks to the public through backflow of contaminants from cross connections. The CDPHE is responsible for ensuring that water suppliers comply with Section 11.39 of Regulation 11.
- B. The Association operates a public community water supply system that services only *single-family residential service connections*. Many of State requirements for cross-connection control apply only to *commercial, industrial and multi-family residential service connections*. Nevertheless, pursuant to Regulation 11, the Association is required to maintain a legally-enforceable mechanism to implement the backflow prevention and cross-connection control program required by Colorado law. This Program constitutes such legally-enforceable mechanism.
- C. The Association shall not install or permit any uncontrolled cross connection. Installing means modifications or additions to waterworks or water supply systems that create a cross connection. As of the effective date of this Program, the Association, through a Certified Cross-Connection Control Technician, inspected the water supply system in cooperation with all Kings Row owners to test all backflow prevention assemblies and confirm that are no existing uncontrolled cross connections.
- D. The Association shall be responsible for the operation, maintenance, repair, and replacement of the common element water facilities, main lines, and service lines up to and including the curb stop valve/water shut-off valve.

E. The BPCCP Program shall apply only if the Association becomes aware of a cross-connection at the single-family connection.

2. Definitions.

“ACTIVE DATE” means the first day that a backflow prevention assembly or backflow prevention method is used to control a cross-connection in each calendar year.

“AIR GAP” is a physical separation between the free-flowing discharge end of a potable water supply pipeline and an open or non-pressure receiving vessel installed in accordance with standard AMSE A112.1.2.

“BACKFLOW” means the undesirable reversal of flow of water or mixtures of water and other liquids, gases or other substances into the public water systems distribution system from any source or sources other than its intended source.

“BACKFLOW CONTAMINATION EVENT” means backflow into a public water system from an uncontrolled cross connection such that the water quality no longer meets the Colorado Primary Drinking Water Regulations or presents an immediate health and/or safety risk to the public.

“BACKFLOW PREVENTION ASSEMBLY” means any mechanical assembly installed at a water service line or at a plumbing fixture to prevent a backflow contamination event, provided that the mechanical assembly is appropriate for the identified contaminant at the cross connection and is an in-line field-testable assembly.

“BACKFLOW PREVENTION METHOD” means any method and/or non-testable device installed at a water service line or at a plumbing fixture to prevent a backflow contamination event, provided that the method or non-testable device is appropriate for the identified contaminant at the cross connection.

“CERTIFIED CROSS-CONNECTION CONTROL TECHNICIAN” means a person who possesses a valid Backflow Prevention Assembly Tester certification from one of the following approved organizations: American Society of Sanitary Engineering (ASSE) or the American Backflow Prevention Association (ABPA). If a certification has expired, the certification is invalid.

“CONTAINMENT” means the installation of a backflow prevention assembly or a backflow prevention method at any connection to the public water system that supplies an auxiliary water system, location, facility, or area such that backflow from a cross connection into the public water system is prevented.

“CONTAINMENT BY ISOLATION” means the installation of backflow prevention assemblies or backflow prevention methods at all cross connections identified within a customer’s water system such that backflow from a cross connection into the public water system is prevented.

“CONTROLLED” means having a properly installed, maintained, and tested or inspected backflow prevention assembly or backflow prevention method that prevents backflow through a cross connection.

“CROSS CONNECTION” means any connection that could allow any water, fluid, or gas such that the water quality could present an unacceptable health and/or safety risk to the public, to flow from any pipe, plumbing fixture, or a customer’s water system into a public water system’s distribution system or any other part of the public water system through backflow.

“UNCONTROLLED” means not having a properly installed and maintained and tested or inspected backflow prevention assembly or backflow prevention method, or the backflow prevention assembly or backflow prevention method does not prevent backflow through a cross connection.

“WATER SUPPLY SYSTEM” means a water distribution system, piping, connection fittings, valves and appurtenances within a building, structure, or premises. Water supply systems are also referred to commonly as premise plumbing systems.

3. Compliance.

- A. If an uncontrolled cross-connection has been identified at the single-family connection, an Owner is required to install an appropriate backflow prevention assembly and or method at the Owner’s water service connection within 120 days of its discovery.
- B. If the assembly or method is not or cannot be installed within 120 days, the Association Owner shall take one of the following actions within 120 days of the initial discovery:
 - i. Control the cross connection.
 - ii. Remove the cross connection.
 - iii. Suspend service to the connection in accordance with CDPHE requirements.
 - iv. Receive an alternative compliance schedule from the CDPHE.
- C. The Association shall give notice in writing to any owner whose plumbing system has been found to present a risk to the Association’s water distribution system through an uncontrolled cross-connection. The notice and order shall state that the Owner must install a backflow prevention assembly or method at each service connection to the Owner’s premises to contain the water service. The notice and order will give a date by which the Owner must comply. In instances where a backflow prevention assembly or method cannot be installed, the Owner must install approved backflow prevention assemblies or methods at all cross-connections within the Owner’s single-family water supply system. The notice and order will give a date by which the Owner must comply.

4. Requirements.

- A. If a cross connection has been identified at the single-family connection, an Owner is required to comply with Section 3 above.
- B. In no case shall it be permissible to have connections or tees between the meter and the containment backflow prevention assembly. In instances where a reduced pressure principle backflow preventer cannot be installed, the owner must install approved backflow prevention devices or methods at all cross-connections within the owner's plumbing system.
- C. Backflow prevention assemblies and methods shall be installed in a location which provides access for maintenance, testing and repair.
- D. Reduced pressure principle backflow preventers shall not be installed in manner subject to flooding.
- E. Provisions shall be made to provide adequate drainage from the discharge of water from reduced pressure principle backflow prevention assemblies. Such discharge shall be conveyed in a manner which does not impact waters of the state.
- F. All assemblies and methods shall be protected to prevent freezing. Those assemblies and methods used for seasonal services may be removed in lieu of being protected from freezing. The assemblies and methods must be reinstalled and then tested by a certified cross-connection control technician upon reinstallation.
- G. Where a backflow prevention assembly or method is installed on a water supply system using storage water heating equipment such that thermal expansion causes an increase in pressure, a device for controlling pressure shall be installed.
- H. When required, all backflow prevention assemblies shall be tested at the time of installation and on an annual schedule thereafter. Such tests must be conducted by a Certified Cross-Connection Control Technician.
- I. The Association shall require inspection, testing, maintenance, and as needed repairs and replacement of all backflow prevention assemblies and methods, and of all required installations within the owner's plumbing system in the cases where containment assemblies and or methods cannot be installed.
- J. Owners shall be responsible for all costs for design, installation, maintenance, testing and as needed repair and replacement.
- K. For new residences, Owners must submit plans and demonstrate compliance with the BFCCP Program prior to the issuance of water service.

5. Inspection, Testing and Repair.

- A. When required, backflow prevention assemblies or methods shall be tested by a Certified Cross-Connection Control Technician upon installation and tested at least annually, thereafter. The tests shall be made at the expense of the Owner.
- B. When required, any backflow prevention assemblies or methods that are non-testable, shall be inspected at least once annually by a certified cross-connection control technician. The inspections shall be made at the expense of the Owner.
- C. As necessary, backflow prevention assemblies or methods shall be repaired and retested or replaced and tested at the expense of the Owner whenever the assemblies or methods are found to be defective.
- D. When required, testing gauges shall be tested and calibrated for accuracy at least once annually.

6. Reporting and Recordkeeping.

- A. Copies of records of test reports, repairs and retests, or replacements shall be kept by the Owner for a minimum of three (3) years.
- B. Copies of records of test reports, repairs and retests shall be submitted to the Association by mail, facsimile or e-mail by the testing company or testing technician.
- C. Information on test reports shall include the information required by Regulation 11.

7. Right of Entry. When the Association becomes aware of a cross-connection, the Association shall have the right of entry on a Lot to review the presence of cross-connections for possible contamination risk to and for determining compliance with this Program. This right of entry shall be a condition of water service pursuant to the Association's Governing Documents in order to protect the health, safety and welfare of Owners

8. Violations and Penalties. Any Owner who violates any of the provisions of this Program shall be subjected to fines and other remedies as set forth in the Association's Enforcement/Right to Be Heard Policy. In the event the Association incurs fines, penalties, or other costs as a result of the failure to comply with this Program (i.e. fines from CDPHE) and such fines, penalties, or other costs are attributable to the action or inaction of an owner(s), then the Association may assess such owner(s) an amount equal to the fines, penalties, or other costs incurred by the Association.

9. Other Owner Responsibilities.

- A. Owners shall be responsible for the operation, maintenance, repair, and replacement of the private service lines from the point beyond curb stop valve/water shut-off valve to residences and other water-related improvements utilized by Owners on their respective Lots, including required backflow prevention and cross-connection devices.
- B. Owners are responsible for protecting their individual service lines and residences from any direct, indirect or consequential damages that may result from excessive water pressure in the water delivery system. Owners shall be required to install backflow prevention devices and cross-connection devices in accordance with Colorado law and maintain the same.

CERTIFICATION:

The undersigned, being the President of the Kings Row Homeowners Association, Inc., a Colorado non-profit corporation, certifies that the foregoing rules and regulations were adopted by the Executive Board of the Association, at a duly called and held meeting of the Board on October 15, 2019 and in witness thereof, the undersigned has subscribed his/her name.

KINGS ROW HOMEOWNERS ASSOCIATION, INC.,
a Colorado non-profit corporation

By: 
Julie Hazard, President