

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

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PUBLIC SERVICE  
COMMISSION

In the Matter of:

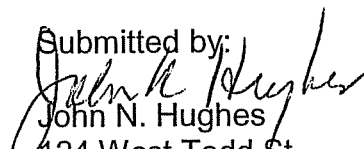
CRESTBROOK PROPERTIES, LLC )  
)  
COMPLAINANT )  
)  
v. )  
)  
NORTHERN KENTUCKY WATER DISTRICT )  
)  
DEFENDANT )

CASE NO. 2004-00309

**RESPONSE TO ORDER**

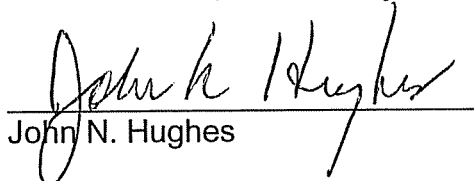
Northern Kentucky Water District, by counsel, submits the attached tariff pursuant to the Commission's final order in this case.

Submitted by:

  
John N. Hughes  
124 West Todd St.  
Frankfort, KY 40601

Attorney for Northern  
Kentucky Water District

I certify that a copy of this Response was served on Jeffrey Greenberger, Katz, Greenberger & Norton LLP, 105 E. Fourth St., #400, Cincinnati, OH 45202, and Mark Dobbins and Sandra Keene, Tilford, Dobbins, Alexander PLLC, 401 W. Main St. # 1400, Louisville, KY 40202 by first class mail, the 20<sup>th</sup> day of May, 2011.

  
John N. Hughes

**SECTION XXIII – CROSS CONNECTION CONTROL POLICY**

**All cross connections are prohibited and shall be eliminated in conformity with the laws and regulations of the Division of Water, the Division of Plumbing and the Public Service Commission**

**D**

**GENERAL**

In accordance to Kentucky Division of Water Regulations, 401 KAR 8:020, Section 2, Para. 2, all cross connections are prohibited. The use of automatic devices such as reduced pressure zone backflow preventers and vacuum breakers, may be approved by the Natural Resources and Environmental Protection Cabinet in lieu of proper air gap separation. A combination of air gap separation and automatic devices shall be required where determined by the Cabinet to be necessary due to the degree of hazard to public health.

The Kentucky Division of Water 401 KAR 8:010, Section 1, Item 28, has defined cross connections as a physical connection or arrangement between two (2) otherwise separate systems, one (1) of which contains potable water and the other being either water of unknown or questionable safety, or steam, gas or chemicals, whereby there may be flow from one (1) system to another, the direction of flow depending on the pressure differential between the (2) systems.


The District is required to comply with 401 KAR 8:020, Section 2, Para. 2, as well as other rules and regulations for public water systems, which pertain to cross connections, auxiliary intakes, bypasses, and inter connections, and to establish an effective, on-going program to control these undesirable water uses.

The following requirements apply to all customers of the District:

1. All new commercial, industrial, multi-family, and governmental accounts will be required to meet the District standards for cross connection control upon notification from the District. Water service for new commercial and industrial accounts will not be turned on until the Water District requirements are met.
2. All existing commercial, industrial, multi-family, and governmental accounts will be required to meet the District standards for cross connection control upon notification from the District. Existing accounts will be prioritized by the largest meter size and consumption for that meter size; inspection will start with the largest meters and consumption. Existing accounts will have six (6) months upon notification from the District, to meet District standards unless an additional time extension is approved by the District.
3. Severe high hazard accounts will be required to meet the District standards for cross connection control upon notification from the District. A severe high hazard customer creates a real or potential threat of contamination or pollution of a physical or toxic nature to the health and well-being of the public water supply. These customers continuously have hazardous cross connections or the potential hazards are so great that these premises need to be prioritized. Existing accounts will be prioritized by the largest meter size and consumption for that meter size; inspection will start with the largest meters and consumption. Existing accounts will have six (6) months upon notification from the District, to meet District standards unless an additional time extension is granted by the District.

Date of Issue: May 20, 2011

Date Effective: June 20, 2011

Issued by:   
Officer & Title: Jack Bragg, Jr. CPA, CMA  
Vice President - Finance

2835 Crescent Springs Road, Erlanger, KY 41018

~~SECTION XXIII - CROSS CONNECTION CONTROL POLICY - Cont'd~~

~~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 meets the District standards for cross-connection control.~~

INSPECTION:

~~The District shall inspect all commercial and industrial properties served by the public water system where cross-connections with the public water system are deemed possible. Authorized representatives from the District shall have the right to enter at a reasonable time any property served by a connection to the 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 occupant 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 requested, shall cause the District to classify the account as a severe high hazard account and the owner shall meet all District requirements for that classification.~~

REQUIREMENTS:

~~The District shall require the use of an approved protective device on the service line serving the premises to assure that any contamination that may originate in the customer's premises is contained therein. The type of protective devices to be installed shall correspond to the degree of hazard as determined by the District. All protective devices shall be listed and approved by the Foundation for Cross-Connection Control Research, University of Southern California and the District.~~

~~The methods of installation of backflow protective devices shall be approved by the District prior to installation and shall comply with the criteria set forth by the District's standard specifications and drawings for the installation of backflow prevention devices. Any and all cost incurred with the installation and maintenance of cross-connection control devices and appurtenances shall be borne by the customer.~~

~~Any person who now has cross-connections, auxiliary intakes, bypasses, or inter-connections in violation of this policy shall be allowed a reasonable time to comply with the provisions of this policy. They will have six (6) months upon notification from the District to meet District standards unless an additional time extension is granted by the District.~~

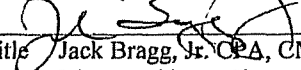
~~The failure to correct conditions threatening the safety of the public water system as required by this policy within the District approved time frame shall be grounds for termination of the water service.~~

~~Where cross-connection, inter-connections, auxiliary intakes, or bypasses are found that constitute an extreme hazard of immediate concern of contaminating the public water system, the District 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 corrected immediately.~~

~~All approved backflow prevention devices shall be tested and certified that they work properly by a District approved certified backflow tester directly after system activation and every year thereafter according to the manufacturer's recommendations.~~

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~~SECTION XXIII - CROSS CONNECTION CONTROL POLICY - Cont'd~~

~~First notices will be sent out by the District prior to the due date, giving the customer 30 calendar days to get the device tested and proper paperwork returned to the District. If, after the first 30 days, no action is taken, a second notice will be sent to the customer giving them an additional 30 days to comply. If, after this time, no action is taken, a third notice will be sent, giving them 10 working days to comply or water service will be discontinued at the end of 10 days.~~

~~The failure to maintain backflow prevention devices in proper working order shall be grounds for discontinuing water service to a premise. 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 customer has corrected or eliminated such conditions or defects to the satisfaction of the District.~~

~~The requirements contained herein shall apply to all premises served by the District regardless of political subdivision boundaries, and shall constitute a part of the conditions required to be met to provide water service to any premises. Such action, being essential for the protection of the water distribution system against the entrance of contamination, may render the water non-potable.~~

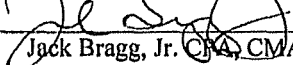
ENFORCEMENT:

~~Whenever any person neglects or refuses to comply with any of the provisions of this policy, the District shall discontinue water service until such cross connection, auxiliary intake, bypass or inter-connection has been corrected.~~

**SECTION XXIV - EXAMPLES OF FORMS (next page)**

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