



## Staff Report

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**File #:** 17-250

**Version:** 1

**Date:** 5/22/2017

**Item #:** 6.j.

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**TO:** Mayor and City Council

**THROUGH:** Steve Powers, City Manager

**FROM:** Peter Fernandez, PE, Public Works Director

**SUBJECT:**

Notice of Proposed Administrative Rule Making for the Cross-Connection Control Program

Ward(s): All Wards

Councilor(s): All Councilors

Neighborhood(s): All Neighborhoods

**ISSUE:**

Notice of proposed administrative rulemaking to establish criteria for the City's Cross-Connection Control Program. This notice is given pursuant to SRC 20J.040(a)(3).

**RECOMMENDATION:**

Information only.

**SUMMARY AND BACKGROUND:**

*Salem Revised Code* (SRC) 72.150 requires certain connections to the City's water system to have a back-flow prevention device installed to prevent cross connections. Oregon Administrative Rules (OAR) Chapter 333 Division 61 set forth the minimum elements the City must develop and implement to protect the public water system from pollution and contamination.

The proposed administrative rule will establish the City's policies and procedures for the Cross Connection Control Program to prevent cross contamination with customers' systems and back flow into the City's water system. The proposed rule includes:

- Responsibilities of the City to implement and enforce the cross connection control program.
- Responsibilities of retail and wholesale customers to adhere to the requirements of the cross connection control program

- Requirements for compliance with the program, including:
  - When a back flow prevention assembly is required;
  - The type of back flow prevention assembly required for the hazard present;
  - Removal and/or replacement of an installed back flow prevention assembly;
  - Cross connection requirements for fire sprinkler and suppression systems; and
  - Notification and testing requirements for installed back flow prevention assemblies.

## **FACTS AND FINDINGS:**

The Notice of Administrative Rule Making (Attachment 1) will be posted May 22 through June 5, 2017. Interested parties will have 15 days to provide comment to staff. Subject to review by Council, the rule (Attachment 2) will become effective on June 22, 2017.

Adoption of Administrative Rules does not require Council approval. Council may elect to review the proposed Administrative Rule; however, the scope of Council's review is limited to: (1) whether the rule is within the scope of the provision of the Code authorizing adoption; and (2) whether the rule is duplicative of, or conflicts with, another rule or other Federal, State or local law or regulation, or is outside of the range of staff's rulemaking authority. The Legal Department has reviewed the proposed rules for consistency with the code pursuant to SRC 20J.080.

Robert D. Chandler, PhD, PE  
Assistant Public Works Director

## **Attachments:**

1. Notice of Proposed Administrative Rulemaking: Cross Connection Control
2. Administrative Rule 109-500-003 Cross Connection Control