

DEER CREEK RV GOLF & COUNTRY CLUB, INC.
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DAVENPORT, FL 32837
(863) 424-2839

June 28, 2019

Office of Clerk
Florida Public Service Commission
2540 Shumard Oak Blvd.
Tallahassee, FL 32399

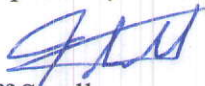
RE: Application for a Staff Assisted Rate Case in Polk County by Deer Creek RV Golf & Country Club, Inc. – Docket No. 20190071-WS.

Commission Clerk,

We submit for approval, in the above referenced SARC proceeding, the attached Cross Connection Control and Backflow Prevention tariff in order to clarify Deer Creek RV Golf & Country Club, Inc's. (DCU) legal obligations in regard to Florida Department of Environmental Protection's statutory and rule requirements regarding cross connection control and establishing, maintaining and enforcing a cross connection control plan and program. As previously discussed, we can establish the same rights and obligations through existing DCU Water Tariff provisions and Commission rules, however, it is cumbersome for our customers at best, and confusing at worst, to explain those obligations and enforcement actions by a number of snippets from several different tariff provisions and rules. We seek, therefore, to provide a single tariff provision that clarifies the rights and obligations of DCU and its customers in order to provide for clarity. Also attached is a copy of DCU approved Backflow Prevention and Cross Connection Control Plan for Commission staff's review.

If you have any questions, please do not hesitate to contact us. Our Utility Supervisor is Jennifer Hernandez, and she can be reached at 863-424-2839. Our legal consultant is Gerald Buhr, P.A., and he can be reached at 863-508-7055.

Respectfully Submitted,



Jeff Small
OCBOA Consulting, LLC
On behalf of ////

Mike Caruso
President
Deer Creek RV Golf & Country Club, Inc.

Attachments (2)

CROSS CONNECTION CONTROL AND BACKFLOW PREVENTION

- APPLICABILITY - For water service to all Customers for which no other schedule applies.
- LIMITATIONS - Subject to all of the Rules and Regulations of this tariff and General Rules and Regulations of the Commission.

CROSS CONNECTION AND CONTROL

Cross connections jeopardize the health, safety and welfare of the Customer and all other Customers of the Utility. Customers shall not allow any cross connection to exist in their water system that are not in compliance with State law and the Utility's Cross Connection Control and Backflow Prevention Plan (CCC Plan). The Customer is responsible for inspection of its own system to eliminate cross connections, however, if the Utility has reason to believe that a cross connection might exist, the Customer shall allow access to the premises for an inspection. 25-30.320(f) FAC. The Customer shall comply with Florida Law and the CCC Plan as approved by the Florida Department of Health. Failure to prevent or correct cross connections after reasonable notice will result in disconnection of service. Failure to comply with directives from the Utility authorized under this tariff and the CCC Plan, after reasonable notice, will result in disconnection of service to protect the health, safety and welfare of the other customers. 25-30.320(a) & (b) FAC.

BACKFLOW PREVENTION

Backflow prevention devices (BPD), when required by the Utility in accordance with the CCC Plan and state law, are to be installed at the Customer's expense on the downstream side of the water meter, and are therefore, the property of the Customer. 25-30.231 FAC. The Customer is responsible for installation, annual inspection by certified inspector, and repair or replacement if necessary, of the BPD as required by the Utility in accordance with its CCC Plan. Failure by the Customer to install, inspect, repair or replace BFD in accordance with the Utility's requirements and the CCC Plan will result in disconnection of service, after reasonable notice. If proof of successful annual inspection (no repair required or repairs made and reinspection) is not received by the anniversary date of the installation of the BPD or initial inspection, the Utility may send out a warning letter informing the Customer of the potential date for disconnection, and setting a deadline of not less than five (5) days in which to have the BPD successfully inspected or utility service will be disconnected without further notice, and remain disconnected until the Utility receives adequate assurances of arrangements for proper inspection. Disconnections and reconnections may be charged to the Customer in accordance with the Utility's Water Tariff - First Revised Sheet Number 16.0. New installations of BPDs shall be in accordance with the CCC Plan, and in accordance with the Utility's specifications as to type, size and location of the BPD. No BPD shall be put into service without inspection and prior approval of the Utility.

EFFECTIVE DATE -

TYPE OF FILING -

MICHAEL CARUSO
ISSUING OFFICER

PRESIDENT
TITLE

Deer Creek RV Golf & Country Club, Inc.
Backflow Prevention and Cross-Connection Control Plan

Section 1. Purpose, Intent, Findings & Applicability.

The purpose and intent of this Plan is:

(a) To protect the public water main against actual or potential cross-connections, backflow by backpressure and backsiphonage by isolating within the premise or private property contamination or pollution that has occurred or may occur because of same un-discovered or unauthorized cross-connection on the premises or private property.

(b) To protect the water supply system within the premise or private property against actual or potential cross-connections, backflow by backpressure and backsiphonage by requiring such air gaps, vacuum breakers, backflow preventers, special devices as required by this Plan, or other applicable regulations.

(c) To eliminate cross-connections, backflow by backpressure and backsiphonage on any other source of water or process water used for any purpose whatsoever which may jeopardize the safety of the water supply or which may endanger the health and welfare of the general public.

(d) To establish a cross-connection control and backflow prevention program that includes provisions for inspection and maintenance to ensure compliance.

(e) This Plan shall be become a part of the Company's water service rules and regulations, as amended from time-to-time.

The Board of Directors finds that:

(a) Improperly protected user systems expose the public potable water supply to contamination which could be hazardous to the public health and safety.

(b) The enactment of this Plan is necessary and desirable to protect and promote the public health, safety and welfare and is in the best interests of the customers of the Company.

(c) The enactment of this Plan is in accordance with section 62-555.360, Florida Administrative Code, as amended from time-to-time, which provides in part: "Community water systems shall establish a routine Cross-connection control program for the purpose of detecting and preventing Cross-connections that create or have the potential to create an imminent and substantial danger to public health." Such program shall be developed using accepted practices of the American Water Works Associations ("AWWA") guidelines as set forth in AWWA Manual M14, Backflow Prevention and Cross-connection Control, and Cross-connections and Backflow Prevention, third edition (or later versions approved by DEP), for detection and elimination of prohibited Cross-

connections, and identification and isolation of conditions which create or may create a danger to public health by use of Backflow Prevention Assemblies.

Applicability: This Plan is applicable on any property or premises served by the Company water utility, whether such connection is approved by the Company or not, or whether the connection is lawful or unlawful.

Section 2. Definitions. The following terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(a) "AIR GAP" shall mean physical separation between the free-flowing discharge end of a potable water supply pipeline and an open or non-pressure receiving vessel. An Approved air gap shall be at least double the nominal diameter of the supply pipe, measured vertically, above the top of the rim of the vessel and, in no case, less than 1 inch. When an air gap is used at the water service connection to prevent the Contamination or pollution of the public potable water system, an emergency bypass shall be installed in the bypass system which shall include an Approved Backflow Prevention Assembly.

(b) "AMERICAN WATERWORKS ASSOCIATION" or "AWWA" shall mean the nationally-recognized association of water operators and purveyors bearing that name, including its Florida affiliate, the Florida Section of the AWWA.

(c) "APPROVED" shall mean accepted by the Water Board of Directors as meeting an applicable specification or requirements stated or cited in this Plan or as suited for the proposed use, and shall meet as a minimum requirement the requirement that they are included on the ASSE Seal Approval List or the Approval List of the FCCC & HR.

(d) "AUXILIARY WATER SUPPLY" shall mean any water supply on or available to the premises other than the Company's Approved public potable water supply. These auxiliary waters may include without limitation, pools, wells, lakes, ponds, rivers, streams, reclaimed water or the like or used waters or industrial fluids. These waters shall include without limitation, waters used for fountains, or other ornamental uses.

(e) "BACKFLOW" shall mean the flow of water or other liquid, mixture, or substance under pressure into the distributing pipes of a potable water supply system from any source other than its intended source.

(f) "BACKFLOW PREVENTION ASSEMBLY" shall mean a mechanical assembly that meets those standards as set forth by the American Waterworks Association ("AWWA"), the American Society of Sanitary Engineers, ("ASSE"), and the Foundation for Cross Connection Control and Hydraulic Research ("FCCC"), that has been approved for the prevention of Backflow, as back pressure and Backsiphonage by the FCCC, and is published in the FCCC's List of Approved Backflow Prevention Assemblies.

(g) "BACKSIPHONAGE" shall mean the flow of water or other liquid, mixture, or substance into the distributing 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) "CONTAMINATION" shall mean an impairment of the quality of potable water by sewage, industrial fluids, waste liquids, compounds, or other materials to a degree which creates a potential or actual hazard to the public health through poisoning or through the spread of disease.

(h) "CROSS-CONNECTION" shall mean any physical arrangement whereby a public water supply 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 supply as the result of backflow. By-pass arrangements, jumper connections, removable sections, swivel or changeable devices, and other temporary or permanent devices through which or because of which backflow could occur are considered to be cross-connections.

(i) "DOUBLE CHECK VALVE BACKFLOW PREVENTION ASSEMBLY ("DCVA")" shall mean an assembly composed of two single, independently acting, check valves, including tightly closing shutoff valves located at each end of the assembly and suitable connections for testing the water tightness of each check valve. A check valve is a valve that is drip-tight in the normal direction of flow when the inlet pressure is one psi and the outlet pressure is zero. The check valve shall permit no leakage in a direction reverse to the normal flow. The closure element (e.g., clapper) shall be internally weighted or otherwise internally loaded to promote rapid and positive closure. To be Approved, these must be readily accessible for in-line maintenance and testing. This assembly can be used to protect the public water supply from low hazard applications only.

(j) "DUAL CHECK" A compact unit manufactured with two independent spring actuated check valves. Residential Dual Checks are not approved devices under this Plan.

(k) "FOUNDATION FOR CROSS-CONNECTION CONTROL AND HYDRAULIC

RESEARCH" OR "FCCC" shall mean the foundation of the same name established by the University of Southern California to provide the potable water industry with research and information regarding backflow prevention plans and practices and cross-connection control.

(l) "HAZARD, DEGREE OF," shall mean an evaluation of the potential risk to public health and the adverse effect of the hazard upon the potable water system and shall include:

(1) "HIGH HAZARD" shall mean any condition, device, or practice in the water supply system and its operation which creates an actual threat to, or in the opinion of the Board of Directors, with advice from the company's consulting engineer, a potential threat to, or impairment of the water quality that will cause human illness, death, or spread disease. Agents that are considered to be high hazards are referred to as "contaminants". Types of contaminants include, without limitation, biological, chemical and radiological.

(2) "LOW HAZARD" shall mean any actual or potential threat to or impairment of the water quality that will affect the aesthetic properties of the drinking water. Agents that are considered to be low hazards are referred to as "pollution." Low Hazard pollution would not constitute an imminent threat to human health, but would affect the taste, color or odor of the drinking water.

(m) "POLLUTION" shall mean the presence of any foreign substance (organic, inorganic, or biological) in water which tends to degrade its quality so as to constitute a hazard or impair the usefulness or quality of the water to a degree which does not create an actual hazard to the public health but which does adversely and reasonably affect such waters for domestic use.

(n) "PREMISES" shall mean any property receiving potable water through a service connection.

(o) "PRESSURE-TYPE VACUUM BREAKER" shall mean an assembly used to isolate entire irrigation lines from potable water systems. It has the ability to withstand supply pressure for long periods and to prevent Backflow of toxic and nontoxic water into the potable water system in Backsiphonage conditions. To be Approved, these devices must be readily accessible for in-line maintenance and testing.

(p) "REDUCED PRESSURE ZONE BACKFLOW PREVENTION ASSEMBLY ("RPZ")" shall mean an A device containing within its structure a minimum of two independently acting approved check valves, together with an automatically operating pressure differential relief valve located between the two check valves. The first check valve reduces the supply pressure a

predetermined amount so that during normal flow and at cessation of normal flow the pressure between the checks shall be less than the supply pressure. In case of leakage of either check valve, the differential relief valve, by discharging to the atmosphere, shall operate to maintain the pressure between the checks less than the supply pressure. The unit shall include tightly closing shutoff valves located at each end of the device, and each device shall be fitted with properly located test cocks. To be Approved, these assemblies must be readily accessible for in-line maintenance and testing and be installed in a location where no part of the assembly will be submerged.

(q) "WATER, NONPOTABLE," shall mean water which is not safe for human consumption or which is of questionable potability.

(r) "WATER, POTABLE," shall mean any water which, according to recognized standards, is safe for human consumption.

(s) "WATER SERVICE CONNECTION" shall mean the terminal end of a water service connection from the public potable water system; that is, where the Company loses jurisdiction and sanitary control over the water at its point of delivery to the customer's water system. If a meter is installed at the end of the water service connection, the water service connection shall mean the downstream end of the meter. There should be no unprotected takeoffs from the service line ahead of any meter or Backflow Prevention Assembly located at the point of delivery to the customer's water system. "Water service connection" shall also include water service connection from a fire hydrant and all other temporary or emergency water service connections from the public potable water system.

(t) "BOARD OF DIRECTORS" shall mean the Company Board of Directors or manager(s) appointed by the Board of Directors to have responsibility and authority for day to day operation and maintenance of the Company's water facilities.

Section 3. Cross-Connections Prohibited or Controlled.

Cross connections that are not necessary or permitted by Company are prohibited. Upon discovery of a Cross-connection, Company employees shall either eliminate the Cross-connection by installation of an appropriate Backflow Prevention Assembly pursuant to this Plan at the expense of the customer, or shall promptly discontinue service until the contaminant source is eliminated. The Company will not allow any Cross-connection to remain unless it is protected by an approved backflow preventer for which permission by the Company has been issued, and which will be regularly tested to ensure satisfactory operation.

Section 4. General Requirements and Procedures.

(a) No Water Service Connection shall be installed or maintained unless the Company Potable Water Supply is protected as required by all state law and applicable regulations including Florida Department of Environmental Protection ("DEP") regulations and this Plan. Service of water to any Water Service Connection shall be discontinued by the Company if a Backflow Prevention Assembly required by this article is not installed, tested, and maintained as required by this Plan, or if it is found that a Backflow Prevention Assembly has been removed, bypassed, or if an unprotected Cross-connection exists at the Water Service Connection. Service will not be restored until such conditions or defects are corrected. All rates and service charges for such inactive connections, disconnections and connections shall apply.

(b) All work conducted by the Company pursuant to this Plan shall be at the customer's expense. The customers' premises shall be open for inspection at all reasonable times to authorized representatives of the Company to determine whether Cross-connections or other structural or sanitary hazards, including violations of this Plan, exist. When such a condition becomes known, the Board of Directors shall deny or immediately discontinue service to the water service connection by providing for a physical break in the service line until the condition is corrected in conformance with state laws and Company rules and regulations relating to plumbing and water supplies and the regulations adopted pursuant thereto.

(c) Dual Check Valve Assembly backflow preventers are not approved Backflow Prevention Assemblies in the Company. Other more protective Approved Backflow Prevention Assemblies shall be installed at the customer's expense, at a minimum, wherever the following conditions exist:

(1) In the case of water service connection having an Auxiliary Water Supply. The Company's water system shall be protected against Backflow from the water service connection by installing, at a minimum, a Double Check Valve Backflow Prevention Assembly, or a more protective Backflow Prevention Assembly or device determined by the Water Board of Directors to be appropriate to the Degree of Hazard.

(2) All industrial and commercial uses shall install, at a minimum, a Reduced Pressure Zone Backflow Prevention Assembly.

(3) Wherever reclaimed water is being used or applied, a Reduced Pressure Zone Backflow Prevention Assembly shall be installed.

(d) In the case of water service connection having known internal Cross-connections that cannot be permanently corrected and controlled, intricate plumbing and piping arrangements or where entry to all portions of the premises is not readily accessible for inspection purposes making it impracticable or impossible to ascertain whether or not dangerous Cross-connections exist, the public water system shall be protected against Backflow from the water service connection by installing a Backflow Prevention Assembly in the service line. The type of protective device required shall depend upon the Degree of Hazard which exists, but shall include at a minimum, a Double Check Valve Backflow Prevention Assembly, and if Degree of Hazard cannot be reasonably ascertained, then a Reduced Pressure Zone Backflow Prevention Assembly shall be installed.

(e) In the case of any residential water service connection where there is water or some substance that would be a Low Hazard if introduced into the Company's water system, the public water system shall be protected by a Double Check Valve Backflow Prevention Assembly.

(f) In the case of any water service connection where there is any material dangerous to health which is handled in such a fashion as to create a High Hazard to the public water system, the Company's water system shall be protected by an Approved Air Gap Separation or a Reduced Pressure Zone Backflow Prevention assembly, whichever is determined by the Board of Directors to be appropriate under the circumstances.

(g) In the case of any Water Service Connection where there are uncontrolled Cross-connections, either actual or potential, the public water system shall be protected by an Approved Air Gap Separation or a Reduced Pressure Zone Backflow Prevention Assembly at the Water Service Connection, whichever is determined by the Water Board of Directors to be appropriate under the circumstances.

(h) In the case of any water service connection where, because of security requirements or other prohibitions or restrictions, it is impossible or impractical to make a complete in-plant Cross-connection survey, the public water system shall be protected against Backflow or Backsiphonage from the water service connection by the installation of a Backflow Prevention Assembly in the service line. In this case, maximum protection will be required; that is, an Approved Air Gap Separation or an Approved Reduced Pressure Zone Backflow Prevention Assembly shall be installed on (or in) each water service connection to the premises, whichever is determined by the Board of Directors to be appropriate under the circumstances.

(i) An Approved Backflow Prevention Device (or Assembly) of the type designated shall be installed on each commercial or industrial water service connection, and residential service connections having an Auxiliary Water Supply. Backflow Prevention Assemblies shall be owned,

tested and maintained by the Company. The Board of Directors may establish a chart of rates and charges for installing, replacing, maintaining, and annually testing the backflow Prevention Assemblies, with nonpayment being subject to disconnection of service.

(j) Backflow Prevention Assemblies installed shall only be installed and tested by Company personnel or Company contractors to perform such work. Backflow Prevention Assemblies installed at or near the outlet of the Water Service Connection shall be the property of the Company, and the Backflow Prevention Assemblies installed within the customer's internal water system shall be the property of the customer.

(k) The AWWA and FCCC standards and specifications have been adopted by the Board of Directors. Final approval shall be evidenced by a certificate of approval issued by an Approved testing laboratory certifying full compliance with the AWWA standards and FCCC specifications.

(l) All Backflow Prevention Assemblies shall be owned and maintained by customers at their own expense, but to the Company's specifications and approval. Backflow Prevention Assemblies installed at commercial or industrial businesses are to have certified inspections upon installation or reinstallation, and operational tests made at least once per year, and in the event that repairs are necessary, they shall be performed immediately. Backflow Prevention Assemblies installed at residential customer premises are to have certified inspections upon installation or reinstallation, and operational tests made at least once every other year (biennially). Air Gaps providing backflow protection shall also be inspected, at least annually, by qualified personnel. In those instances where the Board of Directors deems the hazard to be great enough, the Board may require such inspections at more frequent intervals. These installations, reinstallations, inspections, tests and repairs of Backflow Prevention Assemblies, and inspections of Air Gaps, shall be performed by the property owner or customer's contractors approved by the Company, at the expense of the owner or customer. Installations, reinstallations, inspections, tests and repairs of Backflow Prevention Assemblies owned by the customer shall be performed by the Customer at the expense of the customer, with inspection by the Company. All repairs for Backflow Prevention Assemblies shall be conducted by certified Backflow Prevention Assembly technicians or by other persons Approved by the Board of Directors to make such repairs.

(m) The costs of installations on new premises shall be paid before water service is initiated and the cost of other installations, reinstallations, inspections, tests and repairs of Backflow Prevention Assemblies shall be arranged for and be paid for by the customer. Failure to timely comply with inspection and repair obligations shall be a basis for disconnection or denial of service. Records of such tests, repairs, and overhauls shall be maintained by the Water Board of Directors.

(n) All presently installed Backflow Prevention Assemblies which do not meet the requirements of this section but were Approved Assemblies for the purposes described herein at the time of installation and which have been properly maintained shall, except for the inspection maintenance requirements, be excluded from the requirements of this Plan so long as the Board of Directors determines that they will satisfactorily protect the public potable water supply system. Whenever the existing assembly is moved from the present location or requires more than minimum maintenance (more than 50% of value), or when the Board of Directors finds that the maintenance constitutes a hazard to health, the unit shall be replaced by a Backflow Prevention Assembly meeting the requirements of this section at the customer's expense.

Section 5. Administration.

(a) The Board of Directors shall supervise and monitor the protection of the public potable water distribution system from Contamination or pollution due to the Backflow or Backsiphonage of contaminants or pollutants through the water service connections.

(b) If, in the judgment of the Board of Directors, an Approved Backflow Prevention Assembly is required at a water service connection for the safety of the Company's water system, the Board of Directors shall give notice in writing to the customer and shall arrange for installation of such an Approved Backflow Prevention Assembly at each water service connection to the premises at the customer's expense.

(c) The Company shall maintain a current inventory of backflow protection being required at, or for service connections.

(d) The Company shall maintain all records relating to installation, inspection, testing, and repair of backflow devices.

Section 6. Customer Responsibilities

(a) The customer shall prevent contaminants and pollutants from entering the Company's water system from the customer's water system. The customer shall protect the customer's water system against actual or potential cross connection, backflow or back-siphonage, as required by the Florida Building Code, this Plan, and other applicable statutes and regulations. The customer shall be responsible for the elimination or protection of all cross connections on the customer's premises.

(b) The customer shall comply with this Plan and the Company's cross connection program.

The customer shall notify the Company if their condition changes to provide for use of an Auxiliary Water Supply, or commercial use change such that the level of Degree of Hazard increases.

(c) The Board of Directors may inspect the customer's water system and make recommendations as to the type of fixture isolation or the type of backflow preventer that should be installed on the customer's internal water system to ensure the quality of the water entering upon the property beyond the outlet end of the Company's backflow preventer, however, such right to inspect shall not be deemed as an obligation to do so, or as acceptance of liability by the Company.

(d) The customer shall inform the Company of any proposed or modified cross connections and any existing cross connections of which the customer is aware.

(e) The customer shall not install a bypass around any backflow preventer without written permission from the Board of Directors. Customers who cannot shut down operation for testing or repair of backflow preventers must supply additional devices necessary to allow testing or repair to take place.

(f) For the purpose of making any inspection or installation of a backflow preventer, or discharging the duties imposed by this Plan, the Board of Directors shall have the right to enter upon the premises of any customer. Each customer, as a condition of the continued delivery to his premises of water from the water system, shall be considered as having consented to entry upon his premises. This subsection does not authorize entry onto private property if the owner refuses entry, however, refusal by a water service customer to grant company personnel entry after showing proper identification shall be cause for immediate disconnection of service by Board of Directors order until access is granted, and the safety of the Company's water system can be verified by the Board of Directors.

(g) No person shall connect to, operate, maintain, or allow remaining any connection to the water system which is on the Company's side of the backflow preventer. Such connections shall be deemed unlawful tampering with the Company's water system.

Section 7. Fees and Permit.

The company shall identify those customers required to have the type Backflow Prevention Assemblies listed above for the safety of the Company's water system based on Degree of Hazard. Customers with Backflow Prevention Assemblies or other Approved Backflow arrangements (i.e. Air Gap) shall be required to obtain a one-time permit from the Company. Fees will be based on cost

