



October 19, 2023

*Sent via email: Commentletters@waterboards.ca.gov*

Chairman E. Joaquin Esquivel  
State Water Resources Control Board  
1001 I Street, 24<sup>th</sup> Floor  
Sacramento, CA 95814

RE: Comment Letter – **Cross-Connection Control Policy Handbook**

Dear Chairman Esquivel:

On behalf of WaterReuse California (WRCA) I thank you for the opportunity to provide comments on the most recent version of the Cross Connection Control Policy Handbook (CCCPH).

WRCA sponsored AB 1180 (Friedman, 2018), which required that the new CCCPH include provisions for the safe use of a swivel-ell or a changeover device to facilitate the use of recycled water. AB 1180 also required the State Water Resources Control Board to update Title 22 non-potable recycled water sections, including but not limited to, adding the use of the swivel-ell into these regulations.

We are pleased that the swivel-ell has been incorporated into the CCCPH. We also appreciate your responsiveness to our 2021 comment letter in 2021 regards to the swivel-ell.

### **Clarify improperly installed swivel-ells**

However, there still appears to be contradictory language within CCCPH on the swivel-ell. In Section 2.1 "What is a Cross-Connection" it states that a swivel-ell is a cross-connection because a "backflow can occur." We agree that an *improperly installed* swivel-ell can create a backflow. But just stating a swivel-ell is, without qualification, a backflow is confusing and in conflict with other sections of CCCPH.

We suggest the following minor revision:

## **Chapter 2 – Background on Backflow Protection and Cross-Connection Control**

### **2.1 What is a Cross-Connection?**

A cross-connection is an interconnection between a potable water supply and a nonpotable source via any actual or potential connection or structural arrangement between a PWS and any source or distribution system containing liquid, gas, or other substances not from an approved water supply. Bypass arrangements, jumper connections, removable sections, improperly installed swivel or change-over devices and other temporary or permanent devices through which, or because of which backflow can occur are considered to be cross-connections.<sup>5</sup> The CCCPH includes acceptable installation criteria for swivel-ell and other types of backflow prevention assemblies (BPAs) to prevent backflow.

### **Revise the definition of “user premises”**

It would be beneficial for the CCCPH to acknowledge that residential developments may have common areas or parkways irrigated with recycled water that are owned or controlled by a homeowners’ association (HOA), and not by the owners of the individual residences. It may not be appropriate in these cases to delineate the “user premises” by the parcel boundary.

We recommend the definition of user premises be revised as follows:

*“User premises’ means the property under the ownership or control of a water user and is served, or is readily capable of being served, with water via a service connection with a public water system. For privately-owned properties which have common areas irrigated with recycled water (such as parkways or recreational areas within a residential development) which are not maintained by the individual owners/residents, such areas are considered a separate user premises from the residence.”*

### **Clarify the reference to recycled water use areas in Appendix D**

Clarification should be provided to this item to ensure it is not interpreted to classify any premises using recycled water for any purpose and in any configuration as a high hazard for cross-connections with a public water system (PWS), such as premises using recycled water that may be in proximity to but with no connection with the PWS (commonly referred to as “single-sourced”). Many recycled water service areas contain a significant number of sites that would be considered single-sourced. Classification of these sites as “high hazard” would pose a significant burden on water systems and or/or local public health departments, in particular due to requirements for annual testing of backflow prevention devices and may discourage the use of recycled water at these sites.

## Clarify that recycled water is excluded from the definition of “auxiliary water supply”

The CCCPH defines “auxiliary water supply” as “a source of water, other than an approved water supply, that is either used or equipped to be used as a water supply and is located on the premises of, or available to, a water user.” This definition would appear to include recycled water as an auxiliary water supply. However, the CCCPH establishes different requirements in some cases for premises using recycled water, such as special cross-connection control requirements, to both encourage recycled water use and establish protections specific to its use. Therefore, in many instances it is appropriate to regulate recycled water separately from other auxiliary water supplies to provide the proper hazard protection and to not hinder progress toward State recycling goals.

We recommend that the definition of auxiliary water supply be amended, as follows, to clarify that recycled water is covered by distinct requirements and is not included in the definition of an auxiliary water supply:

“Auxiliary water supply’ means a source of water, other than an approved water supply, that is either used or equipped, or can be equipped, to be used as a water supply and is located on the premises of, or available to, a water user. Recycled water is excluded from this definition.”

Additionally, other revisions may be necessary to clarify the applicability of certain portions of the CCCPH to not only premises using auxiliary water but also premises using recycled water. Section 3.2.1(a) of the CCCPH specifies areas to consider when conducting a hazard assessment. As described in the CCCPH, the use of recycled water by a PWS poses a potential cross-connection hazard. However, access to recycled water is missing from the hazard assessment list.

We recommend this list be revised as follows:

“(4) access to auxiliary or recycled water supplies, pumping systems, or pressure systems;”

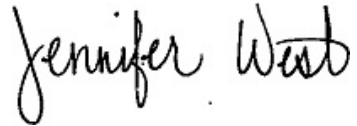
Section 3.2.2(e) of the CCCPH specifies the type of backflow prevention devices required for fire protection systems. Per Title 22, Section 60307, recycled water is allowed for this use.

Section 3.2.2(e)(1) should be revised as follows to clarify that high hazard cross-connection fire protection systems utilizing recycled water are also exempt from requiring the use of a double check valve backflow prevention assembly (DC):

“(1) A high hazard cross-connection fire protection system, including but not limited to fire protection systems that may utilize chemical addition (e.g., wetting agents, foam, anti-freeze, corrosion inhibitor, etc.) or an auxiliary water supply or recycled water, must have no less than RP protection.”

Thank you again for the opportunity to provide comments.

Sincerely,

A handwritten signature in black ink that reads "Jennifer West". The signature is written in a cursive, flowing style.

Jennifer West  
Managing Director  
WateReuse California

cc: Board Members, State Water Resources Control Board