

Part I ADMINISTRATION OF THE
GOVERNMENT

Title PUBLIC HEALTH
XVI

Chapter PUBLIC HEALTH
111

Section CROSS CONNECTIONS BETWEEN
160A DISTRIBUTION SYSTEMS;
CERTIFICATION FOR INSPECTION
AND TESTING OF BACKFLOW
PREVENTION DEVICES

Section 160A. No physical cross connection shall be maintained between the distribution system of a public water supply, the water of which is used for drinking, domestic or culinary purposes, and the distribution system of any water supply not approved by the department as being of safe sanitary quality, unless said connection has been approved by the department in accordance with rules and regulations adopted for the purpose, and unless a permit therefor has been issued by the department. Such permit may be issued upon the application of a person maintaining such connection and upon the payment of a fee to be determined annually by the commissioner of administration under the provision of section three B of chapter seven, and may be renewed annually upon payment of a like fee. When more than one such connection is maintained on any premises a separate permit shall be required for each connection. A permit may be revoked by the

department upon due notice to the person maintaining the connection whenever, in the opinion of the department, the connection or the maintenance thereof no longer complies with its rules and regulations, and no portion of the permit fee shall be refunded.

Whoever maintains such a connection without a permit or after revocation of the permit, maintains such a connection, (a) shall be punished by a fine of not more than twenty-five thousand dollars for each day such violation occurs or continues, or by imprisonment for not more than one year, or both such fine and imprisonment, or (b), shall be subject to a civil penalty not to exceed twenty-five thousand dollars per day for each day that such violation occurs or continues.

The department of environmental protection may establish a program for the certification of persons desiring to engage in inspection and testing of backflow prevention devices installed in accordance with regulations adopted pursuant to section one hundred and sixty. Said department shall adopt regulations for the certification program prescribing the minimum qualifications which such persons must meet in order to be certified. A certificate issued pursuant to this paragraph shall be valid for not longer than three years, after which it shall be renewed by said department upon receipt of an application from the person desiring to be so certified and a determination by said department that the applicant meets the qualifications established by the regulations adopted pursuant to this section. An application to renew a certificate shall be filed not later than one month prior to expiration of such certificate. After notice and opportunity for hearing, said department may suspend or revoke for cause any such certification. Said department may prescribe reasonable application fees for the issuance of such a certificate. Any person who engages in inspecting or testing backflow prevention devices in violation

of this paragraph, shall, in addition to any other remedy provided by law, be punished by fine not to exceed five thousand dollars, or by imprisonment for not more than six months, or both.