

HABITAT

BUILDING OPERATIONS

New City Crackdown on Co-ops/Condos: Are YOUR Backflow Preventers in Place?

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The New York City Department of Buildings appears to be on a crackdown regarding Local law 11 repairs, as reported in the October issue of Habitat. Now it appears that its sister agency,

the NYC Department of Environmental Protection, is doing likewise over a small, science fictiony-looking piece of plumbing equipment called a backflow-prevention device. And if your co-op or condo doesn't have them installed where it should, backflow could turn into cash flow – from your bank account to the city's coffers. Also, a shutoff of your water supply. Ouch.

Not all co-ops or condos need a backflow-prevention device. But how do you know if yours does – and what do you need to do if so?

Just what is “backflow”? It's an unwanted flow of contaminated water or chemicals going into a building's drinking-water supply due to a sudden or unexpected change in water pressure. Backflow-prevention devices, a.k.a. “backflow preventers,” keep the dirty water out in such cases.

It's mostly commercial properties and businesses that are required to install them. But so are various types of residential buildings, including co-ops and condos that have

- * large water boilers or boilers that use rust-inhibitors or other water treatment chemicals, (“treated water boilers”)
- * multiple water service lines;
- * roof tanks and elevated storage lines
- * groundwater wells, and
- * in-ground irrigation sprinklers (as many large garden complexes have)

as well as properties that reuse or recycle water.

To determine whether or not your co-op or condo requires a backflow-prevention device, you need to retain the services of a **Professional Engineer (PE), Registered Architect (RA) or Licensed Master Plumber (LMP)**, or request a property inspection from DEP. If it turns out your property does require the device, installation will require the services of an engineer or architect. Every water line going to your co-op or condo must have the device.

Cashflow Preventer

How much does it cost? According to the city, estimating based on average industry prices for parts and labor, it can run \$5,000 to \$13,000 for small to mid-size buildings, and between \$14,000 and \$34,000 for large high-rises. Failure to comply can lead to fines of up to \$2,000 and, if ignored, the City can shut off the water supply to your building.

What can you expect the steps to be when you're installing? First your engineer or architect must prepare two sets of backflow prevention plans for your co-op or condo building(s). These must be submitted with two application forms to the DEP's Cross Connection Control Unit for approval. If approved, the DEP will notify you via mail and return a copy of the plans to your PE or RA.

The backflow-prevention device(s) must then be installed in accordance with those plans and, naturally, all DOB regulations and requirements. Once installed, the device(s) must be tested by, logically enough, a **New York State Certified Backflow Prevention Device Tester**. You can get a list of these via the State Department of Health at (800) 458-1158 ext. 27650.

Once testing is completed, a test report must be filed immediately with DEP within 30 days of device installation. In the event of an improper installation, the DEP will notify the co-op or condo board representative or your engineer / architect. The device(s) will need to be fixed and then resubmitted for inspection and certification. In all cases, you need to have an annual test and inspection by a certified tester.

Uh-Oh. I've Got a Notice of Violation....

Now, let's say you've received a DEP order to install a backflow-prevention device, and the 30-day period they give you to do it in has almost expired. You can still avoid a Notice of Violation if your architect, engineer or licensed master plumber has certified to the department that the device(s) is/are in the process of being installed. Once they're installed, you have to schedule testing with a certified tester at least once a year and file appropriate forms with DEP.

If, for some reason, the DEP doesn't have any record of its installation — hey, it happens — don't panic. You'll just need to have your engineer or architect send a record drawing of the device along with an initial test report to the DEP for review.

Exemptions are available. They have to be filed by your engineer or architect or licensed master plumber in a typed letter to the DEP on his/her letterhead, fully stated that all necessary exemption conditions have been met. You can also have your property inspected for exemption approval by calling the DEP at (718) 595-5437.

It's all one more detail that your board — *not* just your building professionals — need to be aware of. And it's not nothing to stress about. Like they used to say in the '70s, sort of, just go with the backflow.