

Georgia Statewide Backflow Prevention Assembly Tester Certification

Fraudulent Tester Guideline

Effective Date: January 1, 2014

Coverage - This Guideline has been created to establish the penalties and procedures for dealing with Backflow Prevention Assembly Tester Fraud. This outline only applies to persons holding a GBPATC (Georgia Statewide Backflow Prevention Assembly Tester Certification). This document does not apply to other State accepted Backflow Tester Certification Programs (ASSE, TREEO, and ABPA). *Documentation shall be turned over to the applicable certification program if more than one certification is held by a tester. All Materials and Acts shall be available to the Georgia Environmental Protection Division.*

Purpose - The purpose is to clarify the circumstances and to penalize GBPATC holders that are proven to be fraudulently testing. A fraudulent tester is any person that does not close the outlet shutoff valve during testing, inaccurately reports an assembly's operational status, or any other improper procedure or recording method that poses a risk to public health. The GBPATC Steering Committee in conjunction with GAWP can impose penalties towards any person holding a GBPATC. Water Purveyors control all aspects of their Cross Connection Control and Backflow Prevention program under their jurisdictional authority; meaning they can choose which testers are able to perform testing in their jurisdiction. Water Purveyors cannot revoke a GBPATC.

Purveyor Offense Procedure/Documentation – When events occur, the presiding Purveyor shall complete a fraudulent tester report for every offense; the purveyor shall also issue penalties toward a tester for the first and second offenses. Evidence should be clear and extensive before a Purveyor issues a penalty against a GBPATC holder. Before a revocation is issued by the GBPATC Steering Committee, the Purveyor shall be called upon to justify their documentation before the GBPATC Steering Committee. All written documentation shall be clearly legible, and all documentation should be in electronic format whenever possible. Offense documentation may be delivered through either mail or electronic format.

Tester Offense Procedure/Documentation – Any person wishing to file a report against a GBPATC holder in regards to testing should take the event up with the local Purveyor. In the event that the local purveyor does not have a means to handle the event or the accused in question is an employee of the local purveyor, the fraudulent tester report should be filled out thoroughly and mailed directly to the GBPATC Steering Committee. The report shall be reviewed and proceedings shall follow the same guidelines as the established protocol. The exception to the protocol shall be that the Steering Committee shall assume the role of Purveyor while maintaining the role of the Steering Committee. The accusing person shall be called upon to justify their documentation before the GBPATC Steering Committee. All written documentation shall be clearly legible, and all documentation should be in electronic format whenever possible. Offense documentation may be delivered through either mail or electronic format.

Appeals – All appeals shall be made to the GBPATC Steering Committee via GAWP within 30 days of receiving any notification. Once an appeal is received, the Steering Committee shall convene to review the material pertaining to the tester, and the tester shall be given an opportunity to appeal in person before the Steering Committee.

Revocation – If the Steering Committee is notified about a public health risk; meaning the offense is deemed negligent and poses a risk to the public, the GA EPD shall be notified and the Steering Committee reserves the ability to act immediately even if the situation is the first offense.

Once an offense has been documented and verified to be legitimate, all purveyors on the Backflow Purveyor Notification List shall be queried to determine if other offenses and data exist in regards to the tester in question.

Offenses – Offenses are to be considered violations of the GBPATC Code of Ethics (*The GBPATC code of Ethics has been attached to the end of this document*). Any other area this is not covered by the GBPATC Code of Ethics can be considered an offense, after a GBPATC Steering Committee review has authenticated the concern. All offenses shall be legitimate in nature and shall not be discriminatory toward any tester.

Mail to:

**Georgia Association of Water Professionals
ATTN: GBPATC Steering Committee
1655 Enterprise Way
Marietta, GA 30067
Phone: (770)618-8690**

Electronic Information

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Backflow@gawp.org
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Fax: (770)618-8695**

Protocol – Each offense shall not originate from the same event.

If a Purveyor or Tester notifies the Steering Committee about a public health risk; meaning the offense is deemed negligent and poses a risk to the public, the Steering Committee reserves the ability to act immediately even if the situation is the first offense.

A Fraudulent Tester Report shall be completed for every offense; this report is located after this section.

1. First Offense –

- a. To be handled by the Purveyor at their discretion.
- b. Proof shall be documented in writing, along with all pertinent information. This information shall be necessary for future offenses.
- c. Penalties shall be devised and enacted by the Purveyor.
- d. Penalties are at the purveyor’s discretion, but shall be a written warning at minimum.

2. Second Offense –

- a. To be handled by the Purveyor at their discretion.
- b. Proof shall be documented in writing, along with all pertinent information. This information shall be necessary for future offense inquiries.
- c. Penalties shall be devised and enacted by the Purveyor.
- d. A query shall be sent using the Backflow Purveyor Notification List to ascertain any other documentation that may pertain to the tester in question.
- e. The GBPATC Steering Committee shall be notified and supplied with the proof pertaining to both offenses (1st and 2nd). Upon review by the GBPATC Steering Committee, a letter shall be sent to the tester explaining that this is the second offense; the third offense may result in the revocation of the tester’s certification and removal from the GBPATC list.

3. Third Offense –

- a. Proof shall be documented in writing along with all pertinent information.
- b. The GBPATC Steering Committee shall be notified and supplied with the proof pertaining to all offenses (1st, 2nd and 3rd). Upon review by the GBPATC Steering Committee, a letter shall be sent to the tester explaining the penalty.
- c. The GBPATC Steering Committee shall revoke the tester’s certification if the proof warrants revocation.
- d. The GBPATC Steering Committee has the authority to determine an alternative penalty.
- e. In the event of revocation, the tester’s certification number shall be retired at this time and any purveyor that is on the Backflow Purveyor Notification List shall be notified. The tester shall be notified and shall have the right to appeal the GBPATC Steering Committee’s decision through the process of representing himself/herself and providing proper justification of his/her actions.
- f. All appeals shall be made in writing to the Steering Committee within 30 days of the revocation.

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The GBPATC Code of Ethics effective January 1st, 2014.

Georgia Backflow Prevention Assembly Tester Certification - Code of Ethics

1. A tester shall not falsify the results of backflow assembly field test performed.
2. A tester shall not sign backflow test reports for tests they did not perform.
3. A tester shall not make unnecessary repairs or replacement.
4. A tester shall use the proper test procedures as established by the GBPATC.
5. A tester shall always close the outlet shutoff valve when testing.
6. If an applicant is caught cheating on the GBPATC exam, the penalty is immediate expulsion from the examination and termination of the candidate's ability to take the examination for three years or more.
 - a. If applicable, after the minimum three year suspension, the applicant shall be required to retake an approved GBPATC training course before submitting a new application.
7. If it has been determined that a tester falsified any document, the penalty can vary from a written warning up to permanent revocation of their certification. The penalty shall be determined pursuant to the Fraudulent Tester Guideline. Appeal of the finding may be made to the GBPATC Steering Committee in writing (contact GAWP) within 30 days of the revocation.
8. Backflow Prevention in the State of Georgia is determined by the GAEPD and GA Safe Drinking Water Act, section 391-3-5-.13(Cross Connections Amended). The Georgia requirements set the minimum requirements for the jurisdictional programs. Jurisdictions can add additional requirements that shall be completed before you shall be allowed to perform testing in the jurisdiction. A tester shall contact the Administrator of the jurisdiction prior to performing any test.

PLEASE PRINT LEGIBLY:

Tester Name _____ GBPAT C Number _____

Company Name _____

Company Address _____

City _____ State _____ Zip Code _____

Home Address _____

City _____ State _____ Zip Code _____

Home Telephone _____ Work Telephone _____

Email _____ Cell Phone _____

Signature _____ Date _____