

INCIDENT: **Commerce City family wins lawsuit against Aquakleen over drinking water connected to sewer line**
LOCATION: **Commerce City, Colorado**
SOURCE: **Commerce City News**
DATE OF INCIDENT: **10/26/2012**

A Commerce City family started smelling something fishy in their household water after they hired Aquakleen contractors to install a water-softener system. Parents Nick and Roxanne Cattaneo later discovered their drinking water was connected to a sewer line. They sued Aquakleen and won. A jury awarded Roxanne Cattaneo \$465,000 on claims of negligent infliction of emotional distress and extreme and outrageous conduct. On a Colorado Consumer Protection Act claim, Nick Cattaneo was awarded \$462,000. The cross-connection between water and sewer lines at the Cattaneo home was first discovered by a Commerce City employee who was completing a routine inspection. He reported the issue. Water in Commerce City is managed by the South Adams County Water and Sanitation District. In a deposition, a South Adams County Water and Sanitation worker said that they shut off the Cattaneos' water supply after they discovered a cross-connection between the water and sewer lines. A copy of a written notice from the South Adams County Water and Sanitation District to its customers was also filed with the lawsuit. That document included this message to South Adams County Water and Sanitation customers: "It has recently come to the District's attention that water softeners are being improperly installed in homes within the District's service area and without the required permits from the City of Commerce City. District staff have observed cross-connections from the drinking water system to sewer lines with the potential to contaminate not only the drinking water in the home, but also the community system!" Commerce City discovered Aquakleen was installing water softeners in homes without the proper permits and notified Aquakleen that the company had 30 days to rectify the issue.