



Yucaipa Valley Water District

Notice and Agenda of a Board Workshop

Tuesday, September 26, 2017 at 4:00 p.m.

MEETING LOCATION: District Administration Building
12770 Second Street, Yucaipa

MEMBERS OF THE BOARD: Director Chris Mann, Division 1
Director Bruce Granlund, Division 2
Director Jay Bogh, Division 3
Director Lonni Granlund, Division 4
Director Tom Shalhoub, Division 5

- I. **Call to Order**
 - II. **Public Comments** At this time, members of the public may address the Board of Directors on matters within its jurisdiction; however, no action or significant discussion may take place on any item not on the meeting agenda.
 - III. **Staff Report**
 - IV. **Presentations**
 - A. Presentation of the iForms Mobile Data Collection Module [[Workshop Memorandum No. 17-143 - Page 5 of 139](#)]
 - V. **Operational Updates**
 - A. Overview of Proposed Improvements for the Public Works Department at 12770 Second Street, Yucaipa [[Workshop Memorandum No. 17-144 - Page 8 of 139](#)]
 - VI. **Capital Improvement Project Updates**
 - A. Overview of the Salinity Concentrate Reduction and Minimization (SCRAM) System at the Yucaipa Valley Regional Water Filtration Facility [[Workshop Memorandum No. 17-145 - Page 12 of 139](#)]
 - VII. **Development Issues**
 - A. Consideration of an Updated Development Agreement with the McDougal Bros. for Tract No. 14429 - Yucaipa [[Workshop Memorandum No. 17-146 - Page 15 of 139](#)]
 - B. Overview of the Yucaipa Gateway Plaza Development [[Workshop Memorandum No. 17-147 - Page 17 of 139](#)]
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Any person who requires accommodation to participate in this meeting should contact the District office at (909) 797-5117, at least 48 hours prior to the meeting to request a disability-related modification or accommodation.

Materials that are provided to the Board of Directors after the meeting packet is compiled and distributed will be made available for public review during normal business hours at the District office located at 12770 Second Street, Yucaipa. Meeting materials are also available on the District's website at www.yvwd.dst.ca.us

VIII. Administrative Issues

- A. Implementation of an Unclaimed Funds Escheatment Policy [[Workshop Memorandum No. 17-148 - Page 26 of 139](#)]
- B. Review of Ordinance No. 57-2017 Adopting Ordinance No. 8 of the Santa Ana Watershed Project Authority Establishing Regulations for the Use of the Inland Empire Brineline and Resolution No. 2017-11 of the Santa Ana Watershed Establishing Local Limits and Best Management Practices Requirements [[Workshop Memorandum No. 17-149 - Page 34 of 139](#)]
- C. Overview of a New Customer Utility Billing Portal and Payment Platform [[Workshop Memorandum No. 17-150 - Page 128 of 139](#)]

IX. Director Comments**X. Closed Session**

- A. Conference with Legal Counsel Existing Litigation Government Code, Section 54956.9(d) - Robinson Ranch v. Yucaipa Valley Water District;
San Bernardino Superior Court Case No. CIVDS 1712116
- B. Conference with Legal Counsel Existing Litigation Government Code, Section 54956.9(d) - San Gorgonio Pass Water Agency v. Beaumont Basin Watermaster;
Riverside Superior Court Case No. RIC 1716346
- C. Conference with Real Property Negotiator(s)
Conference with Real Property negotiator(s) (Government Code 54956.8)
Property: Assessor's Parcel Number: 301-201-20
Agency Negotiator: Joseph Zoba, General Manager
Negotiating Parties: Abraham Issa
Under Negotiation: Terms of Payment and Price
- D. Conference with Real Property Negotiator(s)
Property: Assessor's Parcel Numbers: 0301-211-020 and 0301-201-030
Agency Negotiator: Joseph Zoba, General Manager
Negotiating Parties: Mesa Verde Ventures LLC c/o Betek Corporation
Under Negotiation: Terms of Payment and Price
- E. Conference with Labor Negotiator (Government Code 54957.6)
District Negotiator: Joseph Zoba, General Manager, and Allison Edmisten, Chief Financial Officer
Employee Organization: IBEW Local Union 1436-YVWD Employees Association

XI. Adjournment

Staff Report



Yucaipa Valley Water District

Presentations



Yucaipa Valley Water District



Date: September 26, 2017

From: Matthew Porras, Management Analyst

Subject: Presentation of the iForms Mobile Data Collection Module

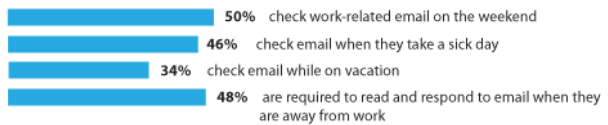
The Yucaipa Valley Water District is in the process of implementing innovative technology to help our customers and employees become more efficient.

THE MOBILE WORKPLACE: HOW AMERICAN WORKERS ARE GETTING ONLINE

Among the American working population:



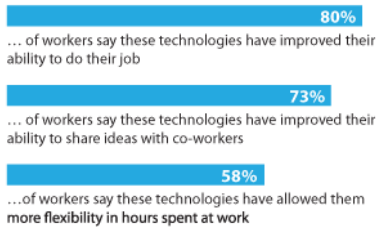
American workers and their email:



ONLINE CONNECTIVITY ON THE JOB

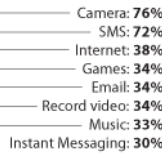
Improvements to work efficiency:

Opinions regarding going online, using email accounts, or owning a cell phone.



MOBILE FEATURES

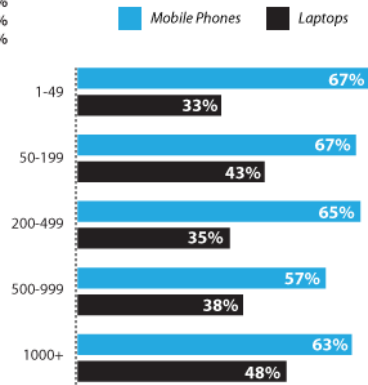
% of mobile phone features used by professionals in both personal and workplace settings:



WORKFORCE MOBILITY

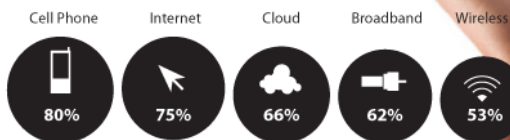


% of US employees using mobile technology for work: Businesses listed by number of employees



Increased connectivity:

% of American adults that use the following technologies:



How mobile technology is used for work, by job type (US Only):

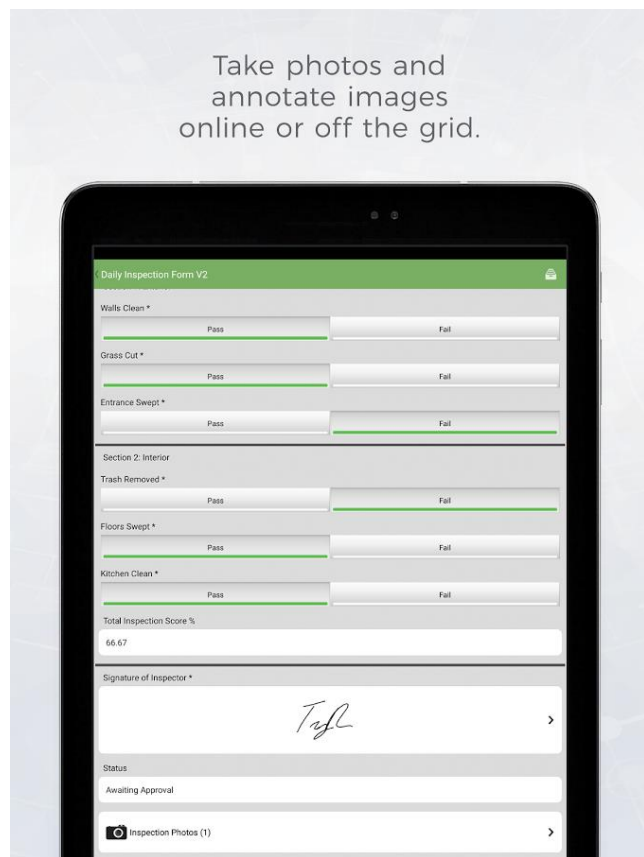
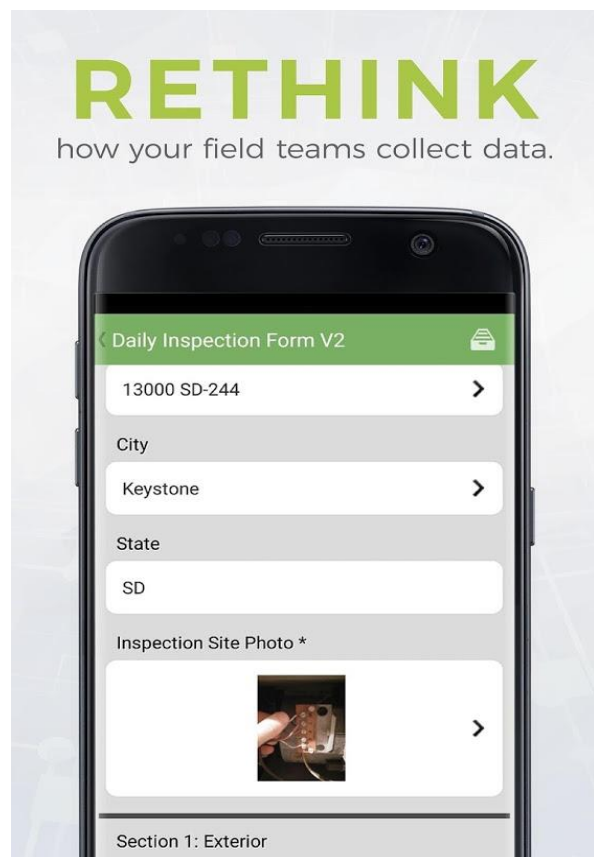


Sources: Pew Internet | Nokia | iPass

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On September 19, 2017, the Board of Directors approved a contract with Zerion software to assist the District staff with remote data collection. The use of digital forms, data analysis, and remote functionality will ensure that data is readily available and consistently used throughout the District.

The purpose of this workshop presentation is to provide an overview of the iForms product and how it is currently used throughout the District.



Operational Updates



Yucaipa Valley Water District



Date: September 26, 2017

From: Matthew Porras, Management Analyst

Subject: Overview of Proposed Improvements for the Public Works Department at 12770 Second Street, Yucaipa

The District staff is considering various improvements to the maintenance and storage facilities used by the Public Works Department. The building in the central part of the yard will be removed and replaced with a new building. The building that is being removed is currently being utilized as the Public Works employee training room, locker room, restroom and break room as well as the meter shop and welding shop. The new replacement building will serve all the needs previously listed except the welding shop. The welding shop will be moved to the Environmental Control building. Covered parking will be installed to protect the investments of District vehicles and equipment. The application of solar panels on the structures is also being considered. Lastly, a section of asphalt concrete paving will be installed in the south-west corner to provide a suitable surface for additional storage while relocating the bulk sand, base, and asphalt piles into material bins.



The major objectives are outlined in the figure above and will improve the working conditions and functionality of the maintenance yard.

The new 4,000 square foot building will be the initial focus of this project. District staff has reached out to multiple companies to gather information regarding the purchase and construction of a steel building. Forbes Steel Buildings has the most comprehensive quote as they will furnish the building, pour the concrete foundation, and erect the building. The quote is attached for reference and review.

District staff recommends the Board of Directors authorize the General Manager to accept the quote received by Forbes Steel Buildings for a sum not to exceed \$150,000 for the purchase and construction of a 4,000-square foot steel building.

Financial Consideration

The contractor for this project has been assigned the Department of Industrial Relations number: _____ (pending).

Funding for this project will be from Water Division Infrastructure Reserves [GL Account #02-10311]. This is not a budgeted line item, however, there is sufficient cash for this project.

Project Schedule¹

Activity	Projected Date	Notes
Board Meeting	10/3/2017	
PWC-100 Filing	10/4/2017	
Issue Notice to Proceed	10/5/2017	
Construction Start	10/23/2017	
Board Workshop Update	11/28/2017	
Board Workshop Update	1/9/2017	
Construction End	12/15/2017	

¹ The Project Schedule is based on the anticipated approval at a future board meeting. Status reports will be provided at workshop meetings and any project schedule changes will be documented as the project progresses.

Forbes Steel Buildings

BID SHEET

Date: 8/30/2017
Source:
Saleman:
Name: Ryan Janisch
Address: Yucaipa Water District
City: Yucaipa
State:
Zip:
Phone no: (951) 902-7579
Cell ph.:
Fax: rianisch@ybw.dst.ca.us
Wall Color:
Trim Color:
Roof Color:
Jurisdiction:

Building Size:	Width	Length	Height	
	40	100	18	
Basic Building Price:		Building Discount	-10%	\$44,952.00
			5' eave overhang'	\$6,500.00
Access Doors:		Size	Qty	
		3070	2	\$972.00
Roll up door insulated	14 X 12	Chain Rollup	1	\$2,082.00
				\$0.00
				\$0.00
Insulation:		Roof	R-19	\$6,100.00
		Wall	R-13	\$4,110.00
Skylights:			10	\$648.00
Accessories:				\$0.00
		Box Vent	4	\$1,620.00
				\$0.00
		Gutters	Both Sides	\$1,845.00
Shipping charge:				
		Building Total with extras:		\$68,829.00
Concrete:	Yes	THICKNESS	6" Slab	\$44,665.00
Erection:	Yes			\$35,000.00
		Grand Total		\$148,494.00

Notes: prevailing wage

Shipping charge: First 50 miles included, additional thereafter (tbd upon location)

- NOTES:**
- 1). PRICE DOES NOT INCLUDE COST OF PERMITS OR GRADING
 - 2). PRICE GOOD FOR 5 DAYS FROM BID DATE

FORBES STEEL BUILDINGS (760) 868-5811 FAX (760) 868-1374

Capital Improvement Projects



Yucaipa Valley Water District



Date: September 26, 2017

From: Kathryn Hallberg, Management Analyst

Subject: Overview of the Salinity Concentrate Reduction and Minimization (SCRAM) System at the Yucaipa Valley Regional Water Filtration Facility

The Yucaipa Valley Water District operates the Yucaipa Valley Regional Water Filtration Facility (YVRWFF) for production of drinking water. The current water treatment system consists of a 13.6 mgd of Microfiltration (MF) and 6.0 mgd of Nanofiltration (NF). The 6.0 mgd NF capacity system allows the District to provide up to 8.0 mgd of drinking water when blended with MF filtrate in a 75:25 NF:MF ratio, which is needed to minimize the formation of regulated disinfection by-products (DBP).

The SCRAM project will be adding two more 3.0 mgd NF treatment trains to the existing facility, one of which (SCRAM train, concentrator) will receive concentrate from the other three primary trains. The SCRAM project will increase drinking water capacity and also reduce/eliminate the amount of water that is discharged to the Recycled Water system. This will increase the overall capacity of the facility from 8.0 mgd to 12.0 mgd.

The project will also eliminate about 1.45 mgd of concentrate flow to the Recycled Water System. Primary trains will refer to the three trains receiving MF filtrate only; the concentrator train (SCRAM train) will refer to the train that receives a mix of MF filtrate and NF concentrate.

Currently, the District sends MF backwash and NF concentrate to its recycled water system. Moving forward, the District plans to supplement recycled water as a source water as diluent water for ground water recharge at Wilson Creek spreading basins. NF concentrate contains higher concentrations of TOC and constituents of emerging concern that may adversely affect water quality in the recharge project. Thus, it was decided to divert NF concentrate to the sewer. In order to reduce the volume of the concentrate to the sewer, additional concentration of the NF concentrate is necessary.

Financial Consideration

The estimated cost for this project is \$5.0 million dollars. Yucaipa Valley Water District is currently exploring options for funding for this project.



Available space for two new 3.0 mgd NF treatment trains at the Yucaipa Valley Regional Water Filtration Facility.

Development Projects



Yucaipa Valley Water District



Date: September 26, 2017

From: Joseph Zoba, General Manager

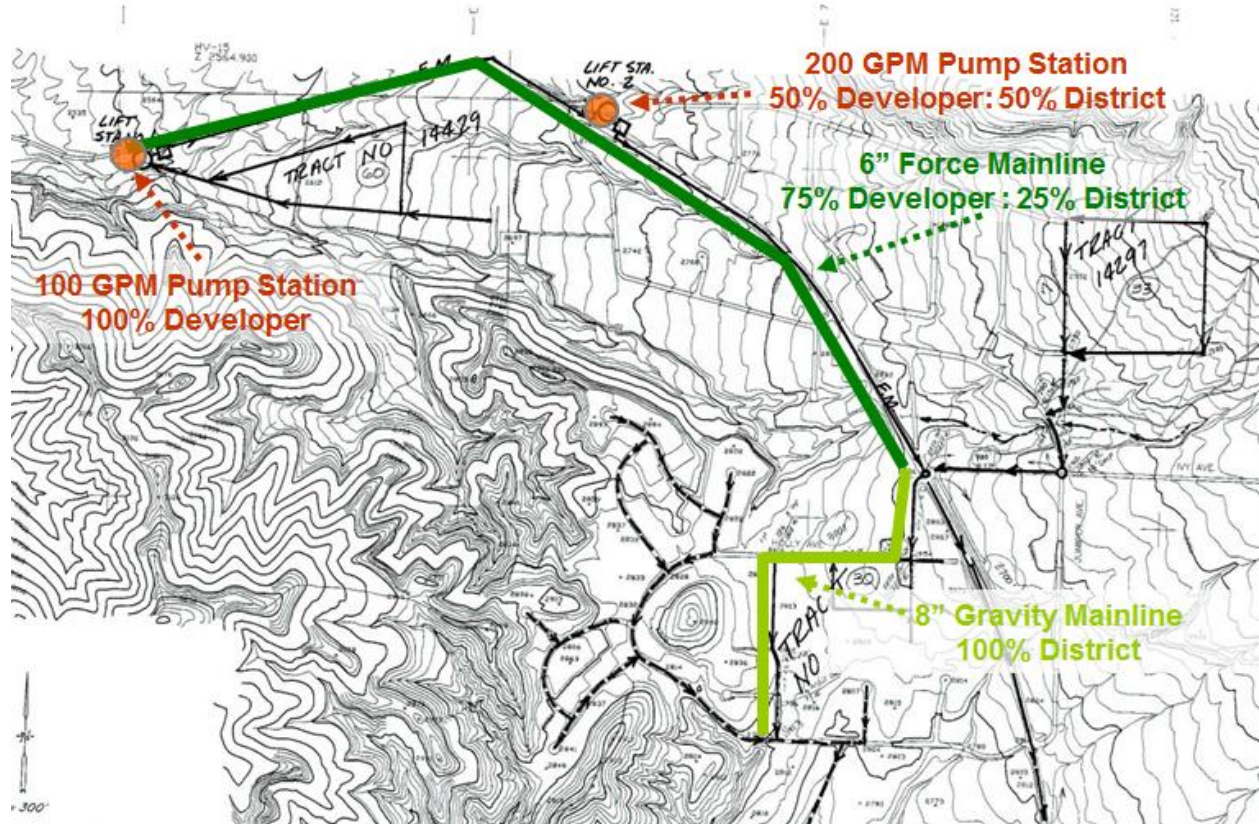
Subject: Consideration of an Updated Development Agreement with the McDougal Bros. for Tract No. 14429 - Yucaipa

On October 2, 2002, the Board of Directors approved a development agreement for Tract No. 14429 located near the intersection of Bryant Street and Highway 38.



The original development agreement required offsite sewer improvements consisting of two lift stations, force mainlines, and sewer collection systems.

The District staff would like to present alternative concepts for this development that would be included in an updated development agreement.

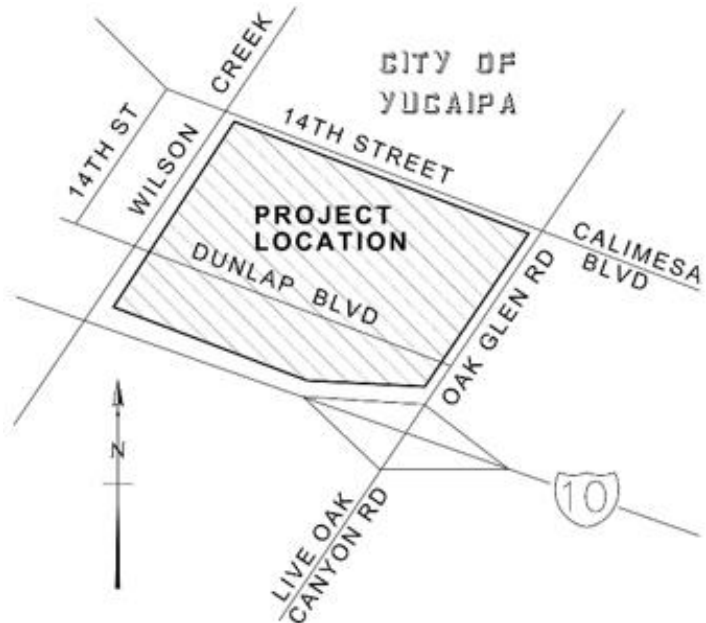




Date: September 26, 2017
From: Joseph Zoba, General Manager
Subject: Overview of the Yucaipa Gateway Plaza Development

The Gateway Plaza Project involves four parcels that will be developed to include a gas station, a restaurant, a fast food building, and a hotel

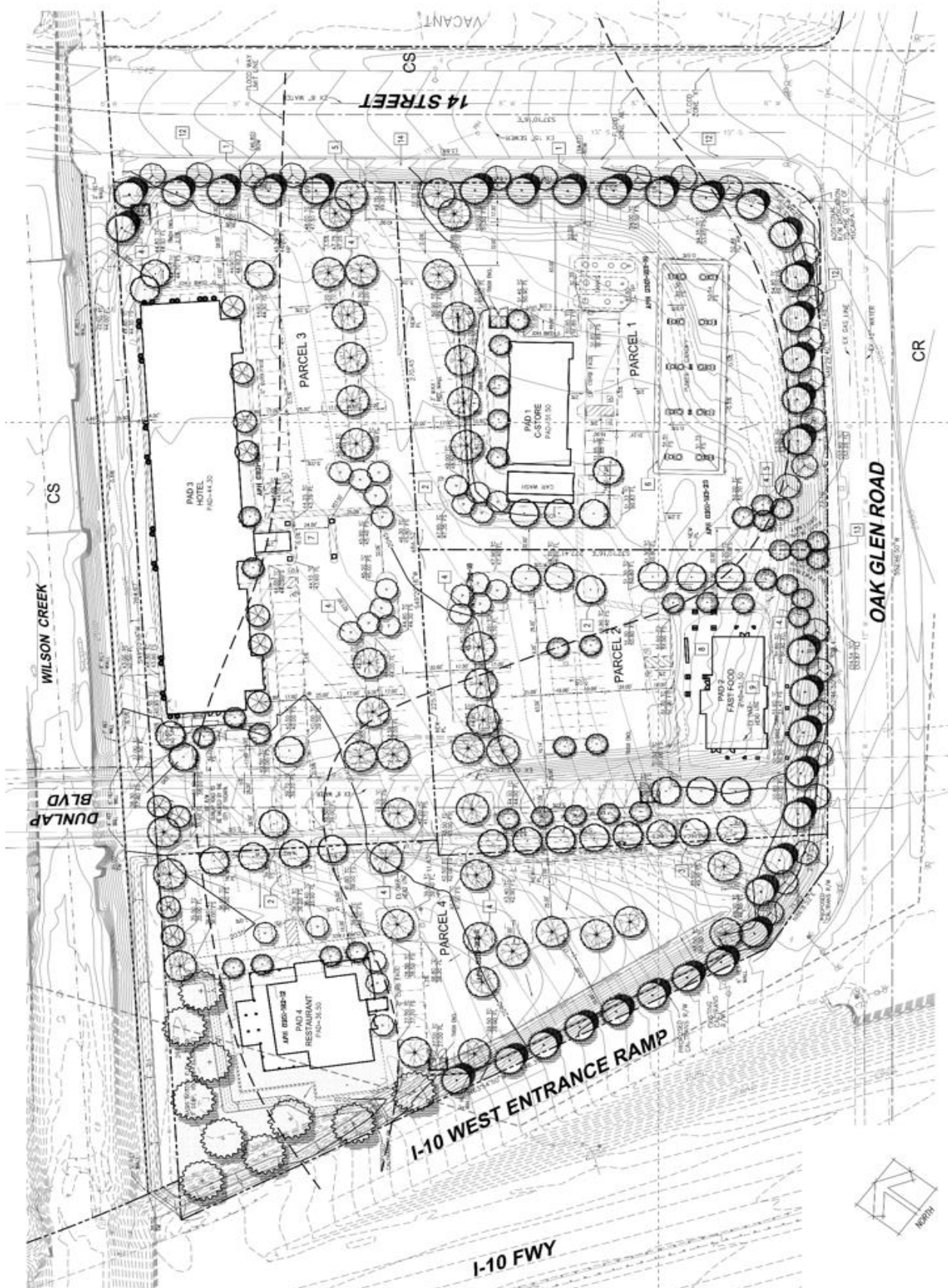
The developer has recently obtained a building permit and started construction on the gas station located near the intersection of 14th Street and Oak Glen Road. The developer intends to hire a private contractor to haul and dispose of the sewage from the gas station and car wash, so sewer service will not be required initially. The developer acknowledges that the gas station and car wash will be connected to the District's sewer system when the lift station is completed.



In order to prepare the development agreement for the project, the District staff is requesting additional information regarding the construction, ownership, and long-term maintenance of a utility bridge that will need to be completed by the City of Yucaipa to provide a route for the sewer force mainline, water mainline, and communication infrastructure. The utility bridge needs to be constructed to relocate these utilities during the demolition and replacement of the Dunlap Boulevard bridge. It is unclear whether the utility bridge will be the temporary or permanent location for the sewer force mainline.

Once the final design is completed for the sewer lift station and force mainline, the District will be able to complete the development agreement and proceed with the construction of the sewer facilities upon receipt of payment for the anticipated construction cost from the developer.

The purpose of this workshop item is to discuss the status of this development and the schedule for constructing the sewer infrastructure.





Yucaipa Valley Water District

12770 Second Street • P. O. Box 730 • Yucaipa, California 92399-0730
(909) 797-5117 • Fax: (909) 797-6381 • www.yvwd.dst.ca.us

August 10, 2017

Hand Delivered

Mr. Ed Haddad
ACAA Limited Partnership
422 Wier Road
San Bernardino, California 92408

Mr. Ray Casey, City Manager
City of Yucaipa
34272 Yucaipa Boulevard
Yucaipa, California 92399

**Subject: Notice of Non-Compliance, Yucaipa Gateway Plaza
Assessor’s Parcel Numbers 0301-182-11, 0301-182-12, 0301-183-18, 0301-183-19, 0301-183-20, and 0301-183-21**

Gentlemen:

On March 24, 2017, the Yucaipa Valley Water District issued a Preliminary Project Service Evaluation letter (attached) for the Yucaipa Gateway Plaza (Gas Station Only) that was acknowledged by the owner and clearly stated:

“The final requirements for the Project will be included in a “development agreement” which is required prior to the issuance of any grading or building permits by the permitting agency”

“Preliminary Wastewater Requirements: The District has not received all of the necessary information to fully evaluate the proposed Project at this time. Therefore, the Applicant should be aware that the following partial list of conditions is not representative of the final requirements and conditions for this project.”

“Preliminary Site-Specific Project Requirements. The District has not received all of the necessary information to fully evaluate the proposed Project at this time. Therefore, the Applicant should be aware that the following partial list of conditions is not representative of the final requirements and conditions for this project.”

“A sewer mainline extension and lift station will be required for this project. The details of this onsite and offsite requirement will be identified in the future development agreement.”

Directors and Officers

CHRISTOPHER MANN Division 1	BRUCE GRANLUND Division 2	JAY BOGH Division 3	LONNI GRANLUND Division 4	THOMAS SHALHOUB Division 5	JOSEPH B. ZOBA General Manager and Secretary
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Gateway Plaza - Sewer System Non-Compliance
August 10, 2017
Page 2

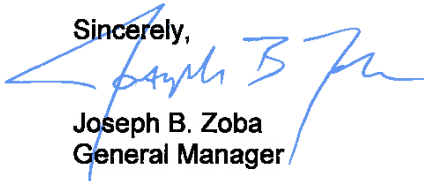
Construction of structures on the property has been initiated and is ongoing without determining how the Yucaipa Valley Water District will provide sewer service to the parcels (Assessor's Parcel Numbers 0301-182-11, 0301-182-12, 0301-183-18, 0301-183-19, 0301-183-20, and 0301-183-21).

By issuing and receiving building permits without determining how sewer service will be provided, knowingly creates significant liability and risk that there will be uninhabitable structures on a highly visible commercial corner for an undetermined period of time.

Due to the lack of sewer service and non-compliance with policies and procedures of the Yucaipa Valley Water District, the City of Yucaipa is hereby requested to withhold the certificate of occupancy for any structure constructed as part of the Yucaipa Gateway Plaza that does not have permanent sewer service.

The Yucaipa Valley Water District will notify the City of Yucaipa in writing, authorizing the issuance of a Certificate of Occupancy, when permanent sewer service is fully operational, functional, and accepted by the Yucaipa Valley Water District.

Sincerely,

A handwritten signature in blue ink, appearing to read "Joseph B. Zoba", is written over the typed name and title.

Joseph B. Zoba
General Manager

Attachment



Yucaipa Valley Water District

12770 Second Street • P. O. Box 730 • Yucaipa, California 92399-0730
(909) 797-5117 • Fax: (909) 797-6381 • www.yvwd.dst.ca.us

City of Yucaipa
34272 Yucaipa Boulevard
Yucaipa, California 92399

Expires September 24, 2017

Preliminary Project Service Evaluation

Date: March 24, 2017
Project: Yucaipa Gateway Plaza (Gas Station Only)
Applicant: Ed Haddad - ACAA Limited Partnership
Location: NW Corner of I-10 FWY and Oak Glen Road
APN: 0301-183-18

In response to requests for development related "will serve" letters, the Yucaipa Valley Water District has implemented a policy to issue Preliminary Project Service Evaluation to identify the preliminary requirements associated with residential, commercial and institutional development projects. Since the proposed Project concepts have not been fully developed, this letter provides only the basic requirements for water, sewer and recycled water service. The final requirements for the Project will be included in a "development agreement" which is required prior to the issuance of any grading or building permits by the permitting agency.

Preliminary General Requirements: The District has not received all of the necessary information to fully evaluate the proposed project at this time. Therefore, the Applicant should be aware that the following partial list of conditions is not representative of the final requirements and conditions for this Project.

1. The issuance of this Preliminary Project Service Evaluation is not a typical "Will Serve" or conditions letter and may not be used to record final subdivision maps, to obtain building permits, or to acquire vested rights regarding water and/or sewer service. Issuance of water and/or sewer service is contingent upon the proposed development meeting the requirements of the Yucaipa Valley Water District which will be provided to the Applicant in a development agreement which shall be executed prior to the issuance of any grading or building permits related to this Project.
2. The District recognizes that service conditions, market environment, environmental factors and regulatory requirements continuously change. Therefore, this Preliminary Project

Directors and Officers

CHRISTOPHER MANN Division 1	BRUCE GRANLUND Division 2	JAY BOGH Division 3	LONNI GRANLUND Division 4	THOMAS SHALHOUB Division 5	JOSEPH B. ZOE General Manager and Secretary
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Service Evaluation will expire 6 months from the date of this letter (September 24, 2017). Approved water and wastewater plans also expire one year after their respective approval. The Applicant will need to resubmit water (potable and non-potable) and wastewater plans for re-evaluation one year after the plans have been approved.

- 3. All standard District procedures, which include payment of fees and obtaining necessary Certificates of Compliance, are to be met. Fees in effect at time of payment shall prevail (current fee schedule attached). The Applicant should schedule a meeting to discuss the current fee schedule and payment requirements.**
- 4. The Applicant must comply with the most current rules, regulations, policies, design criteria, and construction standards of this District, as they are amended or may hereafter be amended, whether written or otherwise in effect at the time of construction.**
- 5. The District has adopted Resolution No. 11-2008 a *Strategic Plan for a Sustainable Future*.
 - a. This document requires the purchase and delivery of supplemental water supplies prior to receiving building permits as well as other conditions not contained in the Preliminary Project Service Evaluation or the development agreement.**
 - b. This document also requires developers to comply with the rules and regulations for non-potable use and distribution. Refer to Yucaipa Valley Water District Ordinance No. 52-2006****
- 6. The District will require a deposit of \$1,000 for the preparation of a systematic hydraulic network analysis. This analysis will be conducted after receiving the required deposit and written fire flow requirements for the Project. The systematic hydraulic network analysis must be completed prior to the execution of the Developers Agreement.**
- 7. The Yucaipa Valley Water District provides potable water, non-potable water and wastewater service. The Project will require all three services be provided as a bundled service. The Applicant should be prepared to design connections to utilize all three services.**
- 8. Within the service area of the Yucaipa Valley Water District are other water related facilities owned by private companies and the State of California. It is the responsibility of the Applicant to determine the impact of these facilities upon the proposed Project.**
- 9. Slopes, walls, and structure overhangs are not allowed within any existing or proposed water or sewer easements. All existing and proposed sewer and water easements shall be a minimum of 20-feet wide with all-weather roadway surfaces and consistent with the latest District standards. Adequate separation must be maintained at all times to insure the integrity of all existing facilities.**
- 10. The Applicant should review *the Yucaipa Valley Water Districts Standards and Drawings for Water and Sewer Facilities* to become familiar with general design and service requirements.**
- 11. The Yucaipa Valley Water District will not allow existing or proposed water or wastewater facilities within the proximity of on-site storm water detention basins without adequate mitigation and protection. The Applicant should coordinate the location of the on-site detention basins with the Engineering Department.**

12. The Yucaipa Valley Water District has not reviewed the projected potable water, non-potable water or wastewater demand projections for this Project. The anticipated system demands will modify the preliminary requirements for on-site and off-site facilities. The Applicant should schedule a meeting with a representative from the Engineering Department to discuss this issue.
13. The Yucaipa Valley Water District has not reviewed the projected fire flow requirements for this Project. The fire flow demands will modify the preliminary requirements for on-site and off-site facilities. The Applicant should schedule a meeting with a representative from the Engineering Department to discuss this issue.
14. To properly conduct a review of the proposed infrastructure needed for this Project, the Applicant shall provide utility drawings for other facilities/infrastructure that may cause interference with the existing/proposed water and wastewater facilities. These conflicts may include, but not be limited to detention basins, storm drains, electricity, gas, cable, etc.
15. All permits related to water and wastewater facilities by other entities shall be at the expense of the Applicant.
16. The Applicant will be responsible for all fees and charges as established by the District for this Project. Including, but not limited to, the advanced payment of the time and material charges associated with plan check and inspection of water related facilities. Plan check and inspection charges are usually 15% of the facility construction cost and the Applicant shall be fully responsible for the actual cost of said services provided by the District.
17. The Applicant shall be responsible for ensuring the property is within the service boundary of the Yucaipa Valley Water District prior to the approval of a development agreement with the Yucaipa Valley Water District. All costs related to annexation proceedings shall be the responsibility of the Applicant.
18. This Preliminary Project Service Evaluation does not provide a vested right, guarantee or commitment of water or wastewater related services from the District.
19. The District reserves the right to deny water and/or wastewater service to the Project if any of the conditions contained in this letter and/or the development agreement are not satisfied.
20. Each parcel must front the District facility which serves it.

Preliminary Potable Water and Non-Potable Water Requirements: The District has not received all of the necessary information to fully evaluate the proposed Project at this time. Therefore, the Applicant should be aware that the following partial list of conditions is not representative of the final requirements and conditions for this Project.

21. Water for this project is in the service area of Western Heights Water Company.

Preliminary Wastewater Requirements: The District has not received all of the necessary information to fully evaluate the proposed Project at this time. Therefore the Applicant should be aware that the following partial list of conditions is not representative of the final requirements and conditions for this Project.

22. A sewer mainline extension and lift station will be required for this project. The details of this onsite and offsite requirement will be identified in the future development agreement.

Preliminary Site Specific Project Requirements: The District has not received all of the necessary information to fully evaluate the proposed Project at this time. Therefore, the Applicant should be aware that the following partial list of conditions is not representative of the final requirements and conditions for this Project.

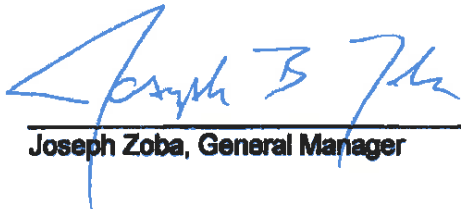
I have read and acknowledge the preliminary requirements in this Preliminary Project Service Evaluation letter and understand that final requirements will be determined in a Development Agreement. This letter will expire six months from the date of this letter (September 17, 2017).



Ed Haddid

3-24-17
Date

Should you have any questions or to schedule a meeting to discuss your Project, please contact me at 797-5118.



Joseph Zoba, General Manager

March 24, 2017
Date

Administrative Issues



Yucaipa Valley Water District



Date: September 26, 2017
From: Allison M. Edmisten, Chief Financial Officer
Subject: Implementation of an Unclaimed Funds Escheatment Policy

The District staff has identified a number of stale dated checks, dating back to 2008 that have not been cashed or have been returned in the mail. During the year end audit with Vavrinek, Trine & Day, this issue was addressed and a sample policy was prepared to address these stale dated checks.

The proposed policy will transfer any check more than one-year old and less than \$15 to the District as miscellaneous revenue. In addition, any checks greater than \$15 and more than three-years old will be noticed in a local paper and if they continue to remain unclaimed after 60-days of the newspaper publication, they will also become miscellaneous revenue to the District.

Financial Consideration

The District currently has one check that is less than \$15 and is more than one-year old. There are 26 checks that are more than three years old and more than \$15, totaling \$2,797.06.


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 Section:


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GOVERNMENT CODE - GOV
TITLE 5. LOCAL AGENCIES [50001 - 57550] *(Title 5 added by Stats. 1949, Ch. 81.)*
DIVISION 1. CITIES AND COUNTIES [50001 - 52203] *(Division 1 added by Stats. 1949, Ch. 81.)*
PART 1. POWERS AND DUTIES COMMON TO CITIES AND COUNTIES [50001 - 51298.5] *(Part 1 added by Stats. 1949, Ch. 81.)*
CHAPTER 1. General [50001 - 50290] *(Chapter 1 added by Stats. 1949, Ch. 81.)*
ARTICLE 3. Financial Affairs [50050 - 50057] *(Article 3 added by Stats. 1949, Ch. 81.)*

50050. For purposes of this article, "local agency" includes all districts. Except as otherwise provided by law, money, excluding restitution to victims, that is not the property of a local agency that remains unclaimed in its treasury or in the official custody of its officers for three years is the property of the local agency after notice if not claimed or if no verified complaint is filed and served. At any time after the expiration of the three-year period, the treasurer of the local agency may cause a notice to be published once a week for two successive weeks in a newspaper of general circulation published in the local agency. At the expiration of the three-year period, money representing restitution collected on behalf of victims shall be deposited into the Restitution Fund or used by the local agency for purposes of victim services. If a local agency elects to use the money for purposes of victim services, the local agency shall first document that it has made a reasonable effort to locate and notify the victim to whom the restitution is owed. The local agency may utilize fees collected pursuant to subdivision (l) of Section 1203.1 or subdivision (f) of Section 2085.5 of the Penal Code to offset the reasonable cost of locating and notifying the victim to whom restitution is owed. With respect to moneys deposited with the county treasurer pursuant to Section 7663 of the Probate Code, this three-year period to claim money held by a local agency is extended for an infant or person of unsound mind until one year from the date his or her disability ceases.

For purposes of this section, "infant" and "person of unsound mind" have the same meaning as given to those terms as used in Section 1441 of the Code of Civil Procedure.

(Amended by Stats. 2013, Ch. 457, Sec. 1. Effective January 1, 2014.)

50051. The notice shall state the amount of money, the fund in which it is held, and that it is proposed that the money will become the property of the local agency on a designated date not less than forty-five days nor more than sixty days after the first publication of the notice.

(Added by Stats. 1949, Ch. 81.)

50052. Upon or prior to publication, a party of interest may file a claim with the treasurer which must include the claimant's name, address, amount of claim, the grounds on which the claim is founded, and any other information that may be required by the treasurer. The claim shall be filed before the date the unclaimed money becomes the property of the local agency as provided under Section 50051 and the treasurer shall accept or reject that claim. If the claim is rejected by the treasurer, the party who submitted the claim may file a verified complaint seeking to recover all, or a designated part, of the money in a court of competent jurisdiction within the county in which the notice is published, and serves a copy of the complaint and the summons issued thereon upon the treasurer. The copy of the complaint and summons shall be served within 30 days of receiving notice that the claim was rejected. The treasurer shall withhold the release of the portion of unclaimed money for which a court action has been filed as provided in this section until a decision is rendered by the court.

(Amended by Stats. 1984, Ch. 866, Sec. 2.)

50052.5. (a) Notwithstanding Section 50052, the treasurer may release to the depositor of the unclaimed money, their heir, beneficiary, or duly appointed representative, unclaimed money if claimed prior to the date the money becomes the property of the local agency upon submitting proof satisfactory to the treasurer, unless the unclaimed money is deposited pursuant to Section 7663 of the Probate Code.

(b) Notwithstanding Section 50052, the treasurer may release unclaimed money deposited with the county treasurer pursuant to Section 7663 of the Probate Code, to any adult blood relative of either the decedent or the decedent's predeceased spouse.

(c) Notwithstanding Section 50052, the treasurer may release unclaimed money deposited with the county treasurer pursuant to Section 7663 of the Probate Code to the parent who has legal and physical custody of a minor who is a blood relative of either the decedent or the decedent's predeceased spouse without the need to appoint a legal guardian for the minor as follows:

(1) If the value of the unclaimed money deposited with the county treasurer is five thousand dollars (\$5,000) or less, the treasurer may release the money according to Section 3401 of the Probate Code.

(2) If the value of the unclaimed money deposited with the county treasurer is sixty thousand dollars (\$60,000) or less, and the money is not released under paragraph (1), the unclaimed money may be released by the treasurer to the parent who shall, after payment of any costs incurred in making the claim, hold the money in trust, to be used only for the care, maintenance, and education of the minor, and the parent shall be liable therefor to the minor under the fiduciary laws of this state. The money held in trust shall be released to the minor when the minor reaches the age of majority.

(d) The claim shall be presented to the county treasurer in affidavit form and signed under penalty of perjury. Notwithstanding Section 13101 of the Probate Code, the claimant, to be entitled to the entire escheated estate, needs only to establish with documentary proof the existence of a blood relationship to either the decedent or of the predeceased spouse, if any, and the documentary proof, if regular on its face, need not be certified. Notwithstanding Section 13101 of the Probate Code, the claimant shall not be required to declare that no other person has an equal or superior claim to the escheated estate.

The county treasurer may rely in good faith on the sworn statements made in the claim and shall have no duty to inquire into the truth or credibility of evidence submitted.

In paying out the escheated estate, the county treasurer shall be held harmless to all. Payment shall act as total acquittance and shall completely discharge the county treasurer from any liability.

If the county treasurer rejects any claim made hereunder, the claimant may take his or her grievance to the Superior Court of the county holding the escheated estate.

Any claim paid hereunder shall be paid without interest.

(Amended by Stats. 2000, Ch. 333, Sec. 1. Effective January 1, 2001.)

50053. When any such money becomes the property of a local agency and is in a special fund, the legislative body may transfer it to the general fund.

(Added by Stats. 1949, Ch. 81.)

50054. Whenever any city or county or city and county renders construction services or constructs public works for any city, county, city and county or any other governmental agency below the level of the state government, the price charged for such services or construction shall be sufficient to reimburse the governmental body performing such services for the full cost thereof including labor, material, equipment costs or rentals and a reasonable allowance for overhead. In computing overhead, without limitation on other factors properly includable, there shall be allocated to the overhead cost its proportionate share of indirect labor and administrative costs.

(Added by Stats. 1971, Ch. 558.)

50055. Any other provision of this article notwithstanding, any individual items of less than fifteen dollars (\$15), or any amount if the depositor's name is unknown, which remain unclaimed in the treasury or in the official custody of an officer of a local agency for the period of one year or upon an order of the court may be transferred to the general fund by the legislative body without the necessity of publication of a notice in a newspaper.

(Amended by Stats. 1996, Ch. 89, Sec. 1. Effective July 1, 1996.)

50056. The responsibilities of the treasurer as provided under this article may be delegated by the treasurer to the agency, district, or department that maintains the supporting records of the unclaimed money based on the initial receipt or deposit of that money or both.

(Added by Stats. 1984, Ch. 866, Sec. 4.)

50057. For individual items in the amount of five thousand dollars (\$5,000) or less, the legislative body of any county may, by resolution, authorize the county treasurer to perform on its behalf any act required or authorized to

be performed by it under Sections 50050, 50053, and 50055. The resolution shall require that the county auditor be informed of each act performed under the authorization.

(Amended by Stats. 2011, Ch. 382, Sec. 2. Effective January 1, 2012.)

PROPOSED UNCLAIMED FUNDS ESCHEATMENT POLICY

OVERVIEW

This document establishes the Yucaipa Valley Water District's ("District") policy for ensuring adequate control over cash balances. The purpose of this policy is to define the procedures governing unclaimed funds in accordance with Government Code § 50050-50057.

POLICY

It is the policy of the District that cash balances be properly accounted for and recorded in the general ledger. Pursuant to Government Code § 50050-50057 it is the responsibility of the District to ensure unclaimed funds are identified, tracked, and accounted for in the general ledger properly.

PROCEDURES

Unclaimed Funds Defined

Unclaimed funds are defined as funds disbursed but not claimed by legal owner(s) for a period of three years or greater. The procedures herein identify the funds to be transferred to the utility fund (water, sewer, or recycled water) if they remain unclaimed. Unclaimed funds do not include disbursements less than \$15, or where the depositor's name is unknown, and unclaimed for more than one year.

Identifying Unclaimed Funds

Through the monthly bank reconciliation procedure, any checks outstanding for a period more than one year from the date of original payment are identified.

Tracking Unclaimed Funds

A worksheet of unclaimed funds (Attachment A) will be maintained/updated each month during the bank reconciliation process. The worksheet is organized by checks less than \$15 and outstanding for more than one year, and checks greater than \$15 and outstanding for more than one year.

Accounting for Unclaimed Funds

Checks that meet the above criteria will be voided in the accounting system. A journal entry will be prepared to reclassify the accounts payable liability generated by the void check process to escheat liability (Attachment B).

Procedures for notifying the bank to apply stop payments on voided checks should be followed according to already established procedures regarding voided checks.

If funds less than \$15 or where the depositor's name is unknown are unclaimed, funds are deemed the property of the District and transferred to the appropriate utility fund (water, sewer, recycled water) miscellaneous revenue, unless otherwise restricted. If this is the case, a journal entry to reclassify the escheat liability to miscellaneous revenue will be prepared. No publication

notice is required. The unclaimed funds worksheet will then be updated with the date and journal entry number for future reference.

The unclaimed funds worksheet will also be reviewed for checks unclaimed for more than three years. In January of each year, District staff will notify the payee(s) via regular mail (Attachment C). In addition, a summary of the checks greater than \$15 and more than 3 years old will be presented at the first board workshop each calendar year for review.

Following the workshop, a notice will be published in a local newspaper once a week for two consecutive weeks. The notice shall include the following information:

1. The individual or business name as shown on the issued check
2. The check date, number and the amount of money on the issued check
3. That if the funds remain unclaimed for a period of more than 60 days, the monies will be the property of the District.

The unclaimed funds worksheet will be updated with the date of publication and proof of publication shall be retained.

If funds are claimed a new check is issued and coded to release the escheat liability. If funds are not claimed after 60 days, a journal entry will be processed to reclassify the escheat liability to the appropriate utility fund (water, sewer, recycled water) miscellaneous revenue, unless otherwise restricted.

ATTACHMENT B

Yucaipa Valley Water District Escheatment Journal Entry Template

G/L Account	Description	Debit	Credit
02-20010	Accounts Payable	\$ 15.00	
02-20013	Escheat Liability		\$ 15.00
		\$ 15.00	\$ 15.00

Prepared By:
A. Edmisten

Date: 9/13/2017
JE #: 1234

ATTACHMENT C

<September 13, 2017>

<Name>
<Address 1>
<Address 2>
<City, State Zip>

Dear <Name>,

Our records indicate that the following check issued to you has not cleared our bank.

Check Number: <Check Number>
Amount: <Amount>
Date Issued: <Date Issued>

Please reply to this correspondence below and return back to us, either via email or mail.

- Yes, this payment is still due, I hereby request a replacement check to be sent to:

- No, this payment has been satisfied, no payment is due

- Other. Please explain:

If we do not hear from you by March 31, YEAR, this payment will be deemed the property of the District.

If you have any questions, please feel free to contact me.

Sincerely,

<Name>
<Title>
<Phone>
<Email>



Date: September 26, 2017

From: John Wrobel, Public Works Manager

Subject: Review of Ordinance No. 57-2017 Adopting Ordinance No. 8 of the Santa Ana Watershed Project Authority Establishing Regulations for the Use of the Inland Empire Brineline and Resolution No. 2017-11 of the Santa Ana Watershed Establishing Local Limits and Best Management Practices Requirements

On March 19, 2014, the Yucaipa Valley Water District adopted Ordinance No. 7 of the Santa Ana Watershed Project Authority as Yucaipa Valley Water District Ordinance No. 56-2014 which established regulations for the use of the Inland Empire Brineline.

On September 19, 2017, the Santa Ana Watershed Project Authority held a public hearing to update regulations related to the discharge and operation of the Inland Empire Brineline. This Ordinance No. 8 protects public health, promotes reuse, and restricts pollutants that obstruct flows or interfere with sewer treatment plants. As a result of these updates there will be changes to the District's permit, water quality monitoring requirements, and water-quality reporting for the brineline. The Yucaipa Valley Water District will be required to comply with the proposed Ordinance upon its approval by the Santa Ana Watershed Project Authority.

The District staff values the partnership we have with representatives from the Santa Ana Watershed Project Authority and the Orange County Sanitation District. As such, the District staff will recommend adopting the SAWPA Ordinance No. 8 in a manner similar to our adoption of the adoption of the SAWPA Ordinance in 2014.

RESOLUTION NO. 2017-11**A RESOLUTION OF THE COMMISSION OF THE
SANTA ANA WATERSHED PROJECT AUTHORITY
ESTABLISHING LOCAL LIMITS AND BEST MANAGEMENT
PRACTICES REQUIREMENTS**

WHEREAS, the Commission of the Santa Ana Watershed Project Authority (hereinafter "SAWPA") adopted Ordinance No. 8 (hereinafter "Ordinance"), an Ordinance Establishing Regulations for the Use of the Santa Ana Regional Interceptor, now commonly referred to as the Inland Empire Brine Line (hereinafter "Brine Line"); and

WHEREAS, the Ordinance provides for the establishment and implementation of pollutant limitations that are technically developed as Local Limits by Orange County Sanitation District (hereinafter "OCSD") pursuant to 40 Code of Federal Regulations 403.5(c) and amendments thereto; and

WHEREAS, Section 101.A.7 and Sections 201.L. and 201.O of SAWPA Ordinance No. 8 requires the prevention of discharges which are detrimental to Brine Line operations and could cause sanitary sewer overflows; and

WHEREAS, high concentrations of Biochemical Oxygen Demand (BOD) and Fats, Oils, and Grease (FOG) have been detrimental to Brine Line operations necessitating limits and standards regarding concentration; and

WHEREAS, BOD is unlikely to cause adverse effects to the Brine Line in small quantities, and a de minimus volume, not to exceed 5,000 gpd is hereby established as an exception to the BOD demonstration value. Said discharges shall still comply with all other adopted limitations including but not limited to mass limitations, prohibited standards and other general and specific limitations; and

WHEREAS, it has been determined that significantly high concentrations of BOD have the potential to cause adverse effects to the Brine Line and that the implementation of effective Best Management Practices (BMPs) should substantially lower the incidence of said discharges; and

WHEREAS, it has been determined the Local Limit previously developed for the parameter of Dissolved Organic Carbon (DOC) is no longer necessary and has been removed; and

WHEREAS, OCSD developed new prohibitions, limitations, and requirements with the establishment of Ordinance No. OCSD-48; and

WHEREAS, limitations and requirements are necessary to assure compliance with OCSD's National Pollutant Discharge Elimination System (hereafter NPDES) Permit, including the prohibition against pass through of any pollutants that can cause a violation of the NPDES Permit or cause an interference with OCSD's Publicly Owned Treatment Works (hereafter POTW), to protect OCSD's POTW and its workers, to reclaim and reuse municipal waters and

sludges, and to comply with agreements between SAWPA and OCSD, this resolution establishes the authority, implements provisions and FINDS:

- A. That OCSD is required by federal and state law, including the Clean Water Act (33 U.S.C. 1251, et seq.), the General Pretreatment Regulations (40 CFR 403), and the Porter- Cologne Water Quality Control Act (Water Code Sections 13000, et seq.), to implement and enforce a program for the regulation of Wastewater discharges to OCSD's sewers; and
- B. That OCSD is required by federal, state, and local law to meet applicable standards of treatment plant effluent quality; and
- C. That SAWPA is the Delegated Control Authority (DCA) acting under OCSD, who is the Control Authority (CA); and
- D. That the roles and authorities of CA and DCA are also defined to the extent in
 1. Memorandum of Understanding Between Santa Ana Watershed Project Authority and County Sanitation Districts of Orange County Governing Quality Control of Wastewaters Discharged to the Santa Ana Regional Interceptor, effective April 1, 1991 (1991 MOU);
 2. Wastewater Treatment and Disposal Agreement between County Sanitation Districts Nos. 1, 2, 3, 5, 6, 7, 11, 13, and 14 of Orange County, California (collectively "Districts"), each of which is a county sanitation district organized and existing pursuant to California Health & Safety Code section 4700 et seq., effective July 24, 1996 (1996 Agreement);
 3. First Amendment to Wastewater Treatment and Disposal Agreement between the SAWPA and OCSD, effective as of November 21, 2013 (2013 Amendment);
 4. SAWPA Pretreatment Program Side Letter between the Santa Ana Watershed Project Authority and the Orange County Sanitation District, effective on March 13, 2014 (2014 Side Letter);
 5. 1972 Wastewater Interceptor Capacity Agreement between the Santa Ana Watershed Project Authority and the Orange County Sanitation District, effective as of April 12, 1972;
 6. Ordinance No. OCSD-48, An Ordinance of the Board of Directors of the Orange County Sanitation District Amending Wastewater Discharge Regulations, and Repealing Ordinance No. OCSD-39;
- E. That the adoption of this resolution is statutorily exempt under the California Environmental Quality Act pursuant to the provisions of Public Resources Code Section 21080(b)(8) and California Code of Regulations Section 15273(a) and categorically exempt pursuant to California Code of Regulations Sections 15307 and 15308.; and

WHEREAS, pollutant limitations and requirements shall be continually developed as necessary and shall be adopted by Resolution;

NOW, THEREFORE, BE IT RESOLVED that the Commission of the Santa Ana Watershed Project Authority hereby establishes, determines, and orders:

Section 1. The Commission hereby establishes the following Local Limits and Best Management Practices (BMP) Requirements:

LOCAL NON-DOMESTIC WASTEWATER LIMITATIONS CONCENTRATION VALUES

Pollutant ⁽¹⁾	Maximum Daily Limit (mg/L)
1,4-dioxane	1.0
Arsenic	2.0
Cadmium	1.0
Chromium (Total)	20.0
Copper	3.0
Lead	2.0
Mercury	0.03
Nickel	10.0
Selenium	3.9
Silver	15.0
Zinc	10.0
Cyanide (Total)	5.0
Molybdenum	2.3
Polychlorinated biphenyls (PCB)	0.01
Pesticides	0.01
Sulfide (Total)	5.0
Sulfide (Dissolved)	0.5
Oil and Grease (Mineral/Petroleum Oil Origin) ⁽²⁾	100.0
Fats, Oil and Grease (FOG)	500.0

⁽¹⁾ Users subject to Federal Categorical Pretreatment Standards may be required to meet more stringent limits.

⁽²⁾ Oil and Grease of mineral or Petroleum Origin is also known as Petroleum Oil and Grease Silica Gel Treated n-Hexane Extractable Material.

MASS (LBS/DAY) LIMITATION

Pollutant	Maximum Daily Limit (lbs/day)
Ammonia	Report (**)
Biochemical Oxygen Demand	Report (**)

(**) Users may be required to monitor for and report the analytical results for required parameters at a frequency as specified in a wastewater discharge permit or other control mechanism.

BEST MANAGEMENT PRACTICES (BMP) REQUIREMENTS**

Pollutant	Average Daily Concentration (mg/L) During any Month
Biochemical Oxygen Demand	12,000

** BMP Requirements apply to permitted users with flow volumes greater than 5,000 gpd (calculated as a seven-day average) which cannot achieve consistent compliance with the BMP demonstration value listed above. Said users shall be required, as a condition of their Waste Discharge Permit, to develop BMPs which include, but are not limited to:

- a. Identifying and evaluating the source and volumes of pollutants being discharged to the Brine Line;
- b. Implementing spill prevention and countermeasures plans;
- c. Evaluating additional treatment or disposal options; and
- d. Evaluating recycle or reuse opportunities.

Section 2. pH shall be between 6.0 and 12.0.

Section 3. In those cases where a SAWPA Industrial Non-Process Wastestream is comingled with a SAWPA Industrial Process Wastestream, as defined by Ordinance, prior to a designated monitoring point the SAWPA Wastestream Correction Formula may be used to adjust the Local Limits to account for the presence of SAWPA Industrial Non-Process Wastestreams.

$$C_A = \frac{C_C (\sum_{N=1}^M F_N)}{F_T}$$

Where: C_A = Adjusted Local Limit to account for Industrial Non-Process Wastestream(s)
 C_C = Local Limit for the pollutant constituent
 F_N = Average daily flow for SAWPA Industrial Process Wastestream N
 F_T = Average daily flow for all wastestreams through the sample point
 M = Total number of SAWPA Industrial Process Wastestreams

Section 4. The Local Limits and BMP Requirements established by this Resolution shall become effective immediately. Industry Specific BMP Requirements will be incorporated as a permit condition that includes a compliance schedule which shall not exceed one (1) year from the effective date of the permit change. All previous Resolutions and Ordinances relating to Local Limits are hereby rescinded in their entirety.

ADOPTED THIS 19th day of September, 2017.

Santa Ana Watershed Project Authority

BY: _____
 Chair of the Commission

ORDINANCE NO. 57-2017

**AN ORDINANCE OF THE YUCAIPA VALLEY WATER DISTRICT
ADOPTING ORDINANCE NO. 8 OF THE SANTA ANA WATERSHED
PROJECT AUTHORITY ESTABLISHING REGULATIONS FOR THE USE
OF THE INLAND EMPIRE BRINE LINE FORMERLY KNOWN AS THE
SANTA ANA REGIONAL INTERCEPTOR**

WHEREAS, on October 15, 2013, the Santa Ana Watershed Project Authority (SAWPA) adopted Ordinance No. 7 establishing regulations for the use of the Inland Empire Brine Line (formerly known as the Santa Ana Regional Interceptor); and

WHEREAS, on December 4, 2013, the Board of Director of the Yucaipa Valley Water District (the "District") approved the Inland Empire Brine Line Multijurisdictional Pretreatment Agreement with SAWPA; and

WHEREAS, the District is required to adopt the SAWPA Ordinance without changes except those otherwise non-substantive changes required to conform the Ordinance to the adopting Agency, and shall adopt subsequent amendments or successor ordinances within 60 days of SAWPA's adoption of such amendments or successor ordinances.

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of the Yucaipa Valley Water District that it hereby adopts SAWPA's Ordinance No. 7, as amended from time-to-time, and attached hereto as Exhibit "A", to ensure compliance with the Inland Empire Brine Line Multijurisdictional Pretreatment Agreement with SAWPA.

This Ordinance shall become effective immediately upon its adoption.

Adopted and enacted this 19th day of March 2014.

YUCAIPA VALLEY WATER DISTRICT

By _____
BRUCE GRANLUND, President of the
Board of Directors

ATTESTED:

JOSEPH B. ZOBBA, General Manager
and Secretary of the Board

STATE OF CALIFORNIA
COUNTY OF RIVERSIDE
AND SAN BERNARDINO

I, Joseph B. Zoba, Secretary of the Board of Directors of the Yucaipa Valley Water District, California, do hereby certify that the foregoing ordinance being Ordinance No. 57-2017 was duly passed, approved and adopted by said Board, approved and signed by the President, and attested by the Secretary at the Regular Meeting held on the 3rd day of October 2017, and that the same was passed and adopted by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Joseph B. Zoba, Secretary of the Yucaipa Valley
Water District and of the Board of Directors

(Seal)

Exhibit "A"

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ORDINANCE NO. 8

AN ORDINANCE OF THE SANTA ANA WATERSHED PROJECT AUTHORITY
ESTABLISHING REGULATIONS FOR THE USE OF THE
INLAND EMPIRE BRINE LINE

BE IT ORDAINED BY THE COMMISSION OF THE
SANTA ANA WATERSHED PROJECT AUTHORITY
AS FOLLOWS:

PREAMBLE

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- 102.0 Authorization
- 103.0 Definitions
- 104.0 Administration
- 105.0 Notice
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- 201.0 Prohibited Waste Discharges
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- 203.0 Limitations on Groundwater, Surface Runoff, and Subsurface Drainage
- 204.0 Limitations on Unpolluted Water
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- 206.0 Limitations on Point of Discharge
- 207.0 Limitations on the Use of Grinders
- 208.0 Limitations on Biochemical Oxygen Demand (BOD)
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- 211.0 Slug Discharges
- 212.0 Limitations on Wastewater Originating from Outside the Service Area
- 213.0 Federal Categorical Pretreatment Standards

ARTICLE 3

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**WASTEWATER DISCHARGE CONTRACTS
USER CHARGES AND FEES**

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- 302.0 Wastewater Discharge Contract between SAWPA and a Member Agency or Contract Agency
- 303.0 Wastewater Discharge Contracts Between a Member Agency or a Contract Agency and a User of the Brine Line or Tributaries Thereto
- 304.0 User Charges and Fees

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- 402.0 Wastewater Discharge Permits
- 403.0 Permit Duration
- 404.0 Duty to Comply
- 405.0 Permit Renewal, Extension and Fees
- 406.0 Permit Modifications
- 407.0 No Permit Transfer or Assignment
- 408.0 Wastewater Discharge Contract Capacity Rights
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- 2 514.0 Pretreatment of Industrial Wastewaters
- 3 515.0 Unauthorized Monitoring and Pretreatment Equipment
- 4 Modifications
- 5 516.0 Pretreatment Equipment Bypass
- 6 517.0 Prohibited Discharge of Recovered Pretreatment Waste
- 7 518.0 Industrial User Modifications
- 8 519.0 Spill Containment Systems
- 9 520.0 Facility Waste Management Plan
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I. PREAMBLE

The Santa Ana Watershed Planning Agency was formed in 1968 to develop a long-range plan for managing, preserving, and protecting the quality of the water supplies in the Santa Ana River Basin. After development of the long-range plans, the Santa Ana Watershed Project Authority (SAWPA) was formed to implement the Planning Agency's recommendations. SAWPA's programs include the planning, financing, construction and operation of projects that relate to the water quality and quantity in the Santa Ana River Basin.

Various federal, state and local regulatory agencies have established goals and standards to assure that the highest quality water is made available to the people in the Santa Ana River Basin. In order to enhance and improve the quality of water in the Santa Ana River Basin and to ensure compliance with goals and standards set by the regulatory agencies, SAWPA has implemented many projects to remove contaminants, mainly high saline waters, from the water supplies. One of the main facilities constructed for this purpose is the Inland Empire Brine Line (Brine Line) formerly known as the Santa Ana Regional Interceptor (SARI) sewer. This line transports highly saline wastewater from the watershed to the Orange County Sanitation District (OCSD) collection system for treatment and disposal to the Pacific Ocean. This isolation of saline wastewater prevents contamination of the Santa Ana River from the commingling of these wastewaters with the river water. The use of the Brine Line enables the delivery of higher quality potable water to the Users of the Santa Ana River Basin waters, particularly in the lower elevations of the basin in the Orange County area.

SAWPA recognized the need to control the quality of waters in the basin as well as wastewaters discharged to the Brine Line and adopted Ordinance No. 1 in May 1982, the purpose of which was to establish the maximum benefit from the use of the Brine Line by providing procedures to ensure compliance with the requirements placed upon SAWPA by regulatory agencies and SAWPA's contractual agreements with OCSD.

Upon the effective date of this Ordinance No. 8, Ordinance No. 7, including any amendments thereto, shall be repealed and superseded by this Ordinance.

Exhibit "A"

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**ARTICLE I
GENERAL PROVISIONS**

101.0 PURPOSE AND POLICY. The purpose of this Ordinance is to provide for the maximum benefit from the use of the Santa Ana Watershed Project Authority’s (SAWPA) facilities. This shall be accomplished by regulating the use of the Inland Empire Brine Line (Brine Line) sewer system and tributaries thereto and the wastewater discharged to this sewer system, by providing for the distribution of the costs of the construction, administration, operation and maintenance of the system, and by providing procedures that will allow SAWPA to comply with all regulatory requirements imposed upon SAWPA by contract requirements and by federal, state, and local agencies.

SAWPA recognizes Orange County Sanitation District’s (OCSD) authority and responsibilities as defined by local, State, and Federal Pretreatment Regulations (40 CFR 403) including their role as the Control Authority and holder of the National Pollutant Discharge Elimination System (NPDES) permit. As such, SAWPA is committed to providing Pretreatment Program services in accordance with Federal Pretreatment Program Requirements, this Ordinance, the 1991 MOU and 1996 Agreement both between SAWPA and OCSD as described below. SAWPA will further ensure consistency in the implementation of the pretreatment requirements to conform, as appropriate, to the Program adopted by the Control Authority.

In order to conform to limitations and requirements from regulatory agencies, SAWPA must regulate the discharge of wastewater into the Brine Line. This Ordinance shall apply to all Direct or Indirect Users that discharge wastewater tributary to the Brine Line.

A. This Ordinance shall provide for the regulation of wastewater discharges into the Brine Line in accordance with the Federal Government's objectives of general pretreatment regulations as stated in Section 403.2 of Title 40 of the Code of Federal Regulations (CFR) which are for the following purposes:

1. To prevent the introduction of pollutants into the Brine Line that will interfere with the operation of the OCSD Publicly Owned Treatment Works (POTW), including interference with its use or disposal of municipal biosolids;
2. To prevent the introduction of pollutants into OCSD’s POTW which will Pass Through the treatment works, inadequately treated, to the receiving waters or otherwise be incompatible with such works;
3. To improve opportunities to recycle and reclaim municipal and industrial wastewaters and biosolids;
4. To enable SAWPA to comply with requirements from the Federal Environmental Protection Agency and OCSD and any other federal or state laws to which SAWPA and/or OCSD’s POTW is subjected;

Exhibit "A"

- 1 5. To enable SAWPA to control the privileges to any use of the Brine Line and
- 2 tributaries thereto;
- 3
- 4 6. To protect and preserve the health and safety of the citizens and personnel of
- 5 SAWPA, OCSD, and contracted agencies; and
- 6
- 7 7. To prevent the introduction of pollutants that obstruct flows within the Brine
- 8 Line or otherwise cause or contribute to sanitary sewer overflows and to
- 9 comply with the provisions of State Water Resources Control Board
- 10 (SWRCB) adopted Order No. 2006-0003, a General Waste Discharge
- 11 Requirement (WDR) for all publicly owned sanitary sewer collection
- 12 systems in California with more than one (1) mile of sewer pipe.
- 13
- 14 B. This Ordinance shall apply to all Direct or Indirect Users of the Brine Line and
- 15 tributaries thereto. This Ordinance authorizes:
- 16
- 17 1. The issuance of Wastewater Discharge Permits;
- 18
- 19 2. Monitoring, compliance, and enforcement activities;
- 20
- 21 3. Brine Line connection plan check services;
- 22
- 23 4. User reporting requirements;
- 24
- 25 5. The establishment of fees; and
- 26
- 27 6. The equitable distribution of costs resulting from the program established
- 28 herein.
- 29
- 30 C. This Ordinance shall be administered by the General Manager of SAWPA, under
- 31 the control and direction of the SAWPA Commission.
- 32
- 33 D. This Ordinance implements the provisions of the 1991 Memorandum of
- 34 Understanding between OCSD and SAWPA "Governing Quality Control of
- 35 Wastewaters Discharged" (1991 MOU) to the Brine Line and the 1996
- 36 Agreement between OCSD and SAWPA "Wastewater Treatment and Disposal
- 37 Agreement" (1996 Agreement) and any current or future Amendments thereto
- 38 (Amendments December 1996 and November 2013). This Ordinance is intended
- 39 to be at least as protective of OCSD's facilities as OCSD's Wastewater
- 40 Discharge Regulations, Ordinance No. OCSD-48 or its successors. SAWPA
- 41 issued Wastewater Discharge Permits shall require compliance with both this
- 42 Ordinance and OCSD's Ordinance No. OCSD-48, or its successors, and require
- 43 that in the event of any conflict between the ordinances the stricter provisions
- 44 shall apply.
- 45

46 **102.0 AUTHORIZATION.** This Ordinance is enacted pursuant to the authorization of the
47 Municipal Water District Law of 1911, California Water Code Section 71000 et seq.,

Exhibit "A"

1 California Government Code Section 6500 et seq., the Clean Water Act (33 U.S.C. 1251 et
2 seq.) and the General Pretreatment Regulations (40 CFR 403).

3
4 **103.0 DEFINITIONS.** Unless otherwise defined herein, terms pertaining to water quality
5 shall be as adopted in the latest edition of Standard Methods for the Examination of Water
6 and Wastewater, published by the American Public Health Association, the American Water
7 Works Association, and the Water Environment Federation. Unless otherwise defined herein,
8 terms pertaining to construction and building shall be defined as being the same as set forth
9 in the CA Building Standards Code, Title 24, CA Code of Regulations, current edition.

10
11 A. Unless the context specifically indicates otherwise or as previously indicated, the
12 meaning of the terms used in this Ordinance shall be as follows:

13
14 1. **Act or "the Act"** shall mean the Federal Water Pollution Control Act, also
15 known as the Clean Water Act, as amended, 33 U.S.C. section 1251, et seq.

16
17 2. **Analytical Methods** shall mean the sample analysis techniques prescribed
18 in 40 CFR Part 136 and amendments thereto unless otherwise specified in an
19 applicable categorical Pretreatment Standard. If 40 CFR Part 136 does not
20 contain sampling or analytical techniques for the pollutant in question, or
21 where the EPA determines that Part 136 sampling and analytical techniques
22 are inappropriate for the pollutant in question, sampling and analysis shall be
23 performed using validated analytical methods or any other applicable
24 sampling and analytical procedures approved by SAWPA, including
25 procedures suggested by SAWPA or other parties as approved by the EPA.

26
27 3. **Authorized Representative** shall mean:

28 a. A responsible corporate official, if the User submitting the required
29 documents is a corporation, of the level of president, secretary, treasurer,
30 or vice president in charge of a principal business function, or any other
31 Person who performs similar policy or decision making functions for the
32 corporation; or the manager of one or more manufacturing, production,
33 or operating facilities, provided by the manager is authorized to make
34 management decisions that govern the operation of the regulated facility
35 including having the explicit or implicit duty of making major capital
36 investment recommendations, and initiating and directing other
37 comprehensive measures to assure long-term environmental compliance
38 with environmental laws and regulations, and ensuring that the necessary
39 systems are established or actions taken to gather complete and accurate
40 information for Wastewater Discharge Permit requirements; and where
41 authority to sign documents has been assigned or delegated to the
42 manager in accordance with corporate procedures; or

43
44 b. A general partner or proprietor if the User submitting the required
45 documents is a partnership or sole proprietorship respectively; or

46
47 c. A director or highest official appointed or designated to oversee the

Exhibit "A"

- 1 operation and performance of the activities of the facility, or their
- 2 designee, if the User is a Federal, State, or local governmental facility.
- 3
- 4 d. A duly authorized representative of the individual designated in
- 5 subsection (a) and (b), if;
- 6
- 7 1) The authorization is made in writing by the individual designated in
- 8 subsection (a), (b) and (c); and
- 9
- 10 2) The authorization specifies either an individual or a position having
- 11 responsibility for the overall operation of the facility from which the
- 12 industrial discharge originates, such as the position of a plant
- 13 manager, or a position of equivalent responsibility, or having overall
- 14 responsibility for environmental matters for the company; and
- 15
- 16 3) The written authorization is submitted to the General Manager of
- 17 SAWPA.
- 18
- 19 e. If an authorization under paragraph (a) and (b) of this section is no longer
- 20 accurate because a different individual or position has responsibility for
- 21 the overall operation of the facility, or overall responsibility for
- 22 environmental matters for the company, a new authorization satisfying
- 23 the requirements of paragraph (a) and (b) of this section must be
- 24 submitted to the General Manager prior to or together with any reports to
- 25 be signed by an authorized representative.
- 26
- 27 4. **Batch Discharge** shall mean any intermittent discharge of pollutants from
- 28 sources such as, but not limited to, process tanks, holding tanks, rinse tanks,
- 29 or treatment systems.
- 30
- 31 5. **Best Management Practices (BMPs)** shall mean schedules of activities,
- 32 prohibitions of practices, maintenance procedures, and other management
- 33 practices to implement the prohibitions listed in 40 CFR 403.5(a)(1) and (b).
- 34 BMPs also include treatment requirements, operating procedures and
- 35 practices to control plant site run-off, spillage or leaks, sludge or waste
- 36 disposal, or drainage from raw material storage. Such BMPs shall be
- 37 considered local limits and Pretreatment Standards as stated in 40 CFR
- 38 403.5(c) (4).
- 39
- 40 6. **Biochemical Oxygen Demand (BOD)** shall mean the quantity of oxygen,
- 41 expressed in mg/L, required to biologically oxidize material in a waste or
- 42 wastewater sample measured under approved laboratory methods of five (5)
- 43 days at twenty degrees Celsius (20 °C).
- 44
- 45 7. **Bypass** shall mean the intentional diversion of wastestreams from any point
- 46 of a User's pretreatment facility.
- 47

Exhibit "A"

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- 8. **Business Day** shall mean a SAWPA scheduled business day.
- 9. **Capacity Unit** shall equal 10,000 gallons per day of discharge right.
- 10. **Categorical Industrial User** shall mean an Industrial User subject to a categorical Pretreatment Standard or categorical Standard which is a regulation containing pollutant discharge limits promulgated by the EPA in accordance with Sections 307 (b) and (c) of the Clean Water Act (33 U.S.C.-1317) that apply to a specific category of users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.
- 11. **Chemical Oxygen Demand (COD)** shall mean the quantity of oxygen, expressed in mg/L, required to chemically oxidize material in a waste or wastewater sample, under specific conditions of an oxidizing agent, temperature, and time. COD results are not necessarily related to BOD results.
- 12. **City Collection System** Not used.
- 13. **Class I User** shall mean the term used by OCSD to describe a Significant Industrial User. See Significant Industrial User.
- 14. **Class II User** shall mean the term used by OCSD to describe a User that discharges waste other than sanitary, and is not classified as a Significant Industrial User. See Industrial User.
- 15. **Class III User** Not used.
- 16. **Class IV User** Not used.
- 17. **Class V User** Not used.
- 18. **Code of Federal Regulations (CFR)** shall mean the codification of the general and permanent rules published in the Federal Register by the executive departments and agencies of the Federal Government.
- 19. **Collection Stations** shall mean wastewater disposal stations operated by the SAWPA Member Agencies or Contract Agencies for disposal of trucked waste.
- 20. **Collection System** shall mean all wastewater conveyance systems owned and maintained by SAWPA or a Member Agency or a Contract Agency for purposes of conveying wastewater to OCSD's POTW for treatment and excludes sewer service lateral connections.
- 21. **Combined Wastestream Formula** shall mean the formula, as outlined in the General Pretreatment Regulations of the Clean Water Act, 40 CFR

Exhibit "A"

- 1 403.6(e), for determining wastewater discharge limitations for Categorical
 2 Industrial Users and Significant Industrial Users whose effluent is a mixture
 3 of regulated, unregulated, and dilution wastewater as defined in the formula.
 4
- 5 **22. Commission, Commission of SAWPA, or SAWPA's Commission** shall
 6 mean the governing body of SAWPA as defined by the Joint Exercise of
 7 Powers Agreement establishing SAWPA.
 8
- 9 **23. Compliance Schedule** shall mean a time schedule enforceable under this
 10 Ordinance containing increments of progress called milestones, which are in
 11 the form of dates. These milestones shall be for the commencement and/or
 12 completion of major events leading to the construction and operation of
 13 additional pretreatment facilities or the implementation of policies,
 14 procedures or operational management techniques required for the User to
 15 comply with all applicable federal, state or local environmental regulations
 16 which may directly or indirectly affect the quality of the User's wastewater
 17 effluent.
 18
- 19 **24. Composite Sample** shall mean a series of grab samples of equal volume
 20 taken at a predetermined time or flow rate for a predetermined period of time
 21 or flow, which are combined into one sample.
 22
- 23 **25. Contract Agency** shall mean, Jurupa Community Services District, San
 24 Bernardino Municipal Water Department, or Yucaipa Valley Water District,
 25 or any other public agency that subsequently enters into a multijurisdictional
 26 pretreatment agreement with SAWPA defining the roles and responsibilities
 27 to conduct the Pretreatment Program or portions of the Pretreatment Program
 28 within their jurisdictions.
 29
- 30 **26. Control Authority** shall be defined by 40 CFR 403.3(f) is the POTW if the
 31 POTW's submission for its Pretreatment Program (40 CFR 403.3) has been
 32 approved in accordance with requirements for 40 CFR 403.11. All references
 33 in this Ordinance to Control Authority are referring to OCSD.
 34
- 35 **27. Conventional Pollutants** shall be defined as BOD, COD, total suspended
 36 solids, pH, fecal coliform, oil and grease, total nitrogen and such additional
 37 pollutants as are now or may be in the future specified and controlled in
 38 OCSD's NPDES permit for its POTW where said POTW has been designed
 39 and used to reduce or remove such pollutants.
 40
- 41 **28. Cooling Water** shall mean all water used solely for the purpose of cooling a
 42 manufacturing process, equipment, or product.
 43
- 44 **29. Cyanide (Amenable)** shall mean those cyanides that are amenable to
 45 chlorination as described in 40 CFR 136.3.
 46
- 47 **30. Day** shall mean a calendar day, unless otherwise specified.

Exhibit "A"

- 1 | **31. Delegated Control Authority** shall mean an entity duly delegated by the
- 2 | Control Authority with the legal authority to enforce all federal, state, and
- 3 | local pretreatment standards and requirements against all industrial users and
- 4 | liquid waste haulers discharging to the Control Authority's POTW and all
- 5 | procedures necessary for the Pretreatment Program implementation. All
- 6 | references in this Ordinance to Delegated Control Authority are referring to
- 7 | SAWPA.
- 8 |
- 9 | **32. Dilution** shall mean the increase in use of process water, potable water or
- 10 | any other means to dilute a discharge as a partial or complete substitute for
- 11 | adequate treatment to achieve discharge requirements.
- 12 |
- 13 | **33. Direct Discharger or User** shall mean facilities which are directly connected
- 14 | to the Brine Line by a pipeline.
- 15 |
- 16 | **34. Discharge Right or Discharge Capacity Right** shall mean the volume of
- 17 | wastewater capacity purchased by a User for use with the Brine Line and
- 18 | tributaries thereto.
- 19 |
- 20 | **35. District Collection System** shall mean all pipes, sewers and conveyance
- 21 | systems conveying wastewater to the Brine Line and tributaries thereto that
- 22 | are owned and maintained by a community services district, special district,
- 23 | or water district, excluding sewer service lateral line connections.
- 24 |
- 25 | **36. Domestic Wastewater** shall mean wastewater, including domestic septic
- 26 | system waste, from private residences and wastewater from other premises
- 27 | resulting from the use of water for personal washing, sanitary purposes or the
- 28 | discharge of human excrement and related matter.
- 29 |
- 30 | **37. Effluent** shall mean treated wastewater flowing from treatment facilities; the
- 31 | OCSD's POTW, or a User.
- 32 |
- 33 | **38. EPA** shall mean the United States Environmental Protection Agency.
- 34 |
- 35 | **39. Federal Categorical Pretreatment Standard** shall mean the National
- 36 | Pretreatment Standards, established by the EPA, specifying quantities or
- 37 | concentrations of pollutants or pollutant properties which may be discharged
- 38 | or introduced into the Brine Line or tributaries thereto by existing or new
- 39 | Industrial Users in specific industrial categories established as separate
- 40 | regulations under the appropriate subpart of 40 CFR Chapter I, Subchapter
- 41 | N, as it exists and as it may be amended.
- 42 |
- 43 | **40. Flow Monitoring Facilities** shall mean equipment and structures approved
- 44 | by SAWPA and provided at the User's expense to measure and/or record the
- 45 | incoming water to the User's facility or the wastewater discharged to the
- 46 | Brine Line sewer or tributaries thereto.
- 47 |

Exhibit "A"

- 1 | **41. General Manager** shall mean SAWPA's General Manager or duly
2 | authorized SAWPA employee with overall Pretreatment Program
3 | responsibility designated in writing.
4 |
5 | **42. Generator** see Indirect Discharger.
6 |
7 | **43. Good Faith** shall mean the User's prompt and vigorous pollution control
8 | measures undertaken to show that extraordinary efforts (not a "business-as-
9 | usual" approach) have been made to achieve compliance.
10 |
11 | **44. Grab Sample** shall mean an individual sample collected from a wastestream
12 | without regard to the flow in the wastestream over a period of time not
13 | exceeding fifteen minutes.
14 |
15 | **45. Gravity Separation Interceptor** shall mean an approved detention chamber
16 | designed to remove floatable and settleable material from industrial
17 | wastewater prior to discharge into the Brine Line.
18 |
19 | **46. Hazardous Waste** shall be as defined in 40 CFR 261 consisting of a listed
20 | waste determined by EPA to be hazardous or a waste not specifically listed
21 | but which exhibits one of four characteristics: ignitability, corrosivity,
22 | reactivity, and/or toxicity.
23 |
24 | **47. Heating Water** shall mean all water used solely for the heating of a
25 | manufacturing process, equipment, or product.
26 |
27 | **48. Indirect Discharger, User or Generator** shall mean a user that contracts or
28 | otherwise employs a truck, tanker, or vacuum truck service or other similar
29 | means to bring wastewater for disposal to the Brine Line or tributaries thereto
30 | from a User that has no direct connection to the Brine Line or tributaries
31 | thereto.
32 |
33 | **49. Industrial User** shall mean all Persons; public or private entities, industrial,
34 | commercial, governmental, or institutional that discharge or cause to be
35 | discharged, wastewater into the Brine Line or tributaries thereto or any other
36 | sewer system owned and operated by SAWPA.
37 |
38 | **50. Industrial Wastewater** shall mean all non-domestic wastewater, including
39 | all wastewater from any producing, manufacturing, processing, institutional,
40 | governmental, commercial, service, agricultural or other operation.
41 |
42 | **51. Infectious Waste** shall mean all wastes which are likely to transmit etiologic
43 | agents which normally cause, or significantly contribute to the cause of,
44 | increased morbidity or mortality of human beings.
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46 | **52. Inland Empire Brine Line or Brine Line** shall mean all wastewater
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Exhibit "A"

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conveyance systems owned and maintained by SAWPA, excluding sewer service lateral line connections owned and operated by others. Historical documents may refer to the Santa Ana Regional Interceptor (SARI), now referred to the Inland Empire Brine Line.

53. Inspector shall mean a person authorized by the General Manager to inspect any User discharging or anticipating discharging wastewater into conveyance, processing, or disposal facilities to the Brine Line or tributaries thereto.

54. Instantaneous Limit see Local Non-Domestic Wastewater Limitations Concentration Values.

55. Interference shall mean a discharge which, alone or in conjunction with a discharge or discharges from other sources, both: (1) inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and (2) therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations); Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

56. Letter to Discharge shall mean a letter authorizing a user to discharge unauthorized classes of wastewater to the Brine Line without having to obtain a Special Purpose Discharge permit. Unauthorized classes of wastewater require approval by both the General Manager and OCSD General Manager before the discharge commences. The discharge volume is generally limited to less than 1 million gallons. A Letter to Discharge allows the user to discharge within the terms provided for a one-time discharge event.

57. Liquid Waste Hauler shall mean any Person or firm engaged in the truck hauling of liquid waste from a User, excluding domestic waste, for disposal at a designated Brine Line Collection Station.

58. Local Limits shall mean specific prohibitions or pollutant limitations or pollutant parameters that are developed by OCSD, SAWPA, Member Agencies and/or Contract Agencies in accordance with 40 CFR 403.5(c) to implement the general and specific discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b).

Exhibit "A"

- 1 | **59. Local Non-Domestic Wastewater Limitations Concentration Values**
- 2 | shall mean the maximum quantity or concentration of a Pollutant allowed to
- 3 | be discharged at any period of time, determined from the analysis of any
- 4 | discrete or composite sample collected, independent of the industrial flow
- 5 | rate and the duration of the sampling event.
- 6 |
- 7 | **60. Lower Explosive Limit (LEL)** shall mean the minimum concentration of a
- 8 | combustible gas or vapor in the air that will ignite if an ignition source is
- 9 | present.
- 10 |
- 11 | **61. Major Administrative Violations** shall mean violations as defined in
- 12 | section 602 of this Ordinance.
- 13 |
- 14 | **62. Major Violations** shall mean are separate from Major Administrative
- 15 | violations and shall mean a discharge over the permitted discharge limit, as
- 16 | determined by the result of a sample analysis, as follows:
- 17 | a. a discharge exceeding a Mass Emission Rate limit by 20% or more, or
- 18 |
- 19 | b. a discharge exceeding a concentration limit by 20% or more, or
- 20 |
- 21 | c. a pH discharge less than 5.0.
- 22 |
- 23 | **63. Mass Emission Rate** shall mean the weight of pollutants discharged to the
- 24 | Brine Line or tributaries thereto during a given period of time from a User.
- 25 |
- 26 | **64. May** shall mean permissive.
- 27 |
- 28 | **65. Member Agency** shall mean either, Eastern Municipal Water District,
- 29 | Inland Empire Utilities Agency, San Bernardino Valley Municipal Water
- 30 | District, or Western Municipal Water District of Riverside County, or any
- 31 | other public agency that subsequently becomes a member of SAWPA and
- 32 | enters into a multijurisdictional pretreatment agreement with SAWPA
- 33 | defining the roles and responsibilities to conduct the Pretreatment Program
- 34 | or portions of the Pretreatment Program within their jurisdictions.
- 35 |
- 36 | **66. mg/L** shall mean milligrams per liter.
- 37 |
- 38 | **67. Milestone** shall mean increments of progress in the form of dates, not to
- 39 | exceed nine months, and are used in compliance schedules. Milestones shall
- 40 | be for the commencement and/or completion of major events leading to the
- 41 | construction and operation of additional pretreatment facilities or the
- 42 | implementation of policies, procedures or operational management
- 43 | techniques required for the User to comply with all applicable federal, state
- 44 | or local environmental regulations which may directly or indirectly affect the
- 45 | quality of the User's wastewater effluent.
- 46 |
- 47 | **68. Minor Administrative Violations** shall mean violations as defined in

Exhibit "A"

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section 602 of this Ordinance.

69. Minor Violations are separate from **Minor Administrative Violations** and shall mean a discharge over the permitted discharge limit as determined by the result of a sample analysis, as follows:

- a. a discharge exceeding a Mass Emission Rate limit by less than 20%, or
- b. a discharge exceeding a concentration limit by less than 20%, or
- c. a pH discharge equal to or greater than 5.0, but less than 6.0, or
- d. a pH discharge greater than 12.0.

70. Mixed Load shall mean a combination of any hauled permitted Brine Line wastewater with any other wastewater from permitted or unpermitted sources.

71. Monitoring/Production Information Order (MPIO) shall mean an Administrative Order requiring an Industrial User to determine the mass emission or concentration of pollutants or other conditions specified in the Industrial User’s permit in their industrial wastewater discharge for all days within a fourteen (14) consecutive day period that industrial wastewater is discharged to the Brine Line and submit production data for that period.

72. Monthly Average shall mean the average of daily measurements over a calendar month as calculated by adding all the daily measurements taken during the calendar month and dividing that sum by the sum of the number of daily measurements taken in the month.

73. Multijurisdictional Pretreatment Agreement (MJPA) shall mean an agreement between SAWPA and its Member Agencies and Contract Agencies granting SAWPA the authority and responsibility to implement and enforce its Delegated Control Authority for the Inland Empire Brine Line Pretreatment Program against users of the Brine Line located or operating in the Member and Contract Agencies’ jurisdictions within SAWPA’s Brine Line Service Area unless otherwise approved by the SAWPA Commission and OCSD General Manager per the Agreement as defined in Section 101.0 D.

74. NAICS shall mean the North American Industry Classification System published by the Executive Office of the President of the United States, Office of Management and Budget.

75. National Pretreatment Standard shall mean any regulation containing pollutant discharge limits promulgated by the EPA in accordance with section 307(b) and (c) of the Clean Water Act, which applies to Industrial Users. This term includes prohibitive discharge limits established pursuant

Exhibit "A"

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to 40 CFR Part 403.5.

76. New Source shall mean any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under Section 307 (c) of the Federal Clean Water Act which will be applicable to such source if such Standards are thereafter promulgated in accordance with that Section, provided that:

- a. The building, structure, facility or installation is constructed at a site at which no other source is located; or
- b. The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
- c. The production or wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant and the extent to which the new facility is engaged in the same general type of activity as the existing source may be considered.

Construction on a site at which an Existing Source is located results in a modification rather than a New Source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.

Construction of a New Source as defined under this paragraph has commenced if the owner or operator has:

- a. Begun, or caused to begin, as part of a continuous onsite construction program (1) any placement, assembly, or installation of facilities or equipment; or (2) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
- b. Entered into a binding contractual obligation for the purchase of facilities or equipment which is intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.

77. OCS shall mean the Orange County Sanitation District which is the Control

Exhibit "A"

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Authority for the Brine Line.

- 78. Oil and Grease** shall mean any of the following in part or in combination:
 - a. Oil and Grease of Mineral and Petroleum Origin (also known as "Petroleum Oil and Grease as Silica Gel Treated n-Hexane Extractable Material" or "SGT-HEM Non-Polar Material");
 - b. Fats Oil and Grease (FOG) Any substance such as a vegetable or animal product that is used in, or is a byproduct of, the cooking or food preparation process, and that turns or may turn viscous or solidifies with a change in temperature or other conditions).
- 79. Pass Through** shall mean any discharge which exits OCSD's POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, causes a violation of any requirement of the OCSD's NPDES permit, including an increase in the magnitude or duration of a violation.
- 80. Permittee** shall mean any User who has received a Wastewater Discharge Permit to discharge wastewater into the Brine Line or tributaries thereto.
- 81. Person** shall mean any individual, firm, company, association, society, general or limited partnership, limited liability company, trust, corporation, governmental agency or group, and includes the plural or the singular.
- 82. Pollutant or Constituent** shall mean conventional pollutants, domestic wastewater, hazardous substances, infectious waste, slug discharges, dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, medical waste, heat, wrecked or discarded equipment, rock, sand, cellar dirt and industrial, municipal, and agricultural and industrial wastes, and certain characteristics of wastewater (e.g. pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).
- 83. POTW or Publicly Owned Treatment Works** shall mean a treatment works as defined by section 212 of the Act, which is owned by a State or Municipality (as defined by section 502(4) of the Act. This definition includes all devices, equipment, pipes, and systems used in the transmission, storage, treatment, recycling and reclamation of municipal sewage, biosolids, or industrial wastewater. It also includes sewers, pipes and other conveyances only if they convey wastewater to a POTW Treatment Plant. The term also means the municipality as defined in section 502(4) of the Act, which has jurisdiction over the Indirect Discharges to and the discharges from such a treatment works.
- 84. Pretreatment** shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of the pollutant

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properties in wastewater prior to, or in lieu of, discharging such pollutants into the Brine Line or tributaries thereto. The reduction or alteration may be obtained by physical, chemical or biological processes, process changes or by any other means, except dilution.

85. Pretreatment Facility shall mean any works or devices for the treatment or flow limitation of wastewater prior to discharge to the Brine Line or tributaries thereto.

86. Pretreatment Requirements shall mean any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard, imposed on an Industrial User.

87. Pretreatment Waste shall mean all waste, liquid or solid, removed from a wastestream or wastewater discharge by physical, chemical, or biological means.

88. Public Agency shall mean the State of California and any city, county, special district, or other public agency within the State of California.

89. Qualified Professional shall mean any person who by virtue of education, training, or experience is qualified to evaluate and assess pollutant discharges and violations of this Ordinance.

90. RCRA shall mean the Resource Conservation and Recovery Act (42 U.S.C. 6901, et seq.) and its regulations 40 CFR Parts 260-266 and 270 and as amended.

91. Reclaimable Wastewater shall mean domestic wastewater, industrial wastewater or other wastewater containing total dissolved solid levels below the local POTW discharge limitation that renders it suitable for discharge and reclamation.

92. Regulatory Agencies shall mean those agencies having jurisdiction over the operation of SAWPA and/or OCSFD including, but not limited to:

- a. United States Environmental Agency, Region IX, San Francisco, CA and Washington, D.C. (EPA);
- b. California State Water Resources Control Board ("State Board");
- c. California Regional Water Quality Control Board , Santa Ana Region ("Regional Board");
- d. South Coast Air Quality Management District (SCAQMD);
- e. California Environmental Protection Agency (CalEPA); and

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f. California Department of Public Health (DPH).

93. Sampling Facilities shall mean structure(s) and equipment provided at the User's expense for SAWPA or the User to measure and record wastewater pollutant levels, collect representative wastewater samples, and/or provide direct access to terminate the wastewater discharge.

94. Sanitary Sewer System shall mean any system of pipes, pump stations, sewer lines, or other conveyances, upstream of a wastewater treatment plant headworks used to collect and convey wastewater to the publicly owned treatment facility. Temporary storage and conveyance facilities (such as vaults, temporary piping, construction trenches, wet wells, impoundments, tanks, etc.) are considered to be part of the sanitary sewer system, and discharges into these temporary storage facilities are not considered to be SSOs.

95. Sanitary Sewer Overflow (SSO) shall mean any overflow, spill, release, discharge or diversion of untreated or partially treated wastewater from a sanitary sewer system. SSOs include:

- a. Overflows or releases of untreated or partially treated wastewater that reaches waters of the United States;
- b. Overflows or releases of untreated or partially treated wastewater that do not reach waters of the United States; and
- c. Wastewater backups into buildings and on private property that are caused by blockages or flow conditions within the publicly owned portion of the sanitary sewer system.

96. Sanitary Waste shall mean domestic wastewater.

97. SARI shall mean the Santa Ana Regional Interceptor.

98. SARI System see Inland Empire Brine Line.

99. SAWPA shall mean the Santa Ana Watershed Project Authority and/or any Member Agency and/or any Contract Agency as applicable to effectively implement this Ordinance.

100. SAWPA Inland Empire Brine Line Service Area or SAWPA's SARI Service Area shall mean the total area within the jurisdictional boundaries of SAWPA's Member Agencies, excluding any area within the County of Orange.

101. SAWPA Industrial Process Wastestream or Industrial Process Wastestream shall mean a wastestream from an industrial process that is not regulated by a categorical standard for any pollutant and is not considered an

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Industrial Non-Process Wastestream as defined in this section.

102. SAWPA Industrial Non-Process Wastestream or Industrial Non-Process Wastestream shall mean a wastestream which includes boiler blow-down streams, non-contact cooling streams, storm water, demineralized backwash/RO rejects and sanitary wastestreams. For those facilities with wastestreams composed only of the wastestreams listed above these Industrial Non-Process Wastestreams will be permitted equivalent to Industrial Process Wastestreams.

103. SAWPA Wastestream Correction Formula or WCF shall mean the formula used to adjust the Local Limits to account for the presence of SAWPA Industrial Non-process Wastestreams.

$$C_A = \frac{C_C (\sum_{N=1}^M F_N)}{F_T}$$

Where: C_A – Adjusted Local Limit to account for Industrial Non-Process Wastestream(s)
 C_C = Local Limit for the pollutant constituent
 F_N = Average daily flow for SAWPA Industrial Process Wastestream N
 F_T = Average daily flow through the sample point
 M = Total number of SAWPA Industrial Process Wastestreams

104. Self-monitoring shall mean wastewater samples taken by a User or the User’s contracted laboratory, consultant, engineer, or similar entity.

105. Service Lateral Line shall mean the wastewater collection pipe extending from premises where the wastewater is generated up to and including the connection to the Brine Line or tributaries thereto.

106. Sewer System Management Plan (SSMP) shall mean an approved plan adopted by SAWPA to control and reduce the occurrence and impact of sanitary sewer overflows.

107. Shall means mandatory.

108. Significant Industrial User (SIU), except as provided in 40 CFR 403.3(v)(2) and (v)(3) shall mean:

- a. All Industrial Users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter 1, Subchapter N.
- b. Any User that:
 - 1. Discharges Industrial Wastewater at an average 25,000 gallons per day (gpd) or more of process wastewater to the Brine Line or tributaries thereto (excluding sanitary, noncontact cooling and boiler blowdown wastewater);

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- 2. Contributes a process wastestream that makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of OCSD's POTW;
- 3. May cause pass through or interference with the Inland Empire Brine Line or OCSD's Sewerage Facilities; or
- 4. Is designated as an SIU by the General Manager on the basis that the User has a reasonable potential for adversely affecting the Brine Line or tributaries thereto or OCSD's POTWs or for violating any pretreatment standard or requirement (in accordance with 40 CFR 403.8(I)(6)).

109. Significant Noncompliance (SNC) shall mean any compliance violations that meet one or more of the following criteria:

- a. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all of the measurements taken for the same pollutant during a six-month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 40 CFR 403.3(1);
- b. Technical review criteria (TRC) violations are defined as those in which thirty-three (33%) percent or more of all of the measurements taken for the same pollutant during a six-month period equal or exceed the product of the numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 40 CFR 403.3(1) multiplied by the applicable TRC (TRC=1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH);
- c. Any other violation of a Pretreatment Standard or Requirement as defined by 40 CFR 403.3(1) (daily maximum, long term average, instantaneous limit, or narrative standard) that the POTW determines has caused, alone or in combination with other discharges, Interference or Pass Through (including endangering the health of POTW or SAWPA personnel or the general public);
- d. Any discharge of a pollutant that has caused imminent endangerment to human health or welfare or to the environment or has resulted in POTW's or SAWPA's exercise of emergency authority to halt or prevent such a discharge;
- e. Failure to meet, within ninety (90) days after the scheduled date, a compliance schedule milestone contained in a local control mechanism or enforcement order, for starting construction, completing construction, or attaining final compliance;
- f. Failure to provide, within forty-five (45) days of the due date, any

Exhibit "A"

- 1 required reports such as baseline monitoring reports, 90-day compliance
- 2 reports, periodic self-monitoring reports, and reports on compliance with
- 3 compliance schedules;
- 4
- 5 g. Failure to accurately report non-compliance; or
- 6
- 7 h. Any other violations or group of violations, which may include a
- 8 violation of Best Management Practices, which the POTW or SAWPA
- 9 determines will adversely affect the operation and implementation of
- 10 SAWPA's Pretreatment Program or the Brine Line or tributaries thereto.
- 11
- 12 **110. Single Pass Cooling Water** shall mean water that is used solely for the
- 13 purpose of cooling and is used only once before being discharged.
- 14
- 15 **111. Single Pass Heating Water** shall mean water that is used solely for the
- 16 purpose of heating and is used only once before being discharged.
- 17
- 18 **112. Sludge** shall mean any solid, semi-solid or liquid decant, subnate or
- 19 supernate from a manufacturing process, utility service, or Pretreatment
- 20 Facility.
- 21
- 22 **113. Slug Discharge** shall mean any discharge of a non-routine, episodic nature,
- 23 including but not limited to an accidental spill or a non-customary batch
- 24 discharge of wastewater, material or waste with such a high volume or
- 25 pollutant concentration which has the potential to cause damage,
- 26 Interference, or Pass Through in the Brine Line or tributaries thereto,
- 27 OCSD's POTW, or in any other way violates the POTW's regulations, Local
- 28 Limits or Permit conditions.
- 29
- 30 **114. Special Purpose Discharge** shall mean a wastewater discharge to the Brine
- 31 Line or tributaries thereto requiring a Wastewater Discharge Permit (Special
- 32 Purpose Discharge Permit) which has origins from unpolluted water, storm
- 33 water runoff, groundwater, treated groundwater, subsurface drainage or other
- 34 similar sources of wastewater.
- 35
- 36 **115. Spent Solution** shall mean any concentrated Industrial Wastewater or
- 37 Wastewater that is not authorized to be discharged to a Sewage facility until
- 38 appropriately treated.
- 39
- 40 **116. State Certified Laboratory** shall mean any laboratory accredited by the
- 41 Environmental Laboratory Accreditation Program (ELAP).
- 42 **117. Stormwater** shall mean water or wastewater generated when precipitation
- 43 from rain and snowmelt events flows or accumulates over land or impervious
- 44 surfaces and does not percolate into the ground.
- 45
- 46 **118. Temporary User** shall mean any User who is granted temporary permission
- 47 by the General Manager to discharge wastewater to the Brine Line or

Exhibit "A"

- 1 tributaries thereto and controlled by a Wastewater Discharge Permit or Letter
2 to Discharge.
- 3
- 4 **119. Temporary Wastewater Discharge Permit or Temporary Permit** shall
5 mean a wastewater discharge permit of short duration that may be issued to
6 an Industrial User that is determined to be discharging industrial wastewater
7 without a valid permit due to change of ownership.
- 8
- 9 **120. Total Dissolved Solids (TDS)** shall mean the total amount of all inorganic
10 and organic substances dispersed within a volume of water or wastewater
11 that is not retained on a laboratory filter and dried to a specified temperature
12 in accordance with approved laboratory methods.
- 13
- 14 **121. Total Suspended Solids or Suspended Solids** shall mean the total amount
15 of matter on the surface of, or suspended in, water, wastewater, or other
16 liquid, and that is removable by laboratory filtering in accordance with
17 approved laboratory methods.
- 18
- 19 **122. Total Toxic Organics (TTO)** shall mean the summation of all quantifiable
20 values greater than 0.01 milligrams per liter for the organics regulated by the
21 EPA or SAWPA for a specific industrial category.
- 22
- 23 **123. Total Organic Carbon (TOC)** shall mean the measure of total organic
24 carbon in mg/L using heat, oxygen, ultraviolet irradiation, chemical oxidants,
25 or combinations of these oxidants that convert organic carbon to carbon
26 dioxide, rounded to two significant figures. As such, Total Toxic Organics
27 is a subset of TOC.
- 28
- 29 **124. Unpolluted Water** shall mean water to which no pollutant has been added
30 either intentionally or accidentally.
- 31
- 32 **125. Upset** shall mean an exceptional incident which causes temporary and
33 unintentional non-compliance with the discharge limitations or prohibitions
34 applicable to a User or OCSD's POTW and which is beyond the reasonable
35 control of a User or OCSD's POTW and as more fully set forth in OCSD's
36 NPDES permit, 40 CFR Part 403.16, and California Water Code, Section
37 13385.
- 38
- 39 **126. User** shall mean any Member Agency, Contract Agency, Person or entity,
40 public or private, residential, industrial, commercial, governmental,
41 institutional, or liquid waste hauler that discharges or causes to be
42 discharged, wastewater into the Brine Line or tributaries thereto.
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- 44 **127. Waste** shall mean any discarded solid, semi-solid, liquid, or gaseous
45 material.
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- 47 **128. Wastestream** shall mean individually identifiable sources of waste that

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contribute to a User’s wastewater discharge.

129. Wastewater shall mean the used water and water carried waste from a User that is discharged to a sewer.

130. Wastewater Discharge Contract shall mean a written contract between SAWPA and a Member Agency or between a Member Agency and/or a Contract Agency and a potential User for the purpose of conveying a defined wastewater discharge capacity right to use the Brine Line or tributaries thereto.

131. Wastewater Discharge Permit shall mean the permit issued and enforced by the General Manager or designee permitting and regulating the discharge of wastewater into the Brine Line and tributaries thereto.

104.0 ADMINISTRATION.

A. **Adoption of Interpretive Rules.** SAWPA’s Commission may adopt interpretive rules or resolutions consistent with the provisions of this Ordinance for the administration of the Brine Line. Interpretive rules by SAWPA’s Commission pertain to, but shall not be limited to, discharge limitations, Pretreatment Requirements, standards for wastewater lines and services and implementation of standards promulgated pursuant to the Federal Water Pollution Control Act as amended by the Clean Water Act.

B. **General Powers of the General Manager.** Except as otherwise provided herein, the General Manager shall administer, implement and enforce the provisions of this Ordinance. Any powers granted or duties imposed upon the General Manager may be delegated by the General Manager to persons acting in the beneficial interest or employ of SAWPA, but shall remain the responsibility of the General Manager. In addition to the authority to prevent or eliminate discharges through enforcement of discharge limitations and prohibitions, the General Manager shall have the following powers:

1. **Endangerment to the community, environment, Brine Line or OCSD’s POTW.** The General Manager, after notice to the affected User, may immediately halt or prevent any discharge of pollutants into the Brine Line or tributaries thereto, by any means available, including physical disconnection from the Brine Line or tributaries thereto, whenever the wastewater discharge may endanger the health or welfare of the community, the environment, or threatens to damage or interfere with the operation of the Brine Line or tributaries thereto or OCSD’s POTW. Such discharges may be halted or prevented without regard to the compliance by the User with other provisions of this Ordinance.

C. **Specific Powers of the General Manager.** If wastewater is discharged or proposed to be discharged into the Brine Line or tributaries thereto in violation of this Ordinance, any Wastewater Discharge Permit or any other order, the

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1 General Manager may take any action necessary to:

- 2 1. Prohibit the discharge of such wastewater;
- 3
- 4 2. Require a User to demonstrate that in-plant modifications will reduce or
- 5 eliminate the pollutant or substance so that the discharge will not violate
- 6 this Ordinance;
- 7
- 8 3. Require treatment, including storage facilities or flow equalization
- 9 necessary to reduce or eliminate the pollutants or substance so that the
- 10 discharge will not violate this Ordinance;
- 11
- 12 4. Require the User making, causing or allowing the discharge to pay any
- 13 required industrial user permit fees, inspection fees, surcharges, fines,
- 14 penalties, damages, legal expenses, attorney's fees and any other cost or
- 15 expense incurred by SAWPA for handling, treating or disposing of excess
- 16 pollutant loads imposed on OCSD's POTW, and/or associated with alleged
- 17 or actual violations of OCSD's NPDES permit attributed to the User's
- 18 discharge;
- 19
- 20 5. Require timely and factually complete reports from the User responsible
- 21 for such discharge; and
- 22
- 23 6. Require such other or further remedial action as may be deemed to be
- 24 desirable or necessary to achieve the purposes of this Ordinance.
- 25

26 **105.0 NOTICE.** Unless otherwise provided herein, any notice required of the General
 27 Manager under this Ordinance shall be in writing.

28
 29 **106.0 CONFIDENTIALITY.** All User information and data obtained from reports, surveys,
 30 inspections, wastewater discharge applications, Wastewater Discharge Permits, and
 31 monitoring programs shall be available to the public and governmental agencies without
 32 restriction unless the User specifically requests at the time of submittal and marks each
 33 applicable page "confidential business information" and is able to demonstrate to the
 34 satisfaction of SAWPA that the release of such information would divulge information,
 35 processes, or methods of production entitled to protection as trade secrets under California
 36 and Federal law. The demonstration of the need for confidentiality made by the User must
 37 meet the burden necessary for withholding such information from the public under applicable
 38 state and federal laws. Information and data concerning or relating to wastewater quality and
 39 quantity shall not be considered confidential. All sample data obtained either by the User or
 40 SAWPA shall not be considered confidential. Confidential information shall be made
 41 available, upon request, to governmental agencies for enforcement or judicial purposes related
 42 to this Ordinance, OCSD's NPDES Permit or the Pretreatment Program, and as required by
 43 California or federal law.

44
 45 All other information which is submitted to SAWPA will be available to the public at least to
 46 the extent provided by 40 CFR [2.302](#). The information and data provided to the Delegated
 47 Control Authority which is effluent data shall be available to the public without restriction.

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2 **107.0 TIME LIMITS.** Any time limit or deadline provided in any written notice or any
3 provision of this Ordinance may be extended only by a written extension by the General
4 Manager and only upon a showing of good cause by the User.
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**ARTICLE 2
GENERAL PROHIBITIONS AND LIMITATIONS
ON DISCHARGES**

201.0 PROHIBITED WASTE DISCHARGES. Except as hereinafter provided, no Person or User shall discharge or cause to be discharged into the Brine Line or tributaries thereto or any opening, sump, tank, clarifier, piping or waste treatment system which drains or flows into the Brine Line or tributaries thereto any of the following:

- A. Any earth, sand, rocks, ashes, cinders, spent lime, stone, stone cutting dust, gravel, plaster, diatomaceous earth, containers, concrete, food packaging, glass, metal filings, or metal or plastic objects, garbage, grease, viscera, paunch manure, bones, hair, hides, or fleshings, whole blood, dead animals, feathers, straw, shavings, grass clippings, rags, non-dispersible products, spent grains, spent hops, waste paper, wood, plastic, tar, asphalt residues, residues from refining or processing fuel or lubrication oil and similar substances, or solid, semi-solid or viscous material in quantities or volume which will obstruct the flow of sewage in the Brine Line or tributaries thereto or any object which will cause clogging of a sewer or sewage lift pump, or interferes with the normal operation of the Brine Line or tributaries thereto or OCSD's POTW.
- B. Any compound or material which will produce noxious odors in the Brine Line or tributaries thereto or OCSD's POTW.
- C. Any discharge resulting in toxic gases, vapors or fumes within the Brine Line or tributaries thereto in a quantity that may cause acute health and safety problems for SAWPA or OCSD employees, contract employees, the public, and OCSD's POTW.
- D. Any recognizable portions of human or animal anatomy.
- E. Any solids, liquids, gases, devices, or explosives which by their very nature or quantity are or may be, sufficient either alone or by interaction with other substances or sewage to cause fire or explosion hazards, exceed 10% of the lower explosive limit (LEL) at the point of discharge or in the collection system, or in any other way create imminent danger to SAWPA or contract wastewater personnel, OCSD's POTW, the environment or public health.
- F. Any wastewater or material with a closed cup flash point of less than 140 degrees Fahrenheit or 60 degrees Celsius using the test methods specified in 40 CFR 261.21.
- G. Any overflow from a septic tank, cesspool or seepage pit, or any liquid or sludge pumped from a cesspool, septic tank or seepage pit, except as may be permitted by the General Manager.
- H. Any discharge from the wastewater holding tanks of recreational vehicles,

Exhibit "A"

- 1 trailers, buses and other vehicles, except as may be permitted by the General
2 Manager.
- 3
- 4 I. Any quantity of wastewater flow in excess of permitted limits or purchased
5 capacity.
- 6
- 7 J. Any substance or heat in amounts which will inhibit biological activity in
8 OCSD's POTW resulting in Interference or which will cause the temperature
9 of the sewage in Brine Line or tributaries thereto to be higher than 140 degrees
10 Fahrenheit. In no case shall any substance or heat be discharged to the Brine
11 Line or tributaries thereto which will raise OCSD's POTW influent higher than
12 104 degrees Fahrenheit (40 degrees Celsius).
- 13
- 14 K. Any radioactive waste in excess of federal, state or county regulations.
- 15
- 16 L. Any pollutants, material or quantity of material which will cause:
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 - 18 1. Damage to any part of the Brine Line or tributaries thereto;
 - 19 2. Abnormal maintenance of the Brine Line or tributaries thereto;
 - 20 3. An increase in the operational costs of the Brine Line or tributaries thereto;
 - 21 4. A nuisance or menace to public health;
 - 22 5. Interference or Pass Through in OCSD's POTW, its treatment processes,
23 operations, biosolids processes, use or disposal. This applies to each User
24 introducing pollutants into the Brine Line or tributaries thereto whether or
25 not the User is subject to other National Pretreatment Standards or any
26 national, State, or local pretreatment requirements; or
 - 27 6. A violation of the OCSD's NPDES permit, or any Federal, State, or local
28 regulatory requirement.
- 29
- 30 M. Any quantities of herbicides, algacides, or pesticides in excess of local limits
31 or national pretreatment standards.
- 32
- 33 N. Any petroleum oil, non-biodegradable cutting oil, or products of mineral oil
34 origin in excess of local limits or National Pretreatment Standards.
- 35
- 36 O. Any material or quantity of material(s), including but not limited to fats, oils
37 and grease (FOG), which will cause abnormal sulfide generation, obstruct
38 flows within the collection system, or contributes to or causes a sanitary sewer
39 overflow.
- 40
- 41 P. Any water or wastewater used to artificially raise the Industrial User's volume
42 and added for the purpose of diluting wastes which would otherwise exceed
43 applicable permitted discharge limitations. Any wastewater having a corrosive
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Exhibit "A"

- 1 property capable of causing damage to the Brine Line or tributaries thereto,
2 OCSD's POTW, equipment, or structures or presenting a hazard to SAWPA
3 or contract personnel. However, in no case shall wastewater be discharged to
4 the Brine Line or tributaries thereto or OCSD's POTW with a pH less than 6.0,
5 or greater than 12.0.
6
- 7 Q. Any substance which will cause discoloration of OCSD's POTW influent
8 which results in a violation of OCSD's NPDES permit.
9
- 10 R. Any pollutant, including oxygen demanding pollutants (BOD, COD, etc.),
11 released in a discharge at a flow rate and/or pollutant concentration which will
12 cause Interference with OCSD's POTW or SAWPA's Brine Line or tributaries
13 thereto.
14
- 15 S. Any substance which may cause OCSD's POTW effluent or any other product
16 such as residues, biosolids, or scums to be unsuitable for reclamation or reuse
17 or which will interfere with any of the reclamation processes. This includes
18 any material which will cause the biosolids at OCSD's POTW to violate
19 applicable biosolids use or disposal regulations developed under the Federal
20 Clean Water Act, 33 USCA, Section 1251, et seq., or any regulations affecting
21 biosolids use or disposal developed pursuant to the Solid Waste Disposal Act,
22 42 USCA, Section 6901, et seq.; Clean Air Act, 42 USCA, Section 7401, et
23 seq.; Toxic Substance Control Act, 15 USCA, Section 2601, et seq., or any
24 other applicable State Regulations. Examples include food packaging, product
25 containers, and non-dispersible products.
26
- 27 T. Hazardous waste as defined in 40 CFR 261, which violates the objectives of
28 the General Pretreatment Regulations (40 CFR 403.12(p)), this Ordinance, or
29 any statute, rule, regulation or chapter of any public agency having jurisdiction
30 over said discharge.
31
- 32 U. Any material, pollutants or wastewater in excess of the quantities and
33 limitations established by resolution.
34
- 35 V. Any radiator fluid or coolant, cutting oil, water soluble cutting oil, or water
36 based solvent.
37
- 38 W. Detergents, surface-active agents, or other substances that might cause
39 excessive foaming, as determined by the General Manager, that may cause or
40 contribute to additional treatment costs incurred by SAWPA or a violation of
41 OCSD's NPDES permit, or cause or contribute to Pass Through, Interference,
42 or other known damages in the Brine Line and/or OCSD's POTW.
43
- 44 X. Any discharges of reclaimable wastewater to the Brine Line that originate in
45 the SAWPA Brine Line service area shall be minimized and may only be
46 disposed to the Brine Line as identified in the Wastewater Discharge Permit.
47

Exhibit "A"

- 1 Y. Any trucked or hauled pollutants, except at discharge points designated by the
- 2 Delegated Control Authority, with concurrence of the Control Authority.
- 3
- 4 Z. Any discharges of solid wastes consisting of, but not limited to, hypodermic
- 5 needles, syringes, instruments, utensils or other paper and plastic items from
- 6 hospitals, clinics, offices of medical doctors, convalescent homes, medical
- 7 laboratories or other medical facilities.
- 8
- 9 AA. Unused, unwanted, or expired pharmaceuticals (both over the counter and
- 10 prescription-only medications) shall not be disposed of in the Brine Line,
- 11 except in accordance with federal and state regulations, or in the absence of
- 12 such regulations, using Best Management Practices.
- 13
- 14 BB. Any discharges of Mixed Loads from a Liquid Waste Hauler at a Brine Line
- 15 Collection Station.
- 16
- 17 CC. Causes fouling, occlusion, or damage to the POTW beyond normal wear and
- 18 tear.
- 19

20 **202.0 DILUTION PROHIBITED AS A SUBSTITUTE FOR TREATMENT.** No User
 21 shall increase the use of water, or in any other manner, attempt to dilute a wastewater
 22 discharge as a partial or complete substitute for adequate treatment to achieve compliance
 23 with this Ordinance and the User’s Wastewater Discharge Permit, or to establish an artificially
 24 high flow rate for permitted mass emission rates or permitted flow amounts.

25
 26 **203.0 LIMITATIONS ON GROUNDWATER SURFACE RUNOFF AND**
 27 **SUBSURFACE DRAINAGE.**

- 29 A. Stormwater, groundwater, surface runoff water, or subsurface drainage, yard
- 30 drainage, or runoff from any field, roof, yard, driveway, or street shall not be
- 31 discharged into the Brine Line or tributaries thereto, except as provided herein.
- 32 The General Manager may approve the discharge of such water when no
- 33 alternative method of disposal is reasonably available and to mitigate an
- 34 environmental risk or health hazard.
- 35
- 36 B. Special Purpose Discharges (i.e. groundwater, surface runoff water, or
- 37 subsurface drainage) shall require approval by both the General Manager and
- 38 the OCSD General Manager for discharge to the Brine Line or tributaries
- 39 thereto. Such approval does not constitute a vested entitlement to discharge.
- 40 Such a discharge shall require a Wastewater Discharge Permit or Letter to
- 41 Discharge. Special Purpose Discharge Permits may have a limited duration
- 42 for more than one discharge event. One time discharge events less than 1
- 43 million gallons are covered through a Letter to Discharge.
- 44

45 **204.0 LIMITATIONS ON UNPOLLUTED WATER.**

- 46 A. Unpolluted Water, which may include cooling water, heating water,
- 47

Exhibit "A"

1 stormwater, groundwater, surface runoff, subsurface runoff, single pass
 2 cooling water, and single pass heating water, shall not be discharged to the
 3 Brine Line or tributaries thereto, except as provide herein. The General
 4 Manager may approve the discharge of such water when no reasonable
 5 alternative method of disposal or reuse is available, or to mitigate an
 6 environmental risk or health hazard. The User shall pay all applicable user
 7 charges and fees. Stormwater discharges to the Brine Line are not authorized.
 8 The General Manager may provide authorization for stormwater discharges
 9 that comply with SAWPA’s stormwater policy, which adheres to OCSD’s
 10 stormwater policy. Any deviation from OCSD’s stormwater policy must be
 11 approved by OCSD’s General Manager followed by SAWPA’s issuance of a
 12 Wastewater Discharge Permit, Special Purpose Discharge Permit, or Letter of
 13 Discharge.

14
 15 B. Unpolluted water approved for discharge to the Brine Line or tributaries
 16 thereto shall require a Wastewater Discharge Permit from SAWPA.
 17

18 **205.0 LIMITATIONS ON DOMESTIC WASTEWATER AND SEPTAGE WASTE.**
 19

20 A. Domestic Wastewater or septage waste from a private sewage disposal system
 21 shall not be discharged to the Brine Line or tributaries thereto, except in
 22 specific cases authorized by the General Manager. The General Manager may
 23 approve the discharge on a temporary basis when no reasonable alternative
 24 method is available.
 25

26 B. Any temporary User wanting to discharge domestic or septage wastewater to
 27 the Brine Line or tributaries thereto is required to apply for and obtain a
 28 Wastewater Discharge Permit or Letter to Discharge from SAWPA. The User
 29 granted approval shall be responsible for all applicable charges and fees and
 30 shall abide by all conditions as contained in either the Wastewater Discharge
 31 Permit or Letter to Discharge.
 32

33 **206.0 LIMITATIONS ON POINT OF DISCHARGE.** No Person or User shall discharge
 34 any wastewater directly into a maintenance access structure, manhole or other opening in the
 35 Brine Line or tributaries thereto, other than through an approved building sewer connection,
 36 unless written permission for the discharge has been granted by the General Manager. This
 37 prohibition shall not apply to authorized SAWPA personnel, contract employees, or Member
 38 Agency and Contract Agency employees involved with the maintenance, cleaning, repair, or
 39 inspection of the Brine Line or tributaries thereto.
 40

41 **207.0 LIMITATIONS ON THE USE OF GRINDERS.** Waste from industrial or
 42 commercial grinders shall not be discharged to the Brine Line or tributaries thereto, except
 43 waste generated in packing or preparing food or food products, but not food service
 44 establishments. Such grinders shall shred the waste to a degree that all particles will be carried
 45 freely under normal flow conditions prevailing in the Brine Line or tributaries thereto. Waste
 46 from food service establishments operating a grinder is prohibited and shall not be discharged
 47 into the Brine Line unless written authorization from the General Manager is provided.

Exhibit "A"

1
2 **208.0 LIMITATIONS ON BIOCHEMICAL OXYGEN DEMAND (BOD).** All
3 wastewater discharged to the Brine Line or tributaries thereto shall have a monthly average
4 limit for BOD. All BOD discharges in excess of the established limitations shall be subject to
5 a surcharge fee and/or a noncompliance fee. These limitations, surcharge fees and
6 noncompliance fees shall be established by resolution by SAWPA's Commission.
7

8 **209.0 LIMITATIONS ON INFECTIOUS WASTE DISPOSAL.**
9

10 A. Those Users that generate liquid infectious and/or etiologic waste must obtain
11 written permission from the General Manager prior to disposal of the liquid
12 infectious or etiologic waste to the Brine Line or tributaries thereto. The User
13 must submit a written request to the General Manager that shall include:
14

- 15 1. The source and volume of the infectious or etiologic waste;
- 16 2. The procedures and equipment used for waste disinfection; and
- 17 3. Employee training procedures.

18
19 B. If the General Manager determines that the waste would not be completely
20 disinfected or rendered inactive, the General Manager shall issue a written
21 denial to the User and state the reasons for the denial. This denial shall be
22 issued within thirty (30) days from receipt of the written request.
23

24 C. If the General Manager determines that complete disinfection or inactivation
25 of the waste can be achieved prior to discharge of the waste to the collection
26 system, then conditional written approval may be granted by the General
27 Manager for the disposal of the waste. Such written letter of approval shall be
28 sent to the User within thirty (30) days of receipt of the written request.
29

30 D. If the User is granted permission for disposal, the User shall:
31

- 32 1. Completely disinfect or render inactive the liquid waste prior to discharge
33 to the Brine Line or tributaries thereto as outlined in the approval letter;
- 34 2. Not dispose of solid infectious or etiologic waste to the Brine Line or
35 tributaries thereto, including hypodermic needles, syringes, instruments,
36 utensils or other paper and plastic items of a disposable nature, or
37 recognizable portions of the human or animal anatomy; and
- 38 3. Permit the General Manager to conduct periodic inspections to verify that
39 all disinfection methods, procedures, and practices are being performed.
40
41

42
43 **210.0 LIMITATIONS ON DISPOSAL OF SPENT SOLUTIONS AND SLUDGES.** All
44 spent solutions, sludges, and materials in violation of the User's Wastewater Discharge Permit
45 limitations for discharge to the Brine Line or tributaries thereto, shall be disposed of in a
46 legally approved manner at a legally approved disposal site specific for the waste being

Exhibit "A"

1 disposed. All disposed waste shall be properly manifested as to its origin, type, amount and
 2 disposal site in compliance with all applicable laws and regulations.

3
 4 **211.0 SLUG DISCHARGES.**

- 5
 6 A. If the General Manager determines that a User has caused a slug discharge into
 7 the Brine Line or tributaries thereto in quantities or concentrations and in a
 8 manner or method not previously approved by the General Manager, then the
 9 User shall be liable for any non-compliance monetary fee, fine or penalty as
 10 established by resolution by SAWPA's Commission. If the User's slug
 11 discharge has resulted in damage to the Brine Line or tributaries thereto or
 12 caused Interference or Pass Through at OCSD's POTW, then the User shall be
 13 liable for all associated costs including, administrative costs and overhead,
 14 treatment, repairs, regulatory fines, penalties, legal expenses, damages, and
 15 attorney's fees. All Wastewater Discharge Permits issued to SIUs will contain
 16 slug control requirements in accordance with 40 CFR 403.8(f) (1) (iii) (B) (6).
 17
 18 B. Upon finding that a User has caused a slug discharge into the Brine Line or
 19 tributaries thereto, then the User shall submit a written report to the General
 20 Manager how the slug discharge occurred and how it will be prevented in the
 21 future. This report shall be due within five (5) days of notification to the User
 22 by the General Manager.
 23
 24 C. Repeated slug discharges by the User shall be grounds for permit revocation
 25 and cessation of all wastewater discharges to the Brine Line or tributaries
 26 thereto.
 27

28 **212.0 LIMITATIONS ON WASTEWATER ORIGINATING FROM OUTSIDE THE**
 29 **SERVICE AREA.** Discharge of wastewater originating from outside the SAWPA Brine Line
 30 Service Area is prohibited and is a violation of this Ordinance and the User's permit, if the
 31 User holds a permit at the time of the prohibited discharge. On a case-by-case basis, SAWPA
 32 may seek approval from OCSD to allow the discharge of wastewater originating from outside
 33 the SAWPA Inland Empire Brine Line Service Area. SAWPA shall make the request on
 34 behalf of the potential User who seeks to discharge such wastewater to the Inland Empire
 35 Brine Line. Any approval provided by OCSD will be reflected in a subsequent permit or
 36 Letter to Discharge issued by SAWPA.
 37

38 **213.0 FEDERAL CATEGORICAL PRETREATMENT STANDARDS.** All Industrial
 39 Users subject to a National Categorical Pretreatment Standard shall comply with all
 40 requirements of such standard, and shall also comply with any limitation contained in this
 41 Ordinance. The National Categorical Pretreatment Standards found in 40 CFR Chapter I,
 42 Subchapter N and amendments thereto are hereby incorporated herein by reference. Where
 43 duplication of the same pollutant limitation exists, the limitation which is more stringent shall
 44 prevail.
 45
 46

Exhibit "A"

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**ARTICLE 3
WASTEWATER DISCHARGE CONTRACTS
USER CHARGES AND FEES**

301.0 INTRODUCTION. To ensure the maximum public benefit from the use of the Brine Line and tributaries thereto, written authorizations from SAWPA to use the Brine Line or tributaries thereto are required. These written authorizations shall be in the form of a Wastewater Discharge Contract (applicable to Direct Dischargers) and a Wastewater Discharge Permit or Letter to Discharge (applicable to Direct and Indirect Dischargers).

302.0 WASTEWATER DISCHARGE CONTRACT BETWEEN SAWPA AND A MEMBER AGENCY OR CONTRACT AGENCY. A written Wastewater Discharge Contract, also known as a treatment and disposal agreement, is required between SAWPA and a Member Agency or a Contract Agency wherein the Member Agency or the Contract Agency purchases from SAWPA a right to discharge a specified amount of approved wastewater into the Brine Line or tributaries thereto. The amount of this right will ordinarily be expressed in "capacity units" or million gallons per day (MGD). The minimum capacity unit shall be 0.010 MGD. The Wastewater Discharge Contract shall include, but not be limited to:

- A. The amount of the discharge right to be purchased or leased (Flow (MGD), BOD (concentration and pounds), TSS (concentration and pounds);
- B. The purchase price or lease rate of the discharge right as established by SAWPA's Commission;
- C. A description of operation and maintenance costs, fixed fees and other costs to be paid to SAWPA;
- D. A provision that the Wastewater Discharge Contract shall conform with all provisions of SAWPA ordinances and resolutions regulating the availability and use of the Brine Line or tributaries thereto.
- E. A description of the operational and regulatory reporting responsibilities as required to comply with applicable state and local regulations including, but not limited to, the Statewide General Waste Discharge Requirements for Sanitary Sewer Systems.

The Wastewater Discharge Contract shall be in addition to a separate agreement(s) by which the Member Agency or the Contract Agency obtained Pipeline Capacity rights. To discharge to the Brine Line sufficient Pipeline Capacity Rights and Treatment and Disposal Capacity Rights are required.

Exhibit "A"

1 **303.0 WASTEWATER DISCHARGE CONTRACTS BETWEEN A MEMBER**
 2 **AGENCY OR A CONTRACT AGENCY AND A USER OF THE BRINE LINE OR**
 3 **TRIBUTARIES THERETO.**
 4

- 5 A. Any potential User of the Brine Line or tributaries thereto must first apply to
 6 the Member Agency or the Contract Agency with jurisdiction for a Wastewater
 7 Discharge Contract. After review and acceptance of the potential User's
 8 application, the Member Agency or the Contract Agency must enter into a
 9 Wastewater Discharge Contract with the potential User before the User may
 10 discharge to the Brine Line or tributaries thereto. The Wastewater Discharge
 11 Contract shall be in accordance with Section 302.0 of this Ordinance. The
 12 potential User shall pay to the Member Agency or the Contract Agency all
 13 costs associated with Wastewater Discharge Contract. A Wastewater
 14 Discharge Contract must be obtained from a Member Agency or a Contract
 15 Agency prior to filing an application for a Wastewater Discharge Permit. For
 16 wastewater originating from outside the SAWPA Inland Empire Brine Line
 17 Service Area, SAWPA must obtain specific approval from OCSD prior to any
 18 and all approvals being provided to the User, such as authorization to
 19 discharge, a contract, and a discharge permit.
 20
- 21 B. All wastewater to be discharged pursuant to the Wastewater Discharge
 22 Contract between a Member Agency or a Contract Agency and a User shall be
 23 contingent upon the issuance by SAWPA to the potential User, a Wastewater
 24 Discharge Permit, pursuant to Article 4 of this Ordinance. The User shall also
 25 apply for a Wastewater Discharge Permit in accordance with Article 4 of this
 26 Ordinance.
 27
- 28 C. All fees and charges paid by the User in connection with the Wastewater
 29 Discharge Contract and the Wastewater Discharge Permit are non-refundable.
 30 In the event that the Wastewater Discharge Permit is revoked, the User shall
 31 not be entitled to any refund of any fees and charges it has paid the Member
 32 Agency or the Contract Agency or SAWPA.
 33

34 **304.0 USER CHARGES AND FEES.**
 35

- 36 A. Users shall pay to SAWPA the following categories of costs in conformance
 37 with the Wastewater Discharge Contracts and the applicable resolutions
 38 adopted by SAWPA's Commission:
 39
- 40 1. Operation and Maintenance Costs or User Charges. These charges shall
 41 include disposal costs for a direct connection to the Brine Line, plus all
 42 applicable charges and fees as established by resolution by SAWPA's
 43 Commission;
 44
 - 45 2. Liquid Waste Hauler User Charges. These charges shall cover all costs of
 46 SAWPA and its Member Agencies or its Contract Agencies for providing
 47 Collection Station service to Liquid Waste Haulers using the Brine Line or

Exhibit "A"

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tributaries thereto for wastewater disposal. These charges shall be established by resolution by SAWPA's Commission;

3. Wastewater Discharge Permit Fees. All Wastewater Discharge Permit application and Wastewater Discharge Permit fees shall be paid directly by the User to SAWPA and/or Member Agencies and/or Contract Agencies upon invoice. These fees will be established by resolution by SAWPA's Commission.

4. Special Purpose Discharge Permit Charge. This charge shall cover all of SAWPA's costs for providing sewerage service and monitoring for Users requiring a Special Purpose Wastewater Discharge Permit. These costs shall be established by the General Manager. A deposit determined by the General Manager to be sufficient to pay these estimated charges shall accompany the Special Purpose Wastewater Discharge Permit Application.

5. Letter to Discharge Charge. This charge shall cover all of SAWPA's costs for providing sewerage service and monitoring for users requiring a Letter to Discharge. These costs shall be established by the General Manager. A deposit determined by the General Manager to be sufficient to pay these estimated charges shall accompany the Wastewater Discharge Permit Application.

6. All Users shall pay all applicable permit fees prior to the renewal of the Wastewater Discharge Permit.

7. Non-Compliance Charges will be as determined in Article 6 of this Ordinance, Enforcement and shall be paid directly by the User to SAWPA and/or Member Agencies and/or Contract Agencies upon invoice. The charges will pass along compliance costs from OCSD, if any.

B. A charge for use of the Brine Line or tributaries thereto, may be imposed by a Member Agency or a Contract Agency to Wastewater Discharge Permit Users. All such charges shall be paid by the User directly to the Member Agency or the Contract Agency in accordance with Section 303.0 of this Ordinance.

C. SAWPA shall be entitled to recover costs from Users for the implementation of SAWPA's pretreatment program. These costs relate to matters covered by this Ordinance and are separate from all other fees chargeable by SAWPA. SAWPA may adopt a resolution(s) to recover such costs for:

- 1. Developing, implementing, and operating SAWPA's Pretreatment Program and this Ordinance.
- 2. Monitoring, inspection, surveillance procedures and laboratory costs.
- 3. Reviewing plans and construction inspections.

Exhibit "A"

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- 4. Wastewater Discharge Permit application review.
 - 5. Wastewater Discharge Permit issuance.
 - 6. Reviewing data and reports.
 - 7. Noncompliance and enforcement.
 - D. Member Agencies or Contract Agencies may directly charge Users for costs related to Collection System maintenance of the Member Agency's or the Contract Agency's Collection System due to the effects of the User's wastewater discharge on the Member Agency's or the Contract Agency's Collection System.

Exhibit "A"

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**ARTICLE 4
WASTEWATER DISCHARGE PERMITS**

401.0 INTRODUCTION. Written authorization from SAWPA is required for all Users of the Brine Line and tributaries thereto to ensure the maximum public benefit. The written authorization shall be in the form of a Wastewater Discharge Permit or Letter to Discharge issued by SAWPA. SAWPA will issue all Liquid Waste Hauler Permits issued to entities transporting wastewater to the Collection Stations, per Section 509.0. Pursuant to the 1991 MOU a permit, or Letter to Discharge, will not be issued to the proposed discharger by SAWPA until after OCSD has reviewed the permit application, the proposed permit requirements, and given written concurrence to SAWPA.

402.0 WASTEWATER DISCHARGE PERMITS.

- A. Users subject to the provisions of this Ordinance shall obtain a Wastewater Discharge Permit prior to the connection or discharge to the Brine Line or tributaries thereto. No vested right shall be given, granted or acquired by the issuance of permits provided for in this Ordinance. User Wastewater Discharge Permits may be issued to Direct Dischargers or Users, Special Purpose Dischargers, and Indirect Dischargers or Users. Alternatively, at the discretion of the General Manager, SAWPA may issue a Letter to Discharge in lieu of a Special Purpose Discharge Permit for a specific User with a specific volume of wastewater with a specific set of characteristics that is located at a specific location.
- B. A Wastewater Discharge Permit shall not be issued until plans submitted have been approved by the General Manager for any sewer connection which will convey industrial wastewater to the Brine Line or tributaries thereto.
- C. The General Manager shall deny or condition discharges of pollutants, or changes in the nature of pollutants, to the Brine Line or tributaries thereto, by Users where such discharges do not meet applicable Pretreatment Standards and requirements or where such discharges would cause violation of this Ordinance, OCSD Ordinance No. OCSD-48 or successors thereto, or where such discharges would cause OCSD to violate any requirements or obligations placed upon OCSD by Regulatory Agencies or agreements.
- D. Users required to obtain a Wastewater Discharge Permit shall complete and file with the General Manager a Wastewater Discharge Permit application form provided by the General Manager and shall pay all applicable fees within thirty (30) days of invoicing by SAWPA. The application form may require:
 - 1. Name, address, assessor’s parcel number and location (if different from the site address) for the company, owner, and operator.
 - 2. Name and address of the authorized representative(s).

Exhibit "A"

- 1 3. North American Industry Classification System (NAICS) number
2 according to the Federal North American Industry Classification System,
3 Office of Management and Budget, 2012, as amended.
4
- 5 4. EPA hazardous waste generator's number.
6
- 7 5. Wastewater samples analyzed for specified pollutants. The samples shall
8 be analyzed by a State certified laboratory in accordance with the methods
9 published by the EPA in 40 CFR Part 136 or as specified.
10
- 11 6. Time and duration of the wastewater discharges.
12
- 13 7. Average and maximum daily wastewater flow rates, including any seasonal
14 variation of all wastestreams discharged.
15
- 16 8. A list of all environmental control permits held.
17
- 18 9. A statement from the property owner or landlord, if different from the
19 Industrial User, agreeing to the Industrial User's activities, manufacturing
20 processes, and chemical and material storage.
21
- 22 10. Site plans, floor plans, mechanical and plumbing plans with details to show
23 all sewers, sewer connections, pretreatment equipment, systems and
24 devices, production areas and all areas of wastewater generation.
25
- 26 11. A description of operations which shall include the nature, average rate of
27 production, and NAICS classification of the operation(s) carried out by the
28 Industrial User. This description shall include a schematic process diagram
29 that indicates water quality sampling location(s), and points of discharge
30 to the Brine Line or tributaries thereto, types of wastes generated, and a list
31 of raw materials and chemicals used or stored at the facility, which are, or
32 could be discharged to the Brine Line, number of employees, hours of
33 operation, and type and amount of raw materials processed.
34
- 35 12. Informational sheets describing the products manufactured by the User;
36 Federal Categorical designation (if applicable); what production means are
37 used; the waste generated; plot plans and diagrams of the facility and
38 wastewater pretreatment facilities; process flow diagrams, wastewater
39 flow, and wastewater pretreatment facilities; and waste disposal methods;
40
- 41 13. Flow measurement. The User shall submit information showing the
42 measured average daily and maximum daily flow in gallons per day to
43 SAWPA from federally regulated process wastestreams and other
44 wastestreams as necessary to allow use of the Combined Wastestream
45 Formula. Water supply information may be required, which includes the
46 water supplier's name(s) and account number(s).
47

Exhibit "A"

- 1 14. Measurement of pollutants. The User shall identify the National
2 Pretreatment Standard applicable to each regulated process and shall
3 describe which subcategories might be applicable and cite evidence and
4 reasons why such subcategories are applicable and others are not as
5 required by 40 CFR 403.6(a)(2). The User shall submit waste
6 characterization information listing all anticipated waste constituents in
7 both mass and concentration based on a daily average and daily maximum
8 basis and the maximum flow allowed in the capacity purchase contract.
9
- 10 15. Certification statement in 40 CFR Part 403.6(a) (2) (ii) executed by an
11 authorized representative of the User and prepared by a qualified
12 professional, indicating whether or not Pretreatment Standards (national
13 categorical and local) are being met on a consistent basis. If not, the
14 industrial user shall state if additional operation and maintenance or
15 additional pretreatment equipment is necessary to achieve compliance with
16 Pretreatment Standards and requirements.
17
- 18 16. All data submitted, including monitoring data, shall be certified accurate
19 by an authorized representative of the Industrial User as set forth in 40 CFR
20 Part 403.6(a)(2)(ii).
21
- 22 17. Facility Waste Management Plan as defined in Section 520.0 of this
23 Ordinance.
24
- 25 18. Where a federal categorical process has been identified, the User shall
26 submit a Baseline Monitoring Report with all the elements required by 40
27 CFR 403.12 (b) no later than ninety (90) days before discharge
28 commences.
29
- 30 19. Any other information as may be necessary for the General Manager to
31 evaluate the permit application.
32
- 33 E. Within ninety (90) days of receiving the completed Wastewater Discharge
34 Permit application, the General Manager shall evaluate the data furnished by
35 the applicant in the permit application. After evaluation of the data furnished,
36 the General Manager may issue a Wastewater Discharge Permit subject to the
37 terms and conditions provided in this Ordinance or deny a Wastewater
38 Discharge Permit. If the General Manager determines that sufficient
39 information has been provided by the applicant in the Wastewater Discharge
40 Permit application, the General Manager may issue a Wastewater Discharge
41 Permit to the applicant within ninety (90) days of receipt of the Wastewater
42 Discharge Permit application, if the General Manager finds that all of the
43 following conditions are met:
44
- 45 1. The proposed discharge of the applicant is in compliance with the
46 prohibitions and limitations of this Ordinance and related SAWPA
47 resolutions;

Exhibit "A"

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- 2. The proposed operation and discharge of the applicant would not interfere with the normal and efficient operation of the Brine Line or tributaries thereto and OCSD’s POTW;
 - 3. The proposed discharge, operation or business activity of the applicant shall not result in a violation of OCSD’s NPDES permit or cause a Pass Through of any toxic materials to the environment or OCSD’s POTW biosolids; and
 - 4. The applicant has been invoiced for all applicable Wastewater Discharge Permit fees by SAWPA and paid such fees.
- F. The General Manager may suspend the permit application process if the User’s business will not be operational and no wastewater is planned for discharge at the conclusion of the application review process. The User must notify the General Manager at least ninety (90) days prior to the commencement of the business activities and wastewater discharge.
- G. If the General Manager determines that the proposed discharge(s) will not be acceptable, then the General Manager shall disapprove the application and shall notify the applicant in writing, specifying the reason(s) for denial. The denial may apply if the User has not demonstrated adequate pretreatment equipment to ensure compliance with discharge limitations and the Ordinance.
- H. Approved Wastewater Discharge Permits shall be subject to all provisions of this Ordinance and all other applicable regulations, charges and fees established by resolution by SAWPA’s Commission. Permits may contain the following:
- 1. A statement that indicates the permit issuance date, expiration date and effective date;
 - 2. A statement that indicates the permit is non-transferrable;
 - 3. The unit charge or schedule of user charges and fees for the wastewater discharged to the Brine Line and tributaries thereto as established by this ordinance or resolutions;
 - 4. Limitations on the average monthly, maximum daily, and instantaneous maximum concentrations for wastewater pollutants and mass emission rates for pollutants and/or requirements for Best Management Practices (BMPs). The SAWPA Wastestream Correction Formula (WCF) may be used to adjust the Local Limits to account for the presence of SAWPA Industrial Non-Process Wastestreams.

Exhibit "A"

$$C_A = \frac{C_C(\sum_{N=1}^M F_N)}{F_T}$$

Where: C_A = Adjusted Local Limit to account for Industrial Non-Process Wastestream(s)

C_C = Local Limit for the pollutant constituent

F_N = Average daily flow for SAWPA Industrial Process Wastestream N

F_T = Average daily flow through the sample point

M = Total number of SAWPA Industrial Process Wastestreams;

5. Limitations on the average monthly and maximum daily wastewater flow rates;
6. Requirements for the submittal of a Facility Waste Management Plan;
7. Requirements for the submittal of daily, monthly, annual and long term production rates;
8. Requirements for reporting changes and/or modifications to equipment and/or processes that affect the quantity or quality of the wastewater discharged;
9. Requirements for installation and maintenance of monitoring and sampling equipment and devices;
10. Self-monitoring, sampling, reporting, notification, and record keeping requirements. These requirements shall include an identification of pollutants or BMPs to be monitored, sampling location, sampling frequency, and sample type (required);
11. The process for seeking a waiver from monitoring for a pollutant neither present, nor expected to be present, in the discharge (required);
12. Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate spill containment devices;
13. Specifications for monitoring programs, which may include: sampling location(s); frequency of sampling; pollutant violation notification and resampling requirements; number, types and standards for tests; reporting schedules; and self-monitoring standard operating procedures (SOPs);
14. Requirements to control Slug Discharge, if determined by the General Manager to be necessary;
15. Requirements for reporting flow and pollutant exceedances;
16. Consent to entry onto the User's premises to assess compliance by

Exhibit "A"

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inspection, records examination, sampling, and monitoring;

17. If compliance with Pretreatment Standards cannot be met on a consistent basis, then a compliance schedule shall be required. This schedule shall provide the shortest possible time for the User to provide additional pretreatment and/or operations and maintenance to achieve compliance. The compliance schedule shall contain increments of progress (called milestones) in the form of dates, not to exceed nine (9) months unless specifically approved otherwise by the Commission, for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to achieve compliance with applicable categorical pretreatment standards;

18. Compliance Schedule Progress Reports, if required, shall be submitted every thirty (30) days during the time the compliance schedule is in force, including a final compliance report at the conclusion of the compliance schedule. The User shall state whether or not compliance was achieved for the increment of progress to be met on such a date. If progress cannot be achieved, the User shall state the reasons for the delay and the steps to be taken to return to the dates originally established in the compliance schedule;

19. Requirements for submission of technical reports, contingency plans or discharge reports, Baseline Monitoring Reports (BMR), compliance reports, or reports on continued compliance;

20. Reports on compliance with Categorical Pretreatment Standard Deadlines. All Categorical Industrial Users shall submit reports to the General Manager containing the information described in Section 501. For existing Categorical Industrial Users, the report shall be submitted within ninety (90) days following the date for final compliance with applicable categorical pretreatment standards. For new Categorical Industrial Users, the report shall be due thirty (30) days following the commencement of wastewater discharge into the Brine Line or tributaries thereto. These reports shall contain long term production rates and actual production during the wastewater sampling periods. All reports must have an accompanying statement reviewed by an authorized representative of the User and certified by a qualified professional stating whether the pretreatment standards are or are not being met as set forth in 40 CFR Section 403.12(b)(6) and amendments thereto;

21. All Significant and Categorical Industrial Users shall submit Periodic Compliance Reports at least every six (6) months as specified in the Wastewater Discharge Permit. These reports shall include effluent sample analyses with the name and concentration or mass of the pollutants in the Wastewater Discharge Permit; average and maximum daily wastewater flows for all regulated processes and total flow for the reporting period;

Exhibit "A"

- 1 average and maximum daily production rates (if applicable); total
2 production for the reporting period (if applicable), and information related
3 to the application and compliance with BMPs in use (if applicable);
4
- 5 22. All required reports: BMRs, compliance reports, periodic reports on
6 continued compliance, and sample data submittals, must be signed and
7 certified by an authorized representative of the User, using the certification
8 statement contained in 40 CFR Part 403.6(a)(2)(ii). When submitting
9 reports electronically, the authorized representative shall have filled out a
10 signed Subscriber Agreement agreeing to submit self-monitoring data
11 required by the Industrial Wastewater Discharge Permit, and agreeing that
12 the use of an electronic signature device (Username, Personal
13 Identification Number, and Challenge Question/Answer) shall serve as a
14 legally enforceable signature in the same manner as an original signature
15 on a paper document;
16
- 17 23. Requirements for maintaining and retaining all records relating to the
18 wastewater monitoring, sample analyses, production, waste disposal,
19 recycling, and waste minimization as specified by the General Manager;
20
- 21 24. Requirements for notification of slug or accidental discharges, immediate
22 notification to the General Manager of any changes affecting the potential
23 for a slug discharge and significant changes in volume or characteristics of
24 the pollutants discharged;
25
- 26 25. Requirement for notification to SAWPA of all on-site spills;
27
- 28 26. Statement of applicable civil and criminal penalties for violation of
29 pretreatment standards and requirements, and any other applicable
30 compliance schedule, and responsibility for damages, legal expenses,
31 attorney's fees, administrative and overhead costs for violation of any
32 applicable pretreatment ordinances, standards and requirements and this
33 Ordinance and amendments thereto;
34
- 35 27. Other conditions as deemed appropriate by the General Manager to ensure
36 compliance with this Ordinance.
37
- 38 I. Wastewater Discharge Permit conditions and requirements may be appealed in
39 writing to the General Manager within ten (10) business days after the issuance
40 date. The written appeal shall state all of the facts and reasons that constitute
41 the basis for such an appeal. The written appeal shall be addressed by the
42 General Manager within thirty (30) business days from the date of filing of the
43 written appeal and may hold an appeal hearing with the Permittee. The General
44 Manager shall issue a final written determination on the appeal within
45 forty-five (45) business days from the date of filing of the written appeal. Any
46 User aggrieved by the final decision issued by the General Manager under this
47 section may seek an appeal to the SAWPA Commission by filing an appeal

Exhibit "A"

1 within ten (10) business days following the service of the General Manager's
2 final written determination on the appeal. The written appeal to the
3 Commission shall state all of the facts and reasons that constitute the basis for
4 such an appeal. Failure to file such an appeal within ten (10) business days
5 shall be deemed a waiver of the appeal process.
6

7 **403.0 PERMIT DURATION.** Wastewater Discharge Permits or other control mechanisms
8 shall be issued for a specified time period and shall not exceed the maximum duration of five
9 (5) years. The actual duration of a Significant Industrial User permit shall not exceed the
10 duration codified in OCSD's approved Pretreatment Program document, or successor thereof.
11 The maximum durations of other permit or control mechanisms types shall not exceed the
12 durations codified in OCSD's current Wastewater Discharge Regulations, OCSD's Ordinance
13 No. OCSD-48, or successors thereof.
14

15 **404.0 DUTY TO COMPLY.** All Users have a duty to comply with this Ordinance, related
16 resolutions, and all conditions and limitations in the permit. Failure to comply with the
17 requirements contained in this Ordinance, related resolutions and/or the permit may be
18 grounds for Wastewater Discharge Permit Revocation pursuant to Section 607.0, termination
19 of service pursuant to Section 608.0, administrative actions, or enforcement proceedings
20 including, injunctive relief, civil or criminal penalties, and summary abatements pursuant to
21 Article 6 of this Ordinance. Mandatory minimum penalties shall also be assessed where
22 appropriate.
23

24 **405.0 PERMIT RENEWAL, EXTENSION AND FEES.** All Users subject to wastewater
25 discharge permitting by SAWPA shall submit a completed Wastewater Discharge Permit
26 application for permit renewal at least ninety (90) days prior to the expiration of the User's
27 existing permit. All Users shall pay all applicable permit fees prior to the renewal of the
28 Wastewater Discharge Permit. No Wastewater Discharge Permit shall be renewed if the User
29 has not paid all applicable fees within thirty (30) days of invoicing by SAWPA, submitted
30 required monitoring information or production reports, or submitted any other required permit
31 information. In the event the General Manager cannot issue the permit prior to the expiration
32 date of the current permit and the submitted application has been received and deemed
33 complete, he/she may issue a written extension of the expired permit as deemed appropriate
34 by the General Manager. Users which do not have a valid Wastewater Discharge Permit shall
35 be considered in violation of this Ordinance and subject to enforcement action and any
36 applicable surcharge fees, fine, penalties, damages, legal expenses, attorney's fees,
37 administrative and overhead costs.
38

39 **406.0 PERMIT MODIFICATIONS.** The terms and conditions of the Wastewater Discharge
40 Permit may be subject to modification by the General Manager during the term of the permit
41 as limitations or requirements are modified or added or due to other just causes including, but
42 not limited to:
43

- 44 A. To incorporate any new or revised federal, state, or local pretreatment
45 standards or requirements;
46
47 B. To address significant alterations or modifications to the User's operation,

Exhibit "A"

- 1 processes, or wastewater volume or character since the time of the Wastewater
- 2 Discharge Permit issuance;
- 3
- 4 C. A change in the OCSD's POTW that requires either a temporary or permanent
- 5 reduction or elimination of the permitted discharge. Reasonable time frames
- 6 for compliance will be allocated for Users affected by the change(s);
- 7
- 8 D. The User's discharge poses a threat to the OCSD's POTW, SAWPA and/or
- 9 OCSD personnel, contract employees, the public, or receiving waters;
- 10
- 11 E. Violation of any term or condition of the Wastewater Discharge Permit;
- 12
- 13 F. Misrepresentations or failure to fully disclose all relevant facts in the
- 14 Wastewater Discharge Permit application or in any required reporting; or
- 15
- 16 G. To correct typographical or other errors in the Wastewater Discharge Permit.
- 17

18 Any modifications in the permit shall include a reasonable time schedule for compliance, if
19 necessary.

20
21 **407.0 NO PERMIT TRANSFER OR ASSIGNMENT.** Wastewater Discharge Permits are
22 issued to a specific User for a specific operation at a specific location or for a specific liquid
23 waste hauler, for a specified time and create no vested rights. No Wastewater Discharge
24 Permit shall be assigned, transferred, pledged or sold to a new owner, new User, or different
25 premises.

- 26
- 27 A. When the permittee is a legal entity (such as a corporation, partnership, limited
- 28 liability company, or other legal entity), the permittee is deemed to have
- 29 undergone a change of ownership when any other legal entity or person
- 30 acquires a direct or indirect ownership or control of more than fifty percent
- 31 (50%) of the total ownership interest in the permittee. The permit is void if an
- 32 attempt is made to assign, transfer, pledge or sell the permit to a new owner,
- 33 new User, or a different premise.
- 34
- 35 B. At least thirty (30) days prior to the sale or change of ownership of any business
- 36 operating under a permit, the Permittee shall notify SAWPA in writing of the
- 37 proposed sale or change of ownership. The successor owner shall apply to
- 38 SAWPA for a new permit at least fifteen (15) days prior to the sale or change
- 39 of ownership in accordance with the provisions of this Ordinance. A successor
- 40 owner shall not discharge any wastewater for which a permit is required by
- 41 this Ordinance until a new permit or Letter to Discharge is issued to the
- 42 successor owner.
- 43
- 44 C. The written notification of intended sale or change of ownership shall be in a
- 45 form approved by SAWPA and shall include a written certification by the new
- 46 owner or Authorized Representative, which shall include as a minimum:
- 47

Exhibit "A"

- 1 1. the specific date on which the sale or change of ownership is to occur; and
 2
 3
 4 2. an acknowledgement to comply with all the terms, conditions, limits, and
 5 provisions of this Ordinance and the new permit or Letter to Discharge.
 6
 7 D. In the event that the General Manager determines that any person is
 8 discharging industrial wastewater directly or indirectly to the Brine Line or
 9 tributaries thereto without a valid Permit, the General Manager may issue to
 10 such person a Temporary Wastewater Discharge permit (Temporary Permit)
 11 containing such conditions, limitations, restrictions, and other provisions or
 12 requirements, which the General Manager determines are necessary or
 13 advisable to protect the Brine Line or tributaries thereto and to assure
 14 compliance with all federal, state and SAWPA discharge requirements. This
 15 Temporary Permit shall be enforceable until such time as a Permit is issued.
 16 The User shall immediately comply with all of the provisions and requirements
 17 of such Temporary Permit, and shall apply for a permit within thirty (30) days
 18 from the issuance of the Temporary Permit. In no cases shall an extension be
 19 granted for the thirty (30) day requirement. A Temporary Permit is for a
 20 limited duration and shall not be extended. A Temporary Permit is revocable
 21 by the General Manager at any time. Any User whose Temporary Permit is
 22 revoked shall immediately cease and desist all discharge of any industrial
 23 wastewaters.

24 **408.0 WASTEWATER DISCHARGE CONTRACT CAPACITY RIGHTS.** Except as
 25 otherwise provided in Section 409.0 below, no User shall exceed its wastewater discharge
 26 capacity right into the Brine Line or tributaries thereto. Whenever a User's monthly average
 27 flow exceeds the User's Wastewater Discharge Permit capacity right, the User shall notify the
 28 appropriate Member Agency or Contract Agency and SAWPA within five (5) days of
 29 discovering the exceedance. If the monthly average flow exceedance is an isolated event, then
 30 the User shall be liable for costs incurred with the additional wastewater discharge in excess
 31 of the purchased discharge capacity right. If the daily exceedance is a necessary part of the
 32 User's business activities, then the User shall, within five (5) days, make application to acquire
 33 and pay for sufficient additional wastewater discharge capacity right in the Brine Line or
 34 tributaries thereto, which shall be retroactive to the date of the exceedance. The additional
 35 purchased capacity right shall result in a wastewater discharge capacity right that exceeds the
 36 User's daily flow by ten (10) percent or as approved by the General Manager. Any User who
 37 fails to purchase the additional wastewater discharge capacity right when required shall be
 38 subject to enforcement actions.

39
 40 **409.0 OPERATIONAL EMERGENCY DISCHARGE.** Notwithstanding the provisions of
 41 Section 408.0 above, if due to an operational emergency, a User must discharge in excess of
 42 its existing wastewater discharge capacity right, then, after providing the General Manager
 43 with at least two (2) business days advance notice if practicable, the User may do so for a
 44 period not to exceed one-hundred eighty (180) days without incurring the obligation to
 45 purchase an additional wastewater discharge capacity right, provided that the User fully
 46 complies with the provisions of this Section, this Ordinance, permit conditions at all times,
 47 and pays for such discharge as determined by the General Manager.

Exhibit "A"

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- 2
- 3 A. As used herein, "Operational Emergency", shall mean an equipment
- 4 breakdown or other malfunction which causes the User to discharge in excess
- 5 of its existing treatment and disposal capacity right in the Brine Line and
- 6 tributaries thereto.
- 7
- 8 B. Prior to or by the next business day following the commencement of the
- 9 emergency discharge the User shall provide written notice to the General
- 10 Manager identifying:
- 11 1. The nature of the emergency requiring the excess discharge;
- 12 2. The anticipated duration of the excess discharge; and
- 13 3. The name of the User's employee whom the General Manager may contact
- 14 for further information.
- 15
- 16 C. The General Manager may order that such emergency discharges cease
- 17 immediately or impose on the Discharger, such requirements as the General
- 18 Manager deems appropriate and necessary to protect SAWPA's facilities and
- 19 interest, including the Brine Line and tributaries thereto, and OCSD's POTW.
- 20
- 21 D. User shall pay to SAWPA a surcharge on the flow exceeding the User's
- 22 existing wastewater discharge capacity right, in addition to the payment of the
- 23 volumetric, BOD and TSS charges for the entire daily flow. The surcharge
- 24 shall be applied to the excess flow, BOD and TSS and be calculated using the
- 25 rate established annually by Resolution of the Commission.
- 26
- 27 E. If upon expiration of the one hundred eighty (180) day period the User's daily
- 28 flow continues to exceed the User's existing wastewater discharge capacity
- 29 right, then the User shall immediately acquire additional increments of
- 30 wastewater discharge capacity right pursuant to Section 408.0 of this
- 31 Ordinance.
- 32
- 33 F. A User causing or making an Operational Emergency Discharge shall be liable
- 34 for any surcharges, fees, fines, penalties, damages, legal expenses, attorney's
- 35 fees, administrative and overhead costs, and other direct or indirect costs
- 36 incurred by SAWPA as a result of such discharge.
- 37
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40 **410.0 LIQUID WASTE HAULER PERMITS.** Prior to discharging any wastewater to the
 41 Brine Line or tributaries thereto, Users hauling and disposing of wastewater to a Collection
 42 Station must apply for and obtain a separate Liquid Waste Hauler Permit. This permit is
 43 separate and in addition to the Wastewater Discharge Permit required for each wastewater
 44 Indirect Discharger or Generator. Liquid Waste Hauler Permits are issued by the General
 45 Manager in accordance with Sections 401 and 402; after all required permit application
 46 information, insurance, and fees are provided. Additional liquid waste hauler requirements are
 47 defined in Section 509.0. All Liquid Waste Haulers shall comply with all permit requirements

Exhibit "A"

- 1 and conditions, permitting and disposal procedures as established by this Ordinance, and pay
 2 all applicable fees established by resolution. All Liquid Waste Haulers shall obtain all other
 3 applicable permits required by city, county or state agencies. All Liquid Waste Haulers shall
 4 also abide by the following requirements and conditions:
 5
- 6 A. Hauling and disposing of wastewater only to a designated and authorized Brine
 7 Line Collection Station for permitted Liquid Waste Haulers shall be
 8 established by SAWPA.
 9
 - 10 B. Liquid waste haulers seeking a permit to use SAWPA's Brine Line Collection
 11 Stations shall complete and file with the General Manager a Liquid Waste
 12 Hauler Permit application provided by SAWPA. This application may require
 13 the following information:
 14 1. Name, address, and phone number of the Liquid Waste Hauler.
 15 2. Number of vehicles, gallon capacity of each vehicle, license plate of each
 16 vehicle, tanker and trailer, ownership, make and model of all vehicles that
 17 are operated by the hauler for purposes of hauling liquid wastes.
 18 3. Person to contact regarding the information contained in the application.
 19 4. The name and policy number of the insurance carrier and bonding
 20 company.
 21 C. The Liquid Waste Hauler Company must carry the following insurance to be
 22 permitted by SAWPA:
 23 1. General Liability of \$1,000,000 per each occurrence and \$2,000,000
 24 General Aggregate;
 25 2. Commercial Auto Insurance of \$1,000,000 combined single limit;
 26 3. Workers Compensation of \$1,000,000 per each accident; and
 27 4. Pollution Liability of \$1,000,000. Such liability insurance shall be in a
 28 form and with liability limits and deductible satisfactory to the General
 29 Manager and such liability insurance requirements shall be included in the
 30 permit issued to the Liquid Waste Hauler. Separate Pollution Liability
 31 insurance is not required if specifically covered by other liability policies.
 32 D. The name(s), address(es), telephone number(s), Brine Line permit information,
 33 and descriptions(s) of the industries or clients contracting the Liquid Waste
 34 Hauler to transport their wastewater to the Brine Line Collection Station.
 35 E. Authorized representative and signature.
 36 F. Other information as may be required by the General Manager.
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Exhibit "A"

- 1 D. All Liquid Waste Haulers shall obtain a Liquid Waste Hauler Permit from
2 SAWPA prior to discharging to the Brine Line or tributaries thereto. Liquid
3 Waste Hauler Permits shall be issued for a period of up to three (3) years. All
4 terms and conditions of the permit may be subject to modification and change
5 by the General Manager at any time during the duration of the permit. The
6 Liquid Waste Hauler Permit may include the following:
7
8 1. Business name, address(es), and phone number(es);
9
10 2. Restrictions on discharge times and compliance with operating hours for
11 designated Collection Station;
12
13 3. Conditions upon which permit revocation, suspension, or termination can
14 occur;
15
16 4. Consent to enter the User's premises to assess compliance with permit
17 requirements and conditions and this Ordinance by inspection and records
18 examination;
19
20 5. Permit number;
21
22 6. Record keeping and reporting requirements;
23
24 7. Compliance with applicable rules and regulations of this Ordinance and the
25 Riverside County Health Department, San Bernardino County Health
26 Department, or other county having jurisdiction regarding cleanliness,
27 sanitary conditions, and liquid waste hauler vehicle requirements;
28
29 8. Requirements to notify the General Manager immediately of any unusual
30 circumstances observed during liquid waste pumping operations; and
31
32 9. Other conditions, limitations or prohibitions deemed appropriate by the
33 General Manager, including pollutant discharge limitations or local limits.
34
35 E. Permits to use the Brine Line Collection Stations of SAWPA are subject to all
36 applicable provisions of this Ordinance.
37
38 F. Liquid wastes disposed of at SAWPA's Brine Line Collection Stations shall
39 be subject to sampling and analysis to determine compliance with all
40 applicable provisions of this Ordinance. The sampling shall be performed or
41 supervised by authorized personnel of SAWPA or SAWPA's duly authorized
42 designees and shall be taken at any time during the delivery of the load,
43 including prior to the discharge of the load from the Liquid Waste Hauler to
44 SAWPA's Brine Line Collection Stations. If the wastes are found to be
45 unacceptable, the Liquid Waste Hauler may be liable for all costs associated
46 with the inspection, sampling, and analysis. The General Manager may reject
47 a load and deny disposal if the wastewater or required documentation does not

Exhibit "A"

- 1 | comply with the provisions of this Ordinance, the Liquid Waste Hauler’s
- 2 | permit, or the Indirect Discharger’s permit.
- 3 |
- 4 | G. If the Liquid Waste Hauler transports both industrial wastes and domestic
- 5 | wastes, the Liquid Waste Hauler shall remove all domestic waste
- 6 | contamination from the interior of the vacuum tank prior to removing any
- 7 | Industrial Wastewater from a permitted site.
- 8 |
- 9 | H. The General Manager may deny the issuance of a Liquid Waste Hauler Permit
- 10 | on any of the following conditions:
- 11 |
- 12 | 1. The applicant knowingly falsified information on the application or any
- 13 | document required by the Liquid Waste Hauler Permit application;
- 14 |
- 15 | 2. The applicant's previous Liquid Waste Hauler Permit is under suspension
- 16 | or probation or has been otherwise revoked; or
- 17 |
- 18 | 3. The applicant is not current on all disposal and permit related reports,
- 19 | insurance, and payment of fees.
- 20 |
- 21 | I. In the event a Liquid Waste Hauler Permit application is denied, the General
- 22 | Manager shall notify the applicant in writing of such denial and the appeal
- 23 | procedures. Such notification shall state the grounds for such denial and
- 24 | necessary actions that must be taken by the applicant prior to the issuance of a
- 25 | permit.
- 26 |
- 27 | J. All Liquid Waste Hauler Permits issued to any Liquid Waste Hauler may be
- 28 | revoked, suspended or entered into a probationary period upon a finding by the
- 29 | General Manager that any of the following conditions exist:
- 30 |
- 31 | 1. Such Liquid Waste Hauler, or representative thereof, has changed, altered
- 32 | or otherwise modified the face of a permit or authorization document
- 33 | without the permission of the General Manager;
- 34 |
- 35 | 2. Such Liquid Waste Hauler, or representative thereof, has violated any
- 36 | condition of their permit;
- 37 |
- 38 | 3. Such Liquid Waste Hauler, or representative thereof, has falsified any
- 39 | application, record, report or monitoring results required to be maintained,
- 40 | or has failed to make them immediately available to the General Manager
- 41 | upon request, or has withheld required information, such Person, or
- 42 | representative thereof, has filed documents with falsified or repeatedly
- 43 | incorrect information;
- 44 |
- 45 | 4. Such Liquid Waste Hauler, or representative thereof, failed to halt
- 46 | immediately any discharge into a SAWPA designated collection station
- 47 | upon the order of any authorized SAWPA employee;

Exhibit "A"

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- 5. Such Liquid Waste Hauler, or representative thereof, discharged or attempted to discharge a hazardous waste or material or otherwise prohibited discharge into a SAWPA designated collection station;
 - 6. Such Liquid Waste Hauler, or representative thereof, discharged or attempted to discharge domestic waste into a SAWPA designated collection station;
 - 7. Such Liquid Waste Hauler, or representative thereof, has done physical violence or harm to any SAWPA employee, authorized representative, or contract employee;
 - 8. Such Liquid Waste Hauler, or representative thereof, has made threatening remarks or threatening acts towards any SAWPA employee, authorized representative, or contract employee.
 - 9. Such Liquid Waste Hauler, or representative thereof, discharged or attempted to discharge wastewater from a source not cited on the Liquid Waste Hauler's permit.
- K. Any Liquid Waste Hauler Permit which has been revoked, suspended or entered into probation pursuant to this Section may be reinstated upon a finding by the General Manager that the condition which resulted in such revocation no longer exists.
 - L. Upon determination of a violation of this Ordinance or the conditions of a Liquid Waste Hauler Permit, the permittee shall be subject to the enforcement actions set forth in Article 6 of this Ordinance, or as is otherwise contained in the Liquid Waste Hauler permit as necessary to protect the Brine Line or tributaries thereto, OCSD's POTW, the public, the environment, SAWPA employees, authorized representatives, or contract employees.
 - M. Suspension and periods of probation may be imposed by the General Manager for any length of time, up to one year.

411.0 COLLECTION STATIONS.

- A. Nothing in this Ordinance precludes the use of an alternate Collection Station in the event of an emergency or planned maintenance activity that disrupts service provided at the primary Collection Station.
- B. Collection Stations shall be operated as agreed per either a Wastewater Discharge Permit or a MOU between SAWPA and the operating agency with concurrence from OCSD.

Exhibit "A"

- 1 **412.0 GROUNDWATER, SURFACE RUNOFF, OR SUBSURFACE DRAINAGE.**
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 4 A. The discharge of groundwater, surface runoff, or subsurface drainage directly
 5 or indirectly to the Brine Line, or tributaries thereof, is prohibited unless
 6 determined by the General Manager that there is no alternative method of
 7 disposal reasonably available and to mitigate an environmental risk or health
 8 hazard.
 9
 10 B. Stormwater discharges to the Brine Line, or tributaries thereof, are not
 11 authorized. The General Manager may provide authorization for stormwater
 12 discharges that comply with SAWPA's policy, which adheres to OCSD's
 13 policy.
 14
 15 C. Unless permitted to do so, in accordance with subparagraph (A) hereof, no
 16 User shall allow wastewater and stormwater to mix before discharging to the
 17 Brine Line or tributaries thereof.
 18
 19 D. Applications for consideration under subparagraph (A) shall be submitted to
 20 the General Manager and shall include all information deemed necessary by
 21 the General Manager. Information may include, but is not limited to:
 22
 23 1. Completed permit application;
 24
 25 2. Detailed site information including but not limited to structure locations,
 26 pavements, grades, storm drain facilities, hydrologic calculations;
 27
 28 3. Documentation justifying a need to discharge surface runoff to the Brine
 29 Line, or tributaries thereto, to prevent surface and subsurface water
 30 contamination; and
 31
 32 4. A description of the facilities to be provided and required operation and
 33 maintenance by the User to prevent the pollution of stormwater by
 34 Industrial Wastewater and waste generated by the User.
 35
 36 **413.0 WASTEWATER FROM OUTSIDE THE SAWPA BRINE LINE SERVICE**
 37 **AREA.**
 38 Any Industrial User outside of SAWPA's Brine Line Service Area proposing to discharge
 39 wastewater directly or indirectly within SAWPA's Brine Line Service Area must first obtain
 40 approval from SAWPA's Commission and OCSD's General Manager before a permit may be
 41 issued to discharge under this Ordinance, per Section 212.0. Such approval will be on a case-
 42 by-case basis and at the sole discretion of the SAWPA Commission and OCSD's General
 43 Manager. Such approval does not constitute a vested entitlement to discharge. If such
 44 approval is provided, in addition to any other conditions imposed by the SAWPA's
 45 Commission and OCSD's General Manager, the Industrial User shall comply with the
 46 following conditions:
 47
 A. SAWPA requires that the existing sewerage agency having jurisdiction for the

Exhibit "A"

1 Industrial User location outside SAWPA’s Inland Empire Brine Line Service
 2 Area be added as a co-signer to SAWPA’s Multijurisdictional Pretreatment
 3 Agreement (MJPA), classified as a Contract Agency, and assume all
 4 Pretreatment Program responsibilities as required by SAWPA. The MJPA
 5 will specifically allow SAWPA, in conjunction with the Member Agency or
 6 Contract Agency, to issue a permit and conduct the Pretreatment Program at
 7 the Industrial User’s site. For agency owned facilities, which shall be classified
 8 as an Industrial User, SAWPA shall be the sole signatory and SAWPA alone
 9 shall issue the permit to the agency.

10
 11 B. If an Industrial User outside SAWPA’s Inland Empire Brine Line Service Area
 12 is allowed to discharge to the Brine Line, or tributaries thereof, the Industrial
 13 User shall not co-sign SAWPA’s MJPA, nor is the Industrial User considered
 14 a Contract Agency. The Industrial User shall abide by all SAWPA
 15 Pretreatment Program requirements.

16
 17 C. The Industrial User shall provide written site access authorization to SAWPA
 18 and OCSD to conduct monitoring and site inspections.

19
 20 D. The Industrial User shall have a contract with a SAWPA permitted Liquid
 21 Waste Hauler if operating as an indirect discharger.

22
 23 Except for an emergency, a threat to the health, safety and welfare of the community or
 24 SAWPA, or a failure to comply with, or a violation of this Ordinance and related resolutions,
 25 SAWPA will endeavor to provide ninety (90) days advance written notice prior to terminating
 26 a discharge permit issued to a Generator located outside the Brine Line Service Area. The
 27 General Manager may terminate or revoke a permit issued under this subsection as provided
 28 in this Ordinance.

29
 30 Subject to applicable legal requirements, the rates charged to the Generator may be adjusted
 31 by SAWPA as necessary to recover costs incurred. Permit and disposal fees for Generators
 32 and/or Liquid Waste Hauler Permittees are determined by a SAWPA Commission resolution.
 33
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Exhibit "A"

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**ARTICLE 5
MONITORING, REPORTING, INSPECTION AND
FACILITIES REQUIREMENTS**

501.0 MONITORING AND REPORTING.

- A. At the direction and discretion of the General Manager, any User discharging wastewater directly or indirectly into the Brine Line, or tributaries thereto, shall be required to install sampling station(s) and measuring device(s) to measure the quality and quantity of wastewater discharged. These measuring devices may include, but are not limited to:
1. flow meters and recorders;
 2. pH meters and recorders; and
 3. electrical conductivity meters and recorders, and process water meters.
- B. The sampling station and/or measuring device shall be provided by the User in compliance with this Ordinance and all applicable building, plumbing, and construction codes. Monitoring or metering facilities may be required to have a security closure that can be locked with a SAWPA lock during sampling and monitoring. Construction shall be completed within a reasonable time frame as required in written notification from the General Manager.
- C. The General Manager shall have the absolute right to install temporarily upon the User's property such devices as are necessary to conduct wastewater sampling, compliance monitoring or metering operations.
- D. No User shall interfere with, delay, resist, or refuse entrance by authorized SAWPA personnel or contract employees or authorized OCSD personnel installing wastewater monitoring equipment on the User's property. Any permanent or temporary obstruction of easy access to the sampling, monitoring, or metering locations shall be immediately removed by the User or property owner at the written or oral request of the General Manager and shall not be replaced.
- E. The sampling station or measuring devices shall be maintained for continuous sampling or metering. The measuring devices shall be calibrated as often as necessary to ensure accurate measurements according to manufacturer's specifications. Flow meters shall be calibrated in accordance with 505.0. All maintenance and calibration work shall be performed at the User's expense.
- F. All Users that are required to install and maintain monitoring equipment shall report to SAWPA and the Member Agency or the Contract Agency the failure of such equipment within twenty-four (24) hours. The notification may be accomplished by a telephone call, electronic mail, telefax transmission, personal visit to SAWPA or the Member Agency or the Contract Agency, or a

Exhibit "A"

- 1 hand delivered notification to SAWPA or the Member Agency or the Contract
2 Agency. A written report documenting the cause of the failure and the
3 corrective actions taken shall be submitted to the General Manager within five
4 (5) business days of discovering the failure.
5
- 6 G. All Users that are required to self-monitor shall have all samples collected and
7 analyzed and reported according to 40 CFR 403.12(g) and amendments
8 thereto. Samples shall be collected and analyzed during the period covered by
9 the report and shall be representative of the conditions occurring.
10
- 11 1. Except as indicated in subsections 2 and 3 below, the User shall collect
12 wastewater samples using twenty-four (24) hour time or flow proportional
13 composite samples. Time or flow proportional composite sampling or grab
14 sampling, must be representative of the discharge.
15
- 16 2. Samples for oil and grease, temperature, pH, cyanide, total phenols,
17 sulfides and volatile organic compounds must be obtained using grab
18 collection techniques.
19
- 20 3. For sampling required in support of baseline monitoring and ninety (90)
21 day compliance reports, a minimum of four (4) Grab Samples must be used
22 for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic
23 compounds for facilities which historical sampling data does not exist. For
24 facilities in which historical sampling data are available, a reduced number
25 of samples may be allowed. For self-monitoring sampling, the User is
26 required to collect the number of Grab Samples necessary to assess and
27 assure compliance with discharge limits.
28
- 29 4. If a User monitors for regulated pollutants at the appropriate sampling
30 location more frequently than the minimum required, the results of the
31 additional monitoring shall be reported.
32
- 33 H. All pollutant monitoring techniques and analyses, to be submitted as part of a
34 discharge application or self-monitoring report, shall be performed in
35 accordance with the techniques in 40 CFR Part 136 and amendments thereto
36 unless otherwise prescribed in a Categorical Pretreatment Standard or in the
37 User's Wastewater Discharge Permit.
38
- 39 I. All Users that are required to self-monitor shall submit and certify all records
40 of sampling that include the following information and documents:
41
- 42 1. The date, monitoring location, method, and time of monitoring (including
43 the time for each Grab Sample whether or not they are later composited
44 into one or more samples) and the names of the person or persons taking
45 the samples;
46
- 47 2. The dates the analyses were performed;

Exhibit "A"

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- 3. Who performed the analyses;
- 4. The analytical techniques/methods used;
- 5. The results of such analyses;
- 6. A copy of the laboratory sample analysis sheet; and
- 7. A copy of the chain-of-custody form, which includes sample collection details, such as sample container type, preservation, etc.

These records shall remain available for a period of three (3) years. This period shall automatically be extended for the duration of any litigation concerning the User, or where the User has specifically been notified of a longer retention period by the General Manager.

J. All permitted Users that take more than one Grab Sample in a twenty-four (24) hour period to demonstrate compliance with oil and grease shall comply with the following conditions:

- 1. No single oil and grease Grab Sample shall exceed the User’s permitted instantaneous maximum limit for oil and grease at any time.
- 2. The average result from all individual oil and grease grab samples taken in a twenty-four (24) hour period shall not exceed the User’s permitted limit for oil and grease.

K. All Users that are required to self-monitor shall report pollutant violations in any wastewater sample from an approved monitoring location to the General Manager within twenty-four (24) hours of becoming aware of the violation. The reporting may be accomplished by a telephone call, electronic mail sent to a pre-approved list of electronic mail addresses, telefax transmission, or a meeting with the General Manager or a Member Agency or a Contract Agency as necessary to comply with the conditions of the Wastewater Discharge Permit. The violation reporting shall contain the date and time of the wastewater sample, the discharge flow rate or volume represented by the sample, a preliminary explanation for the violation(s), proposed corrective action, and the date scheduled for the required resample. Failure to report pollutant violations as stated shall constitute a violation of this Ordinance and may subject the User to enforcement actions.

L. Any sample collected from a sample box, designated monitoring point or other representative sampling location shall be considered representative of the wastewater discharged to the Brine Line or tributaries thereto.

M. All Users that are required to have flow measurement are required to take daily

Exhibit "A"

- 1 twenty-four (24) hour readings of their wastewater effluent flow. The User
 2 shall report exceedances of their daily permitted flow within twenty-four (24)
 3 hours of discovering the violation. The reporting may be accomplished by a
 4 telephone call, electronic mail sent to a pre-approved list of electronic mail
 5 addresses, telefax transmission, or a meeting with the General Manager or a
 6 Member or Contract Agency as necessary to comply with the conditions of the
 7 Wastewater Discharge Permit, or a hand delivered notification to SAWPA.
 8 The flow exceedance report shall have the total flow, the reason for the flow
 9 exceedance, and the name of the person reporting the flow exceedance. This
 10 report shall also be in compliance with Article 4 of this Ordinance. Failure to
 11 report flow exceedances as stated shall constitute a violation of this Ordinance
 12 and may subject the User to enforcement actions.
 13
- 14 N. If sampling performed by a User indicates a violation, the User shall repeat the
 15 sampling and analysis and submit the results of the repeat analysis to SAWPA
 16 within thirty (30) days after becoming aware of the violation. Where SAWPA
 17 has performed the sampling and analysis in lieu of the User, SAWPA must
 18 perform the repeat sampling and analysis unless it notifies the User of the
 19 violation and requires the User to perform the repeat analysis. Resampling is
 20 not required if:
 21
- 22 1. SAWPA performs sampling at the User at a frequency of at least once per
 23 month; or
 - 24 2. SAWPA performs sampling at the User between the time when the initial
 25 sampling was conducted and the time when the User or SAWPA receives
 26 the results of this sampling.
- 27
- 28
- 29 O. All resamples shall be obtained and analyzed according to 40 CFR 403.12(g).
 30 All laboratory analyses shall be performed by a laboratory certified by the State
 31 of California, State Water Resources Control Board, and Environmental
 32 Laboratory Accreditation Program as being competent to perform the pollutant
 33 analyses requested. The laboratory results from this resample and all required
 34 forms shall be submitted to the General Manager no later than thirty (30) days
 35 after the User discovers or becomes aware of the violation. Failure to submit
 36 the laboratory results within the thirty (30) day requirement will result in
 37 enforcement action. Failure to submit the required report within forty-five (45)
 38 days of the due date will result in a determination of Significant
 39 Noncompliance (SNC) for the User.
 40
- 41 P. All Users, whose wastewater discharge is monitored by SAWPA, shall be
 42 responsible for all resampling requirements contained in subsection N. of this
 43 Section when a pollutant violation is detected. SAWPA shall notify the User
 44 of the resampling requirements by a telephone call, electronic mail sent to a
 45 pre-approved list of electronic mail addresses, telefax transmission, or personal
 46 visit within twenty-four (24) hours of confirming a pollutant or flow violation.
 47

Exhibit "A"

- 1 Q. All Users that desire to conduct their own wastewater sampling in lieu of a
2 certified contract laboratory shall submit a written plan describing the
3 equipment used, equipment cleaning methodology, employee qualifications
4 and training, sample preservation methods, and chain of custody procedures.
5 The User's wastewater sampling plan shall be approved by the General
6 Manager prior to the implementation of the plan. Any sample collected by a
7 User without an approved plan or from an unapproved laboratory may be
8 considered invalid, and may subject the User to enforcement actions.
9
- 10 R. All Users monitoring their wastewater discharge for pollutants and
11 characteristics required for determining SAWPA user charges shall submit the
12 sample results in the form of self-monitoring reports as required in their
13 Wastewater Discharge Permit. The frequency of sampling, analysis, and
14 reporting shall be set forth in the User's Wastewater Discharge Permit. The
15 analyses of the sample pollutants and characteristics shall be at the sole
16 expense of the User. Only sample analyses approved or performed by SAWPA
17 shall be used in the determination of the SAWPA user charges.
18
- 19 S. SAWPA will meet reporting requirements as specified by 40 CFR Part 3
20 (Cross-Media Electronic Reporting). Therefore, Users that send electronic
21 (digital) documents to SAWPA to satisfy the requirements of this Section must
22 register for the system online and submit a signed Subscriber Agreement to
23 SAWPA for review and approval. An electronic submission shall be deemed
24 to have been properly received by SAWPA when it is received by the
25 electronic system, accessible by SAWPA staff and a confirmation is sent to the
26 signatory making the submission. When the sender receives confirmation and
27 can fully review the submitted materials, report and related data shall be
28 considered received.
29
- 30 T. The User shall submit a written Contingency Plan that details alternatives to
31 discharging wastewater to the Brine Line during emergency situations in
32 accordance with Section 520.0.F of this Ordinance and the User's approved
33 Waste Discharge Permit.
34
- 35 U. Notification of the Discharge of Hazardous Waste. Discharge of hazardous
36 waste, as defined in 40 CFR 261, is prohibited. Any User that discharges any
37 hazardous waste into the Brine Line or tributaries thereof shall notify SAWPA
38 and OCSD immediately as required by 40 CFR 403.12(p).
39
- 40 T. A Baseline Monitoring Report (BMR), when required, shall be prepared and
41 submitted per 40 CFR 403.12(b). Completed BMR shall contain a statement of
42 review by an authorized representative of the User and be certified by a
43 qualified professional, indicating whether permit requirements are being met
44 on a consistent basis, and, if not, whether additional operation and
45 maintenance, subsection P and M, and/or additional Pretreatment is required
46 for the User to meet the requirements.
47

Exhibit "A"

1 **502.0 INSPECTION.**
2

3 A. The General Manager shall inspect the facilities of any User using the Brine
4 Line or tributaries thereto to ascertain whether all requirements of this
5 Ordinance are being met. Persons on the premises shall allow the General
6 Manager and OCSD authorized personnel ready access at all reasonable times
7 to all parts of the premises for the purpose of inspection, sampling, and records
8 examination.

9
10 B. The User shall ensure that there is always a person on site, during normal
11 business hours, knowledgeable of the User's processes and activities to
12 accompany the duly authorized SAWPA representative(s) during the
13 inspection.

14
15 C. The User shall provide immediate access when an emergency occurs,
16 regardless of the hour of the day.

17
18 D. All pretreatment equipment shall be immediately accessible at all times for the
19 purpose of inspection. At no time shall any material, debris, obstacles or
20 obstructions be placed in such a manner that will prevent immediate access to
21 the pretreatment equipment or designated monitoring point(s).

22
23 E. No Person shall interfere with, delay, resist or refuse entrance to the General
24 Manager when attempting to inspect any facility involved directly or indirectly with a
25 discharge of wastewater to the Brine Line or tributaries thereto.

26
27 F. Where a User has security measures in force which would require proper
28 identification and clearance before entry onto/into the premises, the User shall make all
29 necessary arrangements with the User's security personnel so that, upon presentation of
30 suitable identification, personnel from SAWPA or duly authorized personnel from SAWPA
31 or OCSD will be permitted to enter, without delay, for the purpose of performing their specific
32 responsibilities.

33
34 G. The User shall make available for copying by the General Manager all records
35 required to be kept under the provisions of this Ordinance.

36
37 **503.0 INSPECTION WARRANTS.** If the General Manager has been refused access to a
38 building, structure, or property, or any part thereof with a wastewater discharge to the Brine
39 Line or tributaries thereto, and is able to demonstrate cause to believe that there may be a
40 violation of this Ordinance, or that there is a need to inspect or sample the User's facilities as
41 part of a routine inspection and sampling program of SAWPA designed to verify compliance
42 with this Ordinance or any permit or order issued hereunder, or to protect the overall public
43 health, safety and welfare of the community, then the General Manager may seek issuance of
44 an inspection warrant duly issued pursuant to the procedure set forth in Title 13 (commencing
45 with Section 1822.50) of Part 3 of the Code of Civil Procedure. However, in the event of an
46 emergency affecting the public health or safety, an inspection may be performed without
47 consent or the issuance of a warrant.

Exhibit "A"

1
2 **504.0 RECORD KEEPING.** All Users shall keep records of waste hauling, reclamations,
3 wastewater pretreatment, monitoring device recording charts and calibration reports, effluent
4 flow, and sample analysis data and any documentation associated with Best Management
5 Practices established on the site of the wastewater generation. All these records are subject to
6 inspection and shall be copied as needed. All records must be kept on the site of wastewater
7 generation for a minimum period of three (3) calendar years. The records retention period
8 may be extended beyond three years in the event criminal or civil action is taken or an
9 extensive company history is required.

10
11 **505.0 FLOW MEASUREMENT.** All Direct Dischargers shall install a continuous
12 monitoring flow meter capable of measuring industrial wastewater discharged to the Brine
13 Line or tributaries thereto. The User shall maintain an effluent flow log sheet and record the
14 effluent flow on a daily basis. The flow measurement device shall conform to standards issued
15 by the General Manager. The User shall report to the General Manager the type and size of
16 the flow meter. The flow meter shall be equipped with a non-resetting flow totalizer. All
17 flow meters shall be calibrated as often as necessary, but at no less frequent than annually.
18 All new meters shall be selected and installed to ensure accuracy of the actual flow discharged
19 within plus or minus two (2) percent as determined at the time of calibration. All existing and
20 replacement meters shall ensure an accuracy of the actual flow discharged within plus or
21 minus five (5) percent. All flow meter installations shall have posted in a conspicuous place,
22 the flow meter's size, type, totalizer units, and flow multipliers. The User shall immediately
23 report to the General Manager any flow meter malfunction or anomaly, and shall not attempt
24 to repair or replace the meter without the General Manager's prior written approval.

25
26 A. Flow Measurement System Design and Installation

27
28 1. **Design.** Design of flow measurement installations shall be performed
29 under the supervision of a California registered professional engineer of suitable
30 discipline competent in this field. Design and construction drawings and calculations
31 shall be stamped with the authorized seal of the supervising professional engineer and
32 signed in accordance with state law, to indicate review and approval of the work.
33 Detailed construction drawings for any new or significantly modified discharge flow
34 measurement system must be submitted for approval prior to any construction. These
35 drawings must show relevant slopes, elevations and locations of piping, types and
36 locations of instrumentation, details of flow measurement elements, estimated flow
37 range (maximum, minimum and average), and details of upstream and downstream
38 piping, structures, and devices which could influence flow conditions. Manufacturer's
39 calculations, catalog cuts and data sheets must be included with construction drawings
40 for any manufactured equipment to be installed as part of the flow measurement
41 system. Complete rating data and calculations shall be submitted for any engineered
42 flow measurement device.

43
44 2. **Primary Measurement Devices.** Both open channel (flume, weir) and
45 closed-pipe (magnetic) flow measurement systems are acceptable. Magnetic flow
46 meters are preferred for industries that have difficulty maintaining open channel flow
47 measurement. Any flow measurement element that is adversely affected by

Exhibit "A"

1 wastewater characteristics is prohibited. Flow measurement devices shall be installed
2 downstream of final pretreatment facilities and as close as possible to the point of
3 connection with the Brine Line. Above-ground flow measurement installations may
4 require a platform for automatic samplers so that the top of the sampler will be higher
5 than the water level in the primary element. Because it is difficult to set automatic
6 samplers for pressurized closed pipe systems, use of a well-mixed stream through an
7 open channel device (i.e. a sample box) may be required. To function correctly, flumes
8 and weirs must be properly installed in accordance with dimensional specifications.
9 Additionally, flumes must be set level with smooth joints where the influent pipe meets
10 the maintenance access structure or vault channel. To ensure accuracy of an open
11 channel flow measurement system, the upstream channel must be designed to prevent
12 excessive velocity and turbulence, while the downstream channel must be designed to
13 prevent excessive submergence and backflow.
14

15 3. Any additional monitoring equipment must not adversely affect hydraulics
16 of the open channel element. All open channel installations below grade must be
17 directly beneath the vault or maintenance access structure access cover to facilitate
18 inspections and field checks. All open channel installations at or above grade must
19 have a staff gauge for accuracy checks. Closed pipe meters must be appropriate for the
20 type of wastewater and range of flow rates, and must be installed to flow full at all
21 times
22

23 **506. INTERCEPTOR REQUIREMENTS.** All Users required to install a gravity separation
24 interceptor shall comply with the following conditions:
25

26 A. All interceptor chambers shall be immediately accessible at all times for the
27 purpose of inspection, sampling, cleaning, and maintenance. The User shall provide a
28 separate ring and cover for each separate interceptor chamber and any additional covers to
29 ensure adequate cleaning capabilities. All rings shall be affixed to the interceptor to ensure a
30 gas and water tight seal. At no time shall any material, debris, obstacles or other obstructions
31 be placed in such a manner that will prevent immediate access to the interceptor.
32

33 B. Any interceptor legally and properly installed before August 21, 2007, the
34 effective date of Ordinance No. 5 shall be acceptable as an alternative to the interceptor
35 requirements of this Ordinance. The interceptor shall be effective in removing floatable and
36 settleable material and shall be immediately accessible for inspection, sampling, cleaning, and
37 maintenance.
38

39 C. All drains and openings connected to an approved gravity separation
40 interceptor shall be equipped with screens or devices which will exclude from the wastewater
41 discharge all material and particles with a cubic dimension greater than one-half (1/2) of an
42 inch.
43

44 D. All gravity separation interceptors shall be equipped with an influent tee
45 extending no more than six inches below the operating fluid level of the interceptor. The
46 interceptor shall also have tees extending to within 12 inches of the bottom at the exit side of
47 each chamber in the interceptor, including the final chamber. In a case where a manufacturer's

Exhibit "A"

1 engineered interceptor design is contrary to this requirement, the General Manager shall
2 review the design and either approve or deny an exemption to this requirement.

3
4 E. All interceptors shall be equipped with a sample box or sample wye as
5 determined by the General Manager.

6
7 F. No User shall install or use any elbows or tees in any interceptor sample box.
8

9 G. If the General Manager finds that an interceptor is incapable of adequately
10 retaining floatable and settleable material in the wastewater flow, is structurally inadequate,
11 or is undersized for the facility, the General Manager shall reject such interceptor and declare
12 that the interceptor does not meet the requirements of this Section. The User shall thereupon
13 be required to install, at the User's expense, an interceptor that is acceptable to the General
14 Manager.

15
16 **507.0 STANDARD INTERCEPTOR DESIGNS.** The General Manager will maintain a file,
17 available to the public, of suitable designs of gravity separation interceptors. This file will be
18 for informational purposes only and shall not provide or imply any endorsements of any kind.
19 Installation of an interceptor of a design shown in this file, or of any design meeting the size
20 requirements set forth in this Ordinance shall not subject SAWPA to any liability for the
21 adequacy of the interceptor under actual conditions of use. The User shall not be relieved of
22 the responsibility for keeping floatable and settleable material out of the Brine Line or
23 tributaries thereto.

24
25 **508.0 INTERCEPTOR MAINTENANCE.**

26
27 A. Any User who owns or operates a gravity separation interceptor shall properly
28 maintain the interceptor at all times. The interceptor shall be cleaned as often as necessary to
29 ensure that sediment and floating materials do not accumulate to impair the efficiency of the
30 interceptor and odors do not accumulate which would cause a public nuisance. An interceptor
31 is not considered to be properly maintained, if for any reason the interceptor is not in good
32 working condition or if the operational fluid capacity has been reduced by more than 25% by
33 the accumulation of floating material, sediment, oils or greases.

34
35 B. The use of chemicals or other materials for the emulsification, suspension, or
36 dissolution of oil and grease is prohibited.

37
38 C. The use of microbiological agents to metabolize oil and grease or other
39 constituents, shall be reviewed for approval on a case-by-case basis. The User shall submit a
40 written request to the General Manager for the use of a microbiological agent prior to the use
41 of that agent.

42
43 D. When an interceptor is cleaned, the removed sediment, liquid and floating
44 material shall be legally disposed of other than to the Brine Line or tributaries thereto and
45 shall not be reintroduced into the interceptor or discharged into another interceptor at another
46 location not designed and permitted to accept such waste.
47

Exhibit "A"

1 E. If the interceptor is not maintained adequately under the conditions of use, the
2 interceptor may be resized and the User shall install one that is effective in accomplishing the
3 intended purpose.
4

5 F. The User required to install an interceptor is liable for any failure to properly
6 maintain such interceptor.
7

8 **509.0 LIQUID WASTE HAULERS.** All liquid waste haulers shall comply with all
9 permitting and disposal procedures as established by this Ordinance and pay all applicable
10 fees established by resolution. All liquid waste haulers shall obtain all other applicable
11 permits required by city, county or state agencies. All liquid waste haulers shall also abide by
12 the following requirements and conditions:
13

14 A. Liquid waste haulers shall only haul wastewater for Generators listed in the
15 permit. Generators shall hold a separate permit issued by SAWPA.
16

17 B. If any liquid waste hauler's load is determined to be hazardous pursuant to
18 applicable federal, state, or local regulations, then the liquid waste hauler shall be required to
19 remain at SAWPA's Brine Line Collection Station. The liquid waste hauler shall then make
20 arrangements for the legal disposal of the load. If the liquid waste hauler refuses to remain
21 on site, the General Manager shall notify the appropriate law enforcement agency to respond
22 to this violation.
23

24 C. Prior to any discharge to a SAWPA Brine Line Collection Station, all liquid
25 waste manifest forms shall be completed in full, approved and signed by SAWPA's General
26 Manager or his/her designated representative, or otherwise approved by an automated
27 attendant before any load is allowed to be discharged into SAWPA's Brine Line Collection
28 Station. Brine Line Collection Stations with less than full time staffing shall be provided with
29 appropriate and SAWPA-approved automation and procedural safeguards as specified in the
30 disposal site permit
31

32 D. Falsification of any information in any permit application, hauler's report or
33 manifest, or correspondence by a liquid waste hauler shall be a violation of this Ordinance
34 and may result in termination, revocation or suspension of the liquid waste hauler permit and
35 all discharge privileges.
36

37 E. All reports and records required to be retained by this Ordinance, shall be
38 retained for a minimum of three (3) years and shall be made available to the General Manager
39 immediately upon request.
40

41 F. All liquid waste haulers shall pay all applicable fees and charges. Failure to
42 pay any applicable fee or charge shall be a violation of this Ordinance and shall be cause for
43 the General Manager to suspend all waste discharge privileges until all applicable fees and
44 charges have been paid.
45

46 G. Contents of septic tanks, seepage pits, cesspools, or any other similar
47 receptacles, which contain no industrial waste, shall not be disposed of at SAWPA's Brine

Exhibit "A"

1 Line Collection Station.
2

3 H. All liquid waste haulers operating within SAWPA’s jurisdiction or tributaries
4 thereto shall provide documentation as to the origin of the wastes hauled prior to discharging
5 into SAWPA’s Brine Line Collection Stations. The origin of the waste means the physical
6 address from where the wastes were generated and, if different, the physical address from
7 where the wastes were obtained.
8

9 I. If the waste hauled by a liquid waste hauler is found unacceptable for discharge
10 into a SAWPA Brine Line Collection Station and is not classified as hazardous, then the liquid
11 waste hauler shall dispose of the wastes at a non-SAWPA legal disposal site. The liquid waste
12 hauler shall provide SAWPA with a copy of the waste hauler’s manifest documenting the legal
13 disposal of the rejected wastes within fourteen (14) days from the date the waste was rejected.
14 As an alternative, the liquid waste hauler may return the rejected waste to the generator of
15 such rejected wastes for additional pretreatment, and the liquid waste hauler may return to a
16 SAWPA Brine Line Collection Station or another legal disposal site for discharge. The liquid
17 waste hauler shall also provide SAWPA with a manifest documenting such alternative action.
18 Failure to provide verifiable documentation shall constitute a violation of this Ordinance and
19 may result in termination, revocation or suspension of the liquid waste hauler permit and all
20 discharge privileges.
21

22 J. No liquid waste hauler shall use any temporary, stationary, or mobile liquid
23 storage device in an attempt to mix or dilute any rejected load in order to achieve compliance.
24

25 K. Except as allowed in Section 509, Paragraph I., no liquid waste hauler shall
26 dispose of any rejected load into any septic tank, cesspool, seepage pit or similar devices, any
27 grease interceptor or trap, any storm drain, any collection system opening except those
28 authorized in writing by the General Manager, or return the rejected load back to the site of
29 origin
30

31 L. Liquid waste haulers are prohibited from discharging domestic waste into the
32 Brine Line or tributaries thereto. No liquid waste hauler shall mix industrial waste and
33 domestic septic wastes in an attempt to discharge the mixture to a SAWPA Brine Line
34 Collection Station.
35

36 M. No liquid waste hauler shall discharge or cause to be discharged any material
37 defined as hazardous by RCRA.
38

39 N. Any authorized SAWPA employee, authorized representative or contract
40 employee shall have the authority to order the immediate cessation of the discharge from any
41 liquid waste hauler truck into a Brine Line Collection Station. Such order shall be based on
42 the employee, authorized representative or contract employee’s best professional judgment
43 that said discharge may be in violation of any applicable condition of this Ordinance or may
44 otherwise be harmful to the operation of the Brine Line or tributaries thereto, OCSD’s POTW
45 or its employees.
46

47 O. Any liquid waste hauler determined to be in violation of this Section may be

Exhibit "A"

1 prohibited from future liquid waste disposal at a Brine Line Collection Station.
 2

3 **510.0 USE OF AND DAMAGE TO SAWPA EQUIPMENT OR FACILITIES.**
 4

5 A. No Person shall enter, break, damage, destroy, uncover, alter, change, modify,
 6 deface or tamper with any temporary or permanent structure, equipment, or appurtenance
 7 which is part of SAWPA's Brine Line without prior written approval by the General Manager.
 8

9 B. Any Person who discharges or causes or contributes to the discharge of any
 10 wastewater or materials which cause any obstruction, interference, damage, or any other
 11 impairment to the Brine Line, OCSD's POTW, or any other damages, including the imposition
 12 of fines or penalties by state, federal or other regulatory agencies against SAWPA, shall be
 13 liable to SAWPA for all fines, penalties, damages, legal expenses, attorney's fees,
 14 administrative and overhead costs. An administrative fee of up to ninety (90) percent of
 15 SAWPA's repairs and personnel costs shall be added to these charges at the General
 16 Manager's discretion. All charges shall be payable to SAWPA within thirty (30) days of
 17 invoicing by SAWPA.
 18

19 **511.0 SEPARATION OF DOMESTIC AND INDUSTRIAL WASTE.** Any User who
 20 discharges industrial wastewater to the Brine Line or tributaries thereto shall separate
 21 domestic wastewater from all industrial wastewater until the industrial wastewater has passed
 22 through all required pretreatment equipment or devices, and the User's industrial wastewater
 23 sample point(s). For existing Categorical Industrial Users which cannot separate the domestic
 24 wastes from the industrial wastes prior to a permitted sampling point, the Combined
 25 Wastestream Formula shall be applied to determine applicable discharge limitations. Existing
 26 Industrial Users with domestic wastewater in their discharge may be required to install a
 27 Sampling Facility upstream of the domestic wastewater connection(s).
 28

29 **512.0 LIMITATIONS ON WASTEWATER STRENGTH.** No Person shall discharge
 30 industrial wastewater into the Brine Line or tributaries thereto unless the wastewater conforms
 31 to all of the pollutant limitations and requirements of this Ordinance and related SAWPA
 32 resolutions. Pollutant limitations shall be revised and adopted by resolution as necessary to
 33 ensure compliance with OCSD's POTW effluent and biosolids reuse. The SAWPA
 34 Wastestream Correction Formula (WCF) may be used to adjust the pollutant limitations to
 35 account for the presence of SAWPA Industrial Non-Process Wastestreams.
 36

37
$$C_A = \frac{C_C (\sum_{N=1}^M F_N)}{F_T}$$

- 38
 39 Where: C_A = Adjusted Local Limit to account for Industrial Non-Process
 40 Wastestream(s)
 41 C_C = Local Limit for the pollutant constituent
 42 F_N = Average daily flow for SAWPA Industrial Process Wastestream N
 43 F_T = Average daily flow through the sample point
 44 M = Total number of SAWPA Industrial Process Wastestreams
 45

46 For Categorical Industrial Users, the following options exist:

Exhibit "A"

- 1
2 A. Where a categorical pretreatment standard is expressed in terms of either the
3 mass or the concentration of a pollutant in wastewater, the General Manager may impose
4 equivalent concentration or mass limits in accordance with 40 CFR 403.6(c).
5
- 6 B. When wastewater subject to a categorical pretreatment standard is mixed with
7 wastewater not regulated by the same standard, the General Manager shall impose an alternate
8 limit using the Combined Wastestream Formula.
9
- 10 C. A variance from a categorical pretreatment standard may be issued if the User
11 can prove, pursuant to the procedural and substantive provisions in 40 CFR 403.13, that
12 factors relating to its discharge are fundamentally different from the factors considered by the
13 EPA when developing the categorical pretreatment standard.
14
- 15 **513.0 LOCAL LIMITS.** The General Manager shall implement pollutant limitations
16 developed as Local Limits by OCSD pursuant to 40 CFR 403.5(c) and 403.8(f)(4) and
17 amendments thereto, and as Local Limits and Best Management Practices to protect the
18 operation of the Brine Line and prevent SSOs. These limitations are necessary to assure
19 compliance with the OCSD's NPDES permit, including the prohibition against Pass Through
20 of any pollutants that cause a violation of the permit or cause Interference with the POTW,
21 and compliance with State Water Resources Control Board (SWRCB) adopted Order No.
22 2006-003, a General Waste Discharge Requirement (WDR) for all publicly owned sanitary
23 sewer collection systems in California with more than one (1) mile of sewer pipe. Customer
24 specific allocations at current POTW loadings may be created for public health facilities
25 providing a lifesaving service or procedure so long as the pollutant discharged will not
26 contribute to Pass Through, Interference or other violation of the OCSD's NPDES permit.
27 These pollutant limitations shall be continually developed as necessary and shall be adopted
28 by resolution. Specific pollutant limits shall not be developed and enforced without individual
29 public notice to affected Persons or Users.
30
- 31 **514.0 PRETREATMENT OF INDUSTRIAL WASTEWATERS.** All Users shall:
32
- 33 A. Provide wastewater pretreatment, as required, to comply with this Ordinance
34 and any applicable SAWPA resolution.
35
- 36 B. Whenever deemed necessary, the General Manager may require Users to
37 restrict their wastewater discharge, relocate and/or consolidate points of discharge, separate
38 domestic wastestreams from industrial wastestreams, and other such conditions as may be
39 necessary to protect OCSD's POTW and determine the User's compliance with the
40 requirements of this Ordinance.
41
- 42 C. Notify the General Manager of any pretreatment equipment failure within 24-
43 hours of discovering the failure. The notification may be made by a telephone call, electronic
44 mail sent to a pre-approved list of electronic mail addresses, telefax transmission, or a meeting
45 with the General Manager or a Member Agency or a Contract Agency as necessary to comply
46 with the conditions of the Wastewater Discharge Permit.
47

Exhibit "A"

1 **515.0 UNAUTHORIZED MONITORING AND PRETREATMENT EQUIPMENT**
 2 **MODIFICATIONS.** No User shall knowingly falsify, tamper with, or render inaccurate any
 3 monitoring device or any pretreatment equipment or device. Such falsification, tampering, or
 4 inaccuracy will be considered a violation of this Ordinance and will subject the User to
 5 enforcement actions.

6
 7 **516.0 PRETREATMENT EQUIPMENT BYPASS.** No User shall bypass any pretreatment
 8 equipment or device unless the bypass is necessary to prevent loss of life, personal injury,
 9 and/or severe property damage or when no feasible alternative exists. The User may allow
 10 the bypass to occur provided that it does not cause pollutant limitation violations and is
 11 necessary to perform essential maintenance to ensure adequate operation of the pretreatment
 12 equipment or devices. The General Manager may approve an anticipated bypass, after
 13 considering its adverse effects, if the General Manager determines that it will meet the three
 14 conditions listed in 40 CFR 403.17(d)(1). Notification of the bypass shall comply with the
 15 following conditions:

16
 17 A. Anticipated bypass: The User shall submit a written notice to the General
 18 Manager at least ten (10) days before the date of the scheduled bypass.

19
 20 B. Unanticipated bypass: The User shall notify the General Manager immediately
 21 upon learning that any pretreatment equipment or device has been bypassed. The User shall
 22 submit a written report to the General Manager within five (5) working days. The report shall
 23 include:

- 24
 25 1. A description of the bypass, the cause of the bypass, and the duration of the
 26 bypass;
 27
 28 2. Whether or not the bypass was corrected; and
 29
 30 3. The actions taken or proposed to reduce or prevent a recurrence of the
 31 bypass.
 32

33 **517.0 PROHIBITED DISCHARGE OF RECOVERED PRETREATMENT WASTE.**
 34 No Person shall discharge waste recovered from pretreatment equipment, systems, or devices
 35 into the Brine Line or tributaries thereto without authorization and permits from SAWPA
 36 and/or other regulatory agencies having jurisdiction over the discharge of the waste. All
 37 recovered pretreatment waste shall be disposed of in accordance with all applicable federal,
 38 state, county, and local laws and regulations.

39
 40 **518.0 INDUSTRIAL USER MODIFICATIONS.** All permitted Industrial Users shall report
 41 proposed changes in their operations to the General Manager for review and approval thirty
 42 (30) days prior to initiation of the changes. The reporting shall be done in writing from the
 43 Authorized Representative of the permitted Industrial User. For the purposes of this section
 44 "changes" shall include any of the following:

45
 46 A. A sustained twenty (20) percent increase or decrease in the industrial
 47 wastewater flow discharged or in production capacity.

Exhibit "A"

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B. Additions, deletions or changes to processes or equipment.

C. Experimentation with new processes and/or equipment that will affect the quantity or quality of the wastewater discharged.

519.0 SPILL CONTAINMENT SYSTEMS. Spill containment systems, as may be required, shall conform to requirements established by the General Manager. These requirements may include, but not be limited to, the following:

A. No User shall operate a spill containment system that allows incompatible substances to mix and thereby creating a hazardous or toxic substance in the event of a failure of one or more containers.

B. Spill containment systems shall consist of a system of dikes, walls, barriers, berms, or other devices designed to contain spillage of the liquid contents of containers.

C. Spill containment systems shall be constructed of materials that are impermeable and non-reactive to the liquids being contained.

D. Spill containment systems shall conform to local regulations and policies as to percent containment, container type, size, outdoor covering, and the length of time spilled material may remain in the spill containment system.

E. At no time shall a User use a spill containment system for the storage of waste other than from a spill.

520.0 FACILITY WASTE MANAGEMENT PLAN. All permitted Industrial Users shall be required to develop and maintain a Facility Waste Management Plan (FWMP). The FWMP may consist of the following documents:

A. **TOXIC ORGANIC MANAGEMENT PLAN (TOMP).** At SAWPA's discretion Categorical Industrial Users may be permitted to submit a TOMP in lieu of required pollutant monitoring. SAWPA reserves the right to require Total Toxic Organic monitoring of all Users allowed to submit a TOMP.

B. **SLUG DISCHARGE PREVENTION CONTROL PLAN (SDPCP).** An SDPCP may be required of Industrial Users as determined by the General Manager. Considerations to determine the need for a SDPCP include the use of Batch Discharges to dispose of wastewater, stored chemicals or materials, or the potential for a Slug Discharge which, if discharged to the Brine Line or tributaries thereto, would violate any of the prohibited discharge requirements of this Ordinance. An SDPCP showing facilities and operation procedures to provide this protection shall be submitted to the General Manager for review and approval before implementation.

Any User required to develop and implement an SDPCP shall submit an SDPCP which addresses, at a minimum, the following:

Exhibit "A"

- 1
2 (a) Description of discharge practices, including non-routine batch discharges;
3 (b) Description of stored chemicals;
4 (c) Procedures for immediately notifying SAWPA of any accidental or Slug Discharge.
5 Such notification must also be given for any discharge which would violate any of
6 the standards set forth in this Ordinance and any local, state or federal regulations;
7 and,
8 (d) Procedures to prevent adverse impact from any accidental or Slug Discharge. Such
9 procedures include, but are not limited to, inspection and maintenance of storage
10 areas, handling and transfer of materials, loading and unloading operations, control
11 of plant site runoff, worker training, building of containment structures or
12 equipment, measures for containing toxic organic chemicals (including solvents),
13 and/or measures and equipment for emergency response.
14

15 Each User shall implement its SDPCP as submitted or modified after such plan has been
16 reviewed and approved by the General Manager. Review and approval of such plans and
17 operations procedures by the General Manager shall not relieve the User from the
18 responsibility to modify its facility as necessary to meet the requirements of this Ordinance.
19

20 **C. PRETREATMENT SYSTEMS OPERATIONS AND MAINTENANCE**
21 **MANUAL.** A Pretreatment Systems Operations and Maintenance Manual shall be maintained
22 on site by all Industrial Users operating and maintaining pretreatment equipment for the
23 removal of pollutants from wastewater. The General Manager may require the Industrial User
24 to submit the manual.
25

26 **D. HAZARDOUS MATERIALS AND HAZARDOUS WASTE**
27 **MANAGEMENT PLAN.** A Hazardous Materials and Hazardous Waste Management Plan
28 are required of all Industrial Users that use or possess hazardous materials or generate
29 hazardous waste. A city or county Fire Department-required Business Emergency Plan may
30 be substituted for this management plan.
31

32 **E. WASTE MINIMIZATION/POLLUTION PREVENTION PLAN**
33 **(WM/PPP).**
34

- 35 1. A Waste Minimization/Pollution Prevention Plan (WM/PPP) is required of
36 any Industrial User:
37
38 a. For whom the General Manager has determined such WM/PPP is
39 necessary to achieve a water quality objective;
40
41 b. Determined by the State or Regional Board to be a chronic violator, and
42 the State or Regional Board or SAWPA's General Manager determines that a
43 WM/PPP is necessary; or
44
45 c. That significantly contributes, or has the potential to significantly
46 contribute, to the creation of a toxic hot spot as defined in Water Code Section
47 13391.5.

Exhibit "A"

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2. A WM/PPP required of an Industrial User shall include all of the following:

a. An analysis of one or more of the pollutants, as directed by the State Board, Regional Board, or SAWPA, that the User discharges to the Brine Line or tributaries thereto, description of the sources of the pollutants, and a comprehensive review of the processes used by the User that result in the generation and discharge of the pollutants.

b. An analysis of the potential for pollution prevention to reduce the generation of the pollutants, including the application of innovative and alternative technologies and any adverse environmental impacts resulting from the use of those methods.

c. A detailed description of the tasks and time schedules required to investigate and implement various elements of pollution prevention techniques.

d. A statement of the User's pollution prevention goals and strategies, including priorities for short-term and long-term action.

e. A description of the User's existing pollution prevention methods.

f. A statement that the User's existing and planned pollution prevention strategies do not constitute cross media pollution transfers unless clear environmental benefits of such an approach are identified to the satisfaction of SAWPA and information that supports that statement.

g. Proof of compliance with the Hazardous Waste Source Reduction and Management Review Act of 1989 (article 11.9 (commencing with Section 25244.12) of Chapter 6.5 of Division 20 of the Health and Safety Code) if the User is also subject to that act.

h. An analysis, to the extent feasible, of the relative costs and benefits of the possible pollution prevention activities.

i. A specification of, and rationale for, the technically feasible and economically practicable pollution prevention measures selected by the User for implementation.

3. Any User who fails to complete a WM/PPP required by SAWPA or the State or Regional Board, submits a plan that does not comply with this Section, or fails to implement a plan required by SAWPA or the State or Regional Board, shall be liable to SAWPA for any civil penalty assessed administratively by SAWPA or by a court of law in accordance with this Ordinance, including any attorney's fees incurred by SAWPA.

Exhibit "A"

1 F. **EMERGENCY CONTACT LIST AND CONTINGENCY PLAN.** All
2 Users are required to submit, and retain a copy on-site, a contingency plan that details the
3 actions that will be taken in the event of an emergency or other event that causes SAWPA or
4 the Control Authority to shut down the Brine Line. Said plan shall include, but is not limited
5 to, the following:
6
7 1. A list of names and telephone numbers of emergency contacts that can be
8 reached 24 hours a day (shall be provided to SAWPA semi-annually in January and
9 July).
10
11 2. A written plan (updated and provided to SAWPA annually in January) that
12 describes all available alternatives to discharging to the Brine Line, including on-site
13 storage, hauling, ceasing the discharge, or directing all wastewater flows to a local
14 POTW.
15
16 **521.0 NOTICE OF POTENTIAL PROBLEMS TO POTW.** All Users shall immediately
17 notify SAWPA of all wastewater discharges that could cause a problem at OCSD's POTW or
18 in the Brine Line or tributaries thereto, including any Slug Discharge of any material.
19 Wastewater discharges that may cause a problem at OCSD's POTW or the Brine Line or
20 tributaries thereto include, but are not limited to, acids, alkalis, oils, greases, high strength
21 organic waste, hazardous materials and waste, colored wastes, and Batch Discharges. All
22 Users shall provide the General Manager, within five (5) business days from the incident, a
23 written report detailing the cause of the discharge and the corrective actions taken to prevent
24 a recurrence. A notice shall be permanently posted at a prominent location at the User's
25 facility advising employees and listing the emergency call contact name and numbers in the
26 event of a wastewater discharge that could cause a potential problem. Employees who could
27 cause or become aware of such a discharge shall be advised of the emergency notification
28 procedure.
29
30 **522.0 WRITTEN RESPONSES.** All Users required to provide written response to any
31 correspondence, order, or notice from the General Manager, shall do so in accordance with
32 the date specified in the correspondence, order, or notice. Failure to provide the written
33 response by the date requested shall constitute a violation of this Ordinance and may subject
34 the User to enforcement actions.
35
36 **523.0 FALSIFYING INFORMATION.** Any User who knowingly makes any false
37 statement, representation, or certification in any record, report, correspondence, or other
38 document submitted or required to be maintained under this Ordinance, including monitoring
39 reports and records, or reports of compliance or noncompliance shall be in violation of this
40 Ordinance and may subject the User to enforcement actions.
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Exhibit "A"

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**ARTICLE 6
ENFORCEMENT**

600.0 PURPOSE AND SCOPE. SAWPA’s Commission finds that in order for SAWPA to comply with the laws, regulations, and rules imposed upon it by Regulatory Agencies and to ensure that SAWPA's and OCSD’s sewerage facilities and treatment processes are protected and are able to operate with the highest degree of efficiency, and to protect the public health and environment, specific enforcement provisions must be adopted to govern the discharges to the Brine Line and tributaries thereto by permitted Users.

601.0 ENFORCEMENT RESPONSE PLAN (ERP). To the extent required by law or agreement, SAWPA will use an Enforcement Response Plan (ERP), as required by 40 CFR 403.8(f) (5) to coordinate enforcement actions against Users and Persons in noncompliance with this Ordinance. To the extent that there is any conflict between the ERP and this Ordinance, this Ordinance shall take precedence.

602.0 ADMINISTRATIVE VIOLATIONS. There is hereby established a class of violations to be known as Administrative Violations that are further subdivided into minor and major administrative violations as follows:

A. **Minor Administrative Violations** include, but are not limited to, the following:

- 1. Submission of incomplete reports or questionnaires;
- 2. Failure to submit reports by the scheduled due date;
- 3. Failure to respond and submit to questionnaires;
- 4. Missing a compliance date without proper prior notification to SAWPA;
- 5. Failure to conduct sampling, including self-monitoring, when required;
- 6. Failure to notify the General Manager of a violation of permit conditions within twenty-four (24) hours of the discovery of the violation; or
- 7. Failure to pay all required fees, penalties and charges within forty-five (45) days from the due date.

B. **Major Administrative Violations** include, but are not limited to, the following:

- 1. Failure to notify the General Manager of a Slug Discharge immediately after discovery of said discharge;
- 2. Failure to respond, by scheduled due date, to letters requiring responses or to administrative orders;

Exhibit "A"

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- 3. Missing a compliance date by more than forty-five (45) days;
- 4. Falsification of documents or attempting to mislead SAWPA or OCSD in any manner whatsoever;
- 5. Failure to cooperate with SAWPA or contracted employees exercising their authority under this Ordinance, including monitoring and inspection activities;
- 6. A pattern of minor administrative violations;
- 7. Failure to allow entry to authorized SAWPA employees, agents, OCSD employees, or contracted employees, in the course of their job, onto the User's property;
- 8. Failure to produce records as required;
- 9. Failure to accurately report noncompliance;
- 10. Failure to submit required reports (self-monitoring, baseline monitoring report, 90-day compliance report, Compliance Schedule progress reports) or submitting such reports more than forty-five (45) days late;
- 11. Failure to pay pursuant to Section 304.0 of this Ordinance, permit application fees, permit renewal fees, charges, or Administrative Penalties within sixty (60) days of due date;
- 12. Intentional discharge of a hazardous waste or material or otherwise prohibited waste into the Brine Line or tributaries thereto; or
- 13. Wastewater discharge without a valid Wastewater Discharge Permit after notification.

C. Upon notice of appropriate mitigating circumstances and consistent with applicable federal and state laws, the General Manager has sole discretion to treat a Major Administrative Violation as a Minor Administrative Violation, or a pattern of Minor Administrative Violations with aggravating circumstances as a Major Administrative Violation.

603.0 VIOLATIONS OF DISCHARGE LIMITATIONS.

A. There is hereby established a class of violations to be known as discharge violations that are further subdivided into minor and major discharge violations as follows:

- 1. **Minor Discharge Violations** are those that, either alone or in combination with similar user discharge violations, as determined by the General Manager, pose no significant threat to the public health, safety or welfare, the environment, the Brine

Exhibit "A"

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Line or tributaries thereto, OCSD's POTW or to any SAWPA employee or contractor.

2. **Major Discharge Violations** may include, but are not limited to, the following:

a. As determined by Significant Noncompliance criteria in 40 CFR 403.8(f) (2) (viii);

b. Major Discharge Violations which, either alone or in combination with similar discharges, as determined by the General Manager, pose a significant threat to the public health, welfare or safety, the environment, the safe and efficient operation of the Brine Line or tributaries thereto, OCSD's POTW, or to any SAWPA employee or contractor, or cause or contribute to the additional treatment costs incurred by SAWPA or a violation of OCSD's NPDES permit, or cause or contribute to Pass Through, Interference, or other known damages;

c. Discharging regulated pollutants to the Brine Line or tributaries thereto without a current discharge permit;

d. A pattern of Minor Discharge Violations;

e. Failure to correct a Minor Discharge Violation within a specific time period as directed by the General Manager; or,

f. Tampering with or purposely rendering inaccurate any monitoring device, method or record required to be maintained pursuant to this Ordinance.

B. Upon notice of appropriate mitigating circumstances, the General Manager has sole discretion to treat a Major Discharge Violation as a Minor Discharge Violation. The General Manager also has sole discretion to treat a pattern of Minor Discharge Violations with aggravating circumstances as individual Major Discharge Violations.

604.0 UNCLASSIFIED VIOLATIONS. For any violation by any User or Person that is not classified herein, or for the violation of any rule or regulation promulgated hereunder, the General Manager shall have the discretion to treat such violation as a minor or major violation and to exercise enforcement authority accordingly. In exercising this enforcement authority, the General Manager shall consider the magnitude of the violation, its duration, and its effect on receiving waters, the Brine Line or tributaries thereto, OCSD's POTW, the health and safety of SAWPA employees, contractors, Users, and the general public. The General Manager shall also evaluate the User's or Person's compliance history, good faith, and any other factors the General Manager deems relevant.

605.0 SEPARATE VIOLATIONS. Any User or Person found to be in violation of this Ordinance shall be charged with a separate violation for each day the same violation exists. Wastewater discharge pollutant violations shall be considered an individual violation for each pollutant in violation.

Exhibit "A"

1 **606.0 ADMINISTRATIVE ORDERS.** The General Manager may require compliance with
 2 Wastewater Discharge Permit conditions or limitations by issuing Administrative Orders that
 3 are enforceable in a court of law or by directly seeking court action. The General Manager
 4 may use Administrative Orders, either individually, sequentially, concurrently, or in any order
 5 for one or more violations as appropriate for the circumstances. Administrative Orders
 6 include:

7
 8 **A. WRITTEN WARNING.** A written warning shall be given to a User identified
 9 to have a Minor Administrative Violation of this Ordinance or permit condition or
 10 requirement. The written warning shall be served personally or by certified mail upon the
 11 User, and the written warning will state the provisions violated, the facts alleged to constitute
 12 the violation and may include a correction notice at the discretion of the General Manager.
 13

14 **B. CORRECTION NOTICE.** A correction notice shall be given to a User to
 15 require correction of minor violations noted during an inspection by the General Manager of
 16 the User's facility and may be issued in conjunction with a written warning.
 17

18 1. Compliance time extensions may be granted to Users who fail to correct
 19 minor violation(s) required by a correction notice, upon showing of good cause by
 20 such User.
 21

22 2. For purposes of this Section, "good cause" means an unforeseeable and
 23 unavoidable event or series of events, over which User had no control, which
 24 prevented or significantly impaired the User's ability to comply with the correction
 25 notice.
 26

27 3. A correction notice may require a written response within ten (10) days of
 28 receipt; User shall provide a written explanation to the General Manager of the
 29 violation, including specific actions taken to correct the violation. Submission of such
 30 a response in no way relieves the User of liability for any violations occurring before
 31 or after receipt of the written warning and/or correction notice.
 32

33 **C. MONITORING/PRODUCTION INFORMATION ORDER (MPIO)** shall
 34 be issued to a User for consecutive violations or if determined to be in SNC for the same
 35 pollutant as detected either in SAWPA samples, User samples (self-monitoring), or both. The
 36 MPIO shall be used to determine if discharge compliance has been achieved or if a detected
 37 violation is consistent. The User may be required to self-monitor the wastewater discharged
 38 for the pollutants in violation and record the daily effluent wastewater flow frequency and
 39 schedule as determined by the General Manager based on the volume and frequency of
 40 industrial wastewater discharged to the Brine Line or tributaries thereto. Production
 41 information shall be required of all Categorical Industrial Users which have production based
 42 discharge limits.
 43

44 **D. NOTICE OF VIOLATION (NOV).** When the General Manager finds that a
 45 User has violated, or continues to violate, any provision of this Ordinance, related resolution,
 46 an individual Wastewater Discharge Permit or any order issued under this Ordinance, the
 47 General Manager may serve upon the User a written Notice of Violation (NOV). The NOV

Exhibit "A"

1 shall be served personally or by certified mail upon the User, and the NOV will state the
 2 provisions violated, the facts alleged to constitute the violation and may include any proposed
 3 corrective actions or monitoring. Within ten (10) business days of the receipt of the NOV,
 4 User shall provide a written explanation of the violation, a plan for the satisfactory correction
 5 and prevention thereof, including specific required actions, to the General Manager.
 6 Submission of such a response and plan in no way relieves the User of liability for any
 7 violations occurring before or after receipt of the NOV. Nothing in this Section shall limit the
 8 authority of the General Manager to take any action, including any emergency actions or any
 9 other enforcement action, with or without the issuance of a NOV.

10
 11 E. **VIOLATION MEETING** shall be required of all Users who have failed to
 12 achieve compliance after the issuance of an NOV or violation(s) resulting in significant
 13 noncompliance. This meeting shall be for the General Manager to consider drafting a Consent
 14 Order or Compliance Order and for the User to propose solutions, request time extensions,
 15 draft a compliance schedule, or file an appeal.

16
 17 F. **CONSENT ORDER.** The General Manager may, at any time after finding a
 18 violation of this Ordinance, enter into an agreement with the violating User that shall be
 19 known as a Consent Order. Such agreement may be in the form of a Compliance Schedule
 20 with milestones or other specific actions to be taken by the User to correct or prevent the
 21 noncompliance within a time period specified in the order, or payment of damages, penalties,
 22 fines, or other remedies. The Consent Order is developed between the User and SAWPA.
 23 This Order shall have the same force and effect as any other Administrative Order issued
 24 pursuant to this Ordinance and may include a civil penalty pursuant to Section 610.H. A
 25 Consent Order may be enforced by an Administrative Complaint under Section 610 or by
 26 court action.

27
 28 G. **COMPLIANCE ORDER.**

29
 30 1. A Compliance Order shall be issued to a User that has violated or continues
 31 to violate this Ordinance, the User's Wastewater Discharge Permit, or any other order
 32 issued under this Ordinance. The General Manager may issue a Compliance Order to
 33 the User responsible for the violation(s) which shall specify the provisions violated
 34 and the facts constituting the violation(s), and shall direct that adequate treatment
 35 facilities, devices, or other related appurtenances be installed and properly operated by
 36 a specified time period. Compliance Orders may also contain such other requirements
 37 as the General Manager deems reasonably necessary and appropriate to assure timely
 38 compliance with this Ordinance and to address the noncompliance. Such Order may
 39 require the installation of pretreatment technology, additional self-monitoring,
 40 management practices, adherence to a compliance schedule with milestones,
 41 submission of action plans, appearance by the User at a specific time and place for a
 42 compliance meeting, or other measures necessary to achieve and maintain compliance.
 43 The Compliance Order is developed by the General Manager without comment from
 44 the User and may include a Civil Penalty Order pursuant to Section 610.H.

45
 46 2. If no public hearing on the alleged violation(s) has been previously
 47 conducted, the alleged violating User may either submit a written explanation or other

Exhibit "A"

1 response to the Compliance Order or request the General Manager to conduct either
2 an informal meeting or a hearing. Such submission or request shall be in writing and
3 filed with the General Manager no later than ten (10) days after receipt of the
4 Compliance Order. The request shall not stay the Compliance Order.

5
6
7 3. A Compliance Order may be enforced by an Administrative Complaint
8 under Section 610 or by court action.

9
10 H. **CIVIL PENALTY ORDER** will be issued to a User by the General Manager
11 or SAWPA Counsel to assess penalties required by Sections 610.0, 611.0 and 619.0 of this
12 Ordinance and any other costs incurred by SAWPA in the investigation, monitoring, legal
13 assistance, enforcement, cleanup or repair caused by the User's violation. The Civil Penalty
14 Order may be included with any other Order.

15
16 I. **CEASE AND DESIST ORDER** shall be issued by the General Manager to
17 any User or Persons whose violation(s) of this Ordinance, a Wastewater Discharge Permit, or
18 any Order issued hereunder pose(s) a threat to the Brine Line or tributaries thereto, OCSD's
19 POTW, SAWPA employees or contractors, OCSD, the environment or the public. A Cease
20 and Desist Order may also be issued by the General Manager to Users who continue to
21 discharge wastewater to the Brine Line or tributaries thereto, without a valid Wastewater
22 Discharge Permit or in violation of such permit. The General Manager may issue a Cease
23 and Desist Order immediately upon discovering any such violations and direct those Users or
24 Persons in noncompliance to take such appropriate remedial or preventive action as may be
25 deemed necessary to eliminate a continuing or threatened violation, including halting
26 operations and terminating the discharge. Such order shall include the provision violated and
27 the facts constituting the violation. A Cease and Desist Order may also include a Civil Penalty
28 Order pursuant to Section 610.H.

29
30 J. **SHOW CAUSE HEARING.** The General Manager may order a User which
31 has violated, or continues to violate, any provision of this Ordinance, an individual
32 Wastewater Discharge Permit, or any Order issued under this Ordinance, or any other
33 pretreatment standard or requirement adopted by resolution or otherwise, to appear before the
34 General Manager at a Show Cause Hearing and provide evidence and reasons why the
35 proposed enforcement action should not be taken. A Notice of Show Cause Hearing shall be
36 served on the User specifying the time and place for the Show Causing Hearing, the proposed
37 enforcement action, the reasons for such action, and a direct that the User provide evidence
38 and reasons why the proposed enforcement action should not be taken. The Notice of Show
39 Cause Hearing shall be served personally or by certified mail at least thirty (30) days prior to
40 the hearing. A Show Cause Hearing shall not be a bar against, or prerequisite for, taking any
41 enforcement action against the User.

42
43 **607.0 WASTEWATER DISCHARGE PERMIT REVOCATION.** The General Manager
44 may revoke any Wastewater Discharge Permit if the User is in violation of any provision of
45 this Ordinance. These violations can include but are not limited to: falsification of information
46 by the User required by this Ordinance; refusing right of entry by SAWPA or OCSD; failure
47 to re-apply for a Wastewater Discharge Permit or request a required permit modification;

Exhibit "A"

1 failure to pay required permit fees or charges or discharging in violation of this Ordinance.
2 Validity of the Wastewater Discharge Permit shall be conditioned upon the Industrial User's
3 compliance with the provisions of this Ordinance. The General Manager may revoke the
4 Wastewater Discharge Permit upon a minimum notice (written and sent by certified mail) of
5 fifteen (15) days when the General Manager finds that the wastewater discharge is in violation
6 of the provisions of this Ordinance or of any applicable federal, state, county or city law or
7 regulation or if the Industrial User has failed to pay any user fee or penalty within forty-five
8 (45) days of invoicing by SAWPA. Within the fifteen (15) days prior to the intended permit
9 revocation, the General Manager shall make a hearing available to the User. All costs for
10 Wastewater Discharge Permit revocation and reissuance shall be paid by the User.
11

12 **608.0 TERMINATION OF SERVICE.** Notwithstanding any provision to the contrary, and
13 without prior notice, the General Manager may immediately terminate wastewater service to
14 any User in order to stop an actual or threatened discharge which presents or may present an
15 imminent or substantial endangerment to the health or welfare of persons or to the
16 environment, or which causes Interference to the Brine Line or tributaries thereto, OCSD's
17 POTW, or causes OCSD to violate any condition of its NPDES permit or if the User has failed
18 to obtain a valid Wastewater Discharge Permit. If a suspension order has been issued, and the
19 User fails to comply voluntarily with the suspension order, the General Manager shall take
20 such steps as deemed necessary, including immediate termination or severance of the sewer
21 service lateral connection, to prevent or minimize damage to the Brine Line or tributaries
22 thereto, OCSD's POTW, or endangerment to any person or the environment. All costs for
23 terminating service shall be paid by the User. All costs for reestablishing service shall be paid
24 by the User.
25

26 **609.0 ANNUAL PUBLICATION NOTICE.** The names of all Significant Industrial Users
27 which at any time during the previous twelve (12) months were found to be in significant
28 noncompliance with applicable Pretreatment Standards, Requirements and this Ordinance
29 shall be published at least annually in a newspaper of general circulation that provides
30 meaningful public notice, or other electronic means, within the jurisdictions of SAWPA in
31 which the Significant Industrial User is located, in accordance with 40 CFR 403.8(f) (2) (viii).
32

33 **610.0 ADMINISTRATIVE COMPLAINT.**
34

35 A. Notwithstanding Section 606, the General Manager may issue an
36 Administrative Complaint to a User who violates this Ordinance, permit requirement, or an
37 Administrative Order.
38

39 B. The Administrative Complaint shall allege the act or failure to act that
40 constitutes the violation, the provisions of law authorizing civil liability to be imposed and the
41 proposed civil penalty. The Administrative Complaint shall be served by personal delivery
42 or certified mail on the User and shall inform the User served that a hearing shall be conducted
43 within sixty (60) days after the User has been served.
44

45 C. The hearing shall be before a hearing officer designated by the SAWPA
46 Commission. The User who has been issued an Administrative Complaint may waive the right
47 to a hearing, in which case SAWPA shall not conduct a hearing. A User dissatisfied with the

Exhibit "A"

1 decision of the hearing officer may appeal to the SAWPA Commission within thirty (30) days
2 of notice of the hearing officer's decision.

3
4 D. If after the hearing, or appeal, if any, it is found that the User has violated
5 reporting or discharge requirements, the hearing officer or the SAWPA Commission may
6 assess a civil penalty against that User. In determining the amount of a civil penalty, the
7 hearing officer or SAWPA Commission may take into consideration all relevant
8 circumstances including, but not limited to, the extent of harm caused by the violation, the
9 economic benefit derived through any non-compliance, the nature and persistence of the
10 violation, the length of time over which the violation occurs and corrective action, if any,
11 attempted or taken by the User.

12
13 E. Civil Penalties may be imposed as follows:

14
15 1. In an amount which shall not exceed \$2,000.00 for each day for failing or
16 refusing to furnish technical or monitoring reports [Government Code, Section
17 54740.5(d)(1)];

18
19 2. In an amount which shall not exceed \$3,000.00 for each day for failing or
20 refusing to timely comply with any Compliance Schedule established by the General
21 Manager [Government Code, Section 54740.5(d)(2)];

22
23 3. In an amount which shall not exceed \$5,000.00 per violation for each day
24 for discharges in violation of any waste discharge limitation, permit condition, or
25 requirement issued, reissued or adopted by SAWPA [Government Code, Section
26 54740.5(d)(3)];

27
28 4. In an amount which shall not exceed \$10.00 per gallon for discharges in
29 violation of any suspension, Cease and Desist Order or other Orders, or prohibition
30 issued, reissued or adopted by the General Manager [Government Code, Section
31 54740.5(d)(4)].

32
33 F. Unless appealed, any Order setting administrative civil penalties shall become
34 effective and final upon issuance thereof, and payment shall be made within thirty (30) days
35 established by the Order. Copies of all Orders shall be served by personal service or by
36 certified mail upon the parties served with the Administrative Complaint and upon other
37 persons who appeared at the hearing and requested a copy.

38
39 G. All monies collected under this Section shall be deposited in a special account
40 of SAWPA and shall be made available for the monitoring, treatment and control of discharges
41 into the Brine Line and tributaries thereto.

42
43 II. The amount of any Civil Penalties imposed under this Section which have
44 remained delinquent for a period of sixty (60) days shall constitute a lien against the real
45 property of the User from which the discharge, Ordinance violation, or permit violation
46 originated resulting in the imposition of the Civil Penalty. The lien shall be recorded with the
47 County Recorder for the respective county and when recorded shall have the force and effect
48 and priority of a judgment lien and continue for ten (10) years from the time of recording

Exhibit "A"

1 unless sooner released, and shall be renewable in accordance with the provisions of Section
2 683.110 to 683.220, inclusive, of the Code of Civil Procedure.

3
4 I. No penalties shall be recoverable under this Section for any violation for which
5 civil liability is recovered under Section 612.0.

6
7 J. Judicial Review

8
9 1. Any User aggrieved by a final Order issued under this Section may obtain
10 review of the order in the Superior Court by filing with the Court a petition for Writ
11 of Mandate within thirty (30) days following the service of a copy of a decision and
12 order issued. Any User aggrieved by a final Order issued under this Section for which
13 the SAWPA Commission denies review, may obtain review of the order of the hearing
14 officer in the Superior Court by filing in the Court a petition for writ of mandate within
15 thirty (30) days following service of a copy of a decision and order denying review by
16 the SAWPA Commission.

17
18 2. If an aggrieved User does not petition for a Writ of Mandate within thirty
19 (30) days, an Order or a hearing officer shall not be subject to review by any court or
20 agency.

21
22 3. The evidence before the Court shall consist of the record before the
23 SAWPA Commission, including the hearing officer's record, and any other relevant
24 evidence which, in the judgment of the Court, should be considered to effectuate and
25 implement policies of this Ordinance. In every such case, the Court shall exercise its
26 independent judgment on the evidence.

27
28 4. Subdivisions (e) and (f) of Section 1094.5 of the Code of Civil Procedure
29 shall govern review proceedings.

30
31 **611.0 EMERGENCY SUSPENSION.** The Commission or its General Manager may
32 immediately suspend a User's discharge, after notice to the User, whenever such suspension
33 is necessary to stop an actual or threatened discharge, which reasonably appears to present, or
34 cause an imminent or substantial endangerment to the health or welfare of persons. The
35 SAWPA Commission or its agent may also immediately suspend a User's discharge, after
36 notice and opportunity to respond, that threatens to interfere with the operation of the POTW,
37 or which presents, or may present, an endangerment to human health or the environment.

38
39 A. Any User notified of a suspension of its discharge shall immediately stop or
40 eliminate its contribution. In the event of a User's failure to immediately comply voluntarily
41 with the Emergency Suspension, the SAWPA Commission may take such steps as deemed
42 necessary, including immediate termination or severance of the sewer connection, to prevent
43 or minimize damage to the POTW, its receiving stream, or endangerment to any individuals.
44 The SAWPA Commission may allow the User to recommence its discharge when the User
45 has demonstrated to the satisfaction of the SAWPA Commission that the period of
46 endangerment has passed.

47

Exhibit "A"

1 B. A User that is responsible, in whole or in part, for any discharge presenting
 2 imminent endangerment shall submit a detailed written statement, describing the causes of the
 3 harmful contribution and the measures taken to prevent any future occurrence, to the
 4 Commission prior to the date of any Show Cause Hearing under Sections 606.0 Item J and
 5 608.0.

6
 7 Nothing in this Section shall be interpreted as requiring a hearing prior to any Emergency
 8 Suspension under this Section.

9
 10 **612.0 CIVIL LIABILITY FOR VIOLATIONS.**

11
 12 A. Any User that violates any provision of this Ordinance, any requirement of the
 13 Wastewater Discharge Permit, or Administrative Order, may be civilly liable to SAWPA in a
 14 total amount not to exceed \$25,000.00 per day for each violation. In addition to penalties,
 15 plus any damages, the General Manager may recover reasonable attorney's fees, court costs,
 16 and other expenses associated with the enforcement activities, including, but not limited to,
 17 sampling, monitoring, laboratory costs and inspection expenses.

18
 19 B. SAWPA's Legal Counsel is hereby authorized to petition the Superior Court
 20 to impose, assess, and recover the penalties and damages as described in Section 612.0.A. In
 21 determining the amount, the Court shall take into consideration all relevant circumstances,
 22 including but not limited to, the extent of harm caused by the violation, the economic benefit
 23 derived through any non-compliance, the nature and persistence of the violation, the length of
 24 time over which the violation occurs, and any corrective actions, if any, attempted or taken by
 25 the User.

26
 27 C. Notwithstanding any other provision of law, all civil penalties imposed by the
 28 Court for a violation of this Section shall be distributed to SAWPA.

29
 30 D. Remedies under this Section are in addition to and do not supersede or limit
 31 any and all other remedies, civil or criminal, but no liability shall be recoverable under this
 32 Section for any violation for which liability is recovered under Section 610.0.

33
 34 **613.0 CRIMINAL PENALTIES.**

35
 36 A. Any User which willfully or knowingly violates any provision of this
 37 Ordinance, or any orders or permits issued hereunder shall, upon conviction, be guilty of a
 38 misdemeanor for each separate violation per day, punishable by a fine not to exceed One
 39 Thousand Dollars (\$1,000.00) or imprisonment for not more than thirty (30) days, or both for
 40 each violation. Each violation and each day in which a violation occurs may constitute a new
 41 and separate violation of this Ordinance and shall be subject to the penalties contained herein.

42
 43 B. Any User who knowingly makes any false statements, representations, or
 44 certifications in any application, record, report, plan or other document filed or required to be
 45 maintained pursuant to this Ordinance or the User's Wastewater Discharge Permit, or who
 46 falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method
 47 required under this Ordinance shall, upon conviction, be punished by a fine of not more than

Exhibit "A"

1 One Thousand Dollars (\$1,000.00) per violation per day or imprisonment for not more than
 2 six months, or both for each violation. This penalty shall be consistent with the Federal Clean
 3 Water Act, 33 U.S.C. 1251, et seq. and shall apply to the exclusion of any other Ordinance
 4 provisions more lenient.

5
 6 **614.0 LEGAL ACTION.** If any User discharges wastewater into the Brine Line or tributaries
 7 thereto in violation of the provisions of this Ordinance, federal or state pretreatment
 8 requirements, or any order or permit issued hereunder, then SAWPA may commence an
 9 enforcement and/or collection action for legal, equitable or injunctive relief in the appropriate
 10 court of Riverside or San Bernardino County. Any such court action filed by SAWPA shall
 11 entitle SAWPA to recover all reasonable attorneys' fees, court costs, expert witness fees and
 12 related litigation expenses.

13
 14 **615.0 SUPPLEMENTAL ENFORCEMENT ACTIONS.**

15
 16 **A. Performance Bonds.** The General Manager may decline to issue or reissue a
 17 Wastewater Discharge Permit to any User who has failed to comply with any provision of this
 18 Ordinance, a previous Wastewater Discharge Permit, or Administrative Order issued
 19 hereunder, or any other pretreatment standard or requirement, unless such User first files a
 20 satisfactory bond payable to SAWPA, in a sum not to exceed a value determined by the
 21 General Manager to be necessary to achieve consistent compliance.

22
 23 **B. Liability Insurance.** The General Manager may decline to issue or reissue a
 24 Wastewater Discharge Permit to any User who has failed to comply with any provision of this
 25 Ordinance, a previous Wastewater Discharge Permit, or Administrative Order issued
 26 hereunder, or any other pretreatment standard or requirement, unless such User first submits
 27 proof that liability insurance satisfactory to the General Manager has been obtained by the
 28 User sufficient to restore or repair damage to the Brine Line or tributaries thereto or OCSD's
 29 POTW.

30
 31 **C. Public Nuisance.** A violation of any provision of this Ordinance, a
 32 Wastewater Discharge Permit, or Administrative Order issued hereunder, or any pretreatment
 33 standard or requirement is hereby declared a public nuisance and shall be corrected or abated
 34 as directed by the General Manager. Any User creating a public nuisance shall be required to
 35 reimburse SAWPA for any costs incurred in removing, abating, or remedying such nuisance.

36
 37 **616.0 REMEDIES NONEXCLUSIVE.** The enforcement remedies for this Ordinance are
 38 not exclusive. The General Manager may take any, all, or any combination of these remedies
 39 against a non-compliant User. Enforcement of Ordinance, pretreatment, and Wastewater
 40 Discharge Permit violations will generally be in accordance with SAWPA's Enforcement
 41 Response Plan. The General Manager, however, may take other actions against any User
 42 when the circumstances warrant. Further, the General Manager is also empowered to take
 43 more than one enforcement action against any non-compliant User.

44
 45
 46 **617.0 PAYMENT OF FEES, CHARGES, AND PENALTIES.**
 47

Exhibit "A"

1 A. Unless otherwise specified, all fees, charges and penalties imposed pursuant to
2 this Ordinance are due and payable within forty-five (45) days of receipt of notice or invoicing
3 by SAWPA.

4
5 B. For Users who fail to pay any required fee, charge or penalty by the due date,
6 the following penalties shall apply:

7
8 1. Forty-six (46) days after the date of invoice, a penalty of ten percent (10%)
9 of the original invoice amount, not to exceed \$1,000.00 shall be assessed.

10
11 2. Ninety days (90) after the date of invoice, a total penalty of ten percent
12 (10%) of the original invoice amount, not to exceed a maximum of \$4,000.00 shall be
13 assessed.

14
15 C. Any invoice outstanding and unpaid after ninety (90) days shall be cause for
16 immediate initiation of Wastewater Discharge Permit revocation proceedings or immediate
17 suspension of the Wastewater Discharge Permit. In addition, interest shall accrue on any
18 unpaid fees, charges or penalties at 10% per annum from the due date until paid.

19
20 D. Penalties charged under this Section shall not accrue to those invoices
21 successfully appealed.

22
23 E. Should the User dispute any fees, charges and/or penalties, User shall notify
24 SAWPA in writing of said dispute; however, payment of disputed charges shall be required
25 by the due date during the General Manager's review of any dispute submitted by a User.

26
27 **618.0 DAMAGE TO FACILITIES OR INTERRUPTION OF NORMAL**
28 **OPERATIONS.**

29
30 A. Any User who discharges any waste which causes or contributes to any
31 obstruction, interference, damage, or any other impairment to the Brine Line or tributaries
32 thereto or OCSD's POTW and sewerage facilities or to the operation of those facilities shall
33 be liable for all costs required to clean or repair the facilities together with expenses incurred
34 by SAWPA or OCSD to resume normal operations. Such discharge shall be grounds for
35 permit revocation. A service charge of up to ninety percent (90%) of SAWPA's costs shall be
36 added to the costs and charges to reimburse SAWPA for miscellaneous overhead, including
37 administrative personnel and record keeping at the General Manager's discretion. The total
38 amount shall be payable within forty-five (45) days of invoicing by SAWPA.

39
40 B. Any User who discharges a waste which causes or contributes to SAWPA
41 violating its discharge requirements established by any Regulatory Agency and/or OCSD and
42 causing SAWPA to incur additional expenses or suffer losses or damage to its facilities, shall
43 be liable for any costs or expenses incurred by SAWPA, including regulatory fines, penalties,
44 and assessments made by other agencies or a court.

45
46
47 **619.0 APPEALS.** Except for Administrative Complaints as provided in Section 610.0:

Exhibit "A"

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A. Within ten (10) business days after service of an Administrative Order or Notice under Sections 606, 607 or 608, the User may file a written appeal with the SAWPA Commission. A fee of one hundred dollars (\$100.00) shall accompany any appeal to the SAWPA Commission. The written appeal shall state all of the facts and reasons that constitute the basis for such an appeal. The written appeal shall be heard by the SAWPA Commission within thirty (30) days from the date of filing of the written appeal. The SAWPA Commission shall issue a final order on the appeal within forty-five (45) days from the date of filing of the written appeal. Any User aggrieved by a final order issued by the SAWPA Commission under this Section may seek judicial review of the order of the SAWPA Commission in superior court by filing a petition for writ of mandate within thirty (30) days following the service of a copy of the SAWPA Commission’s final order. Failure to file such a petition within the thirty (30) day deadline shall be deemed a waiver of such judicial review.

620.0 ALTERNATIVE ENFORCEMENT PROCEDURES. As additional and alternate enforcement provisions, the General Manager may utilize the procedures and seek the civil penalties provided in Sections 54739, 54740, 54740.5 and 54740.6 of the Government Code for violations of this Article, federal or California pretreatment requirements or the terms and provisions of any permits issued pursuant to this Ordinance.

621.0 INVALIDITY. If any provision of this Ordinance or the application thereof to any User or circumstance is held invalid, the remainder of this Ordinance and the application of such provision to other Users or circumstances shall not be affected thereby.

622.0 INTERPRETATION – INTENT. All the provisions of this Ordinance are to be reasonably interpreted. The intent herein is to recognize that there are varying degrees of hazard to the Brine Line, OCSD’s POTW, personnel, environment and the public and to apply the principle that the degree of protection shall be commensurate with the degree of hazard.

Exhibit "A"

**ARTICLE 7
MISCELLANEOUS PROVISIONS**

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700.0 SEVERABILITY. If any provision of these regulations or the application to any other circumstances is held invalid, the remainder of the regulations or the application of such provision to other Users or other circumstances shall not be affected.

701.0 EFFECTIVE DATE. This Ordinance shall take effect immediately upon adoption, and Ordinance No. 7, and any amendments thereto, is hereby repealed and superseded by this Ordinance.

702.0 JUDICIAL REVIEW OF ORDINANCE. Pursuant to Section 1094.6 of the Code of Civil Procedure, the time within which judicial review shall be sought concerning the adoption of this Ordinance is ninety (90) days following the date on which the decision adopting it is final. The decision adopting this ordinance is final on the date it is adopted.

ADOPTED this 19th day of September 2017

SANTA ANA WATERSHED PROJECT AUTHORITY

By _____
Susan Lien Longville, Chair

ATTEST:

By _____
Jasmin A. Hall, Secretary-Treasurer



Date: September 26, 2017
From: Kathryn Hallberg, Management Analyst
Subject: Overview of a New Customer Utility Billing Portal and Payment Platform

The District staff has been working together with representatives from Paymentus to determine the effectiveness of an online billing portal that would provide District customers with options for paperless bills, notifications, and various payment options. The system offered by Paymentus would give customers the freedom to access billing and payment information anytime, anywhere, from any device.

The specific elements of the proposed system include:

- **IVR (Interactive Voice Response)** – An Interactive Voice Response (IVR) system would provide customers with the ability to make automated phone payments at any time. With IVR, customers can hear their balance and due dates, confirm their last payment amounts, and make payments by all major credit/debit card or eCheck.
- **Self-Service Customers Portal** – An online service to enhance the customer experience. Users are greeted by an easy-to-use web view into their account, allowing them to quickly and securely manage their online billing and payment settings, access their statement and payment histories, sign up for email and text reminders, manage their paperless settings, and view and pay on multiple accounts.
- **Pay-by-Text** – Check a balance and pay in seconds. No website to visit. No email to open. No password to remember.
- **Pay-by-Email** – Mobile email use is surging. The Paymentus secure “push” eBill technology makes it simple to review a statement and make a payment.
- **Online Quick Pay** – The Online Quick Pay system gives a fast, easy way to make a one-time payment without having to register an account.
- **AutoPay Module** – AutoPay gives customers the flexibility to manage when and how they make future payments with easy-to-navigate interface allows customers to schedule one-time payments, pay each month on a specific date, set variable or fixed payment amounts, and choose from credit, debit, or eCheck options.
- **MobileAPP** – A convenient downloadable bill-pay app available from both iTunes and Google Play.

Below is a screenshot of the Paymentus Customer Portal.

The screenshot displays the ABC Utility Customer Portal interface. On the left is a navigation menu with options: Accounts, Pay My Bill, AutoPay, Bill History, Payment History, My Wallet, My Profile, and Log out. The main content area shows account details for Utility #6759370, including address, contact information, and a current amount due of \$68.86. Below this is a table of meter readings with columns for Present Read Day, Meter #, Meter Size, Service, Days, Pres. Read, Rev. Read, Usage, and Type. Further down, there are sections for Billing Details (showing a total amount due of \$68.86) and Usage Details (including a month-by-month bar chart of usage from Feb to Jan).

PRESENT READ DAY	METER #	METER SIZE	SERVICE	DAYS	PRES. READ	REV. READ	USAGE	TYPE
10/15/14	123457	Lines	Utility	15	54521	55210	527	Estimate

Billing Details	
Transaction Description	\$ Amount
Previous Balance	72.99
Payment - Thank you	72.99
Total New Utility Charges	68.86
Total Amount Due	68.86

Usage Details	
Month By Month Chart	1 unit = 1 kWh

Financial Consideration

Yucaipa Valley Water District currently absorbs the customer service fees as detailed in DM 17-058. There is no additional cost for set-up or maintenance for the Paymentus service. The only cost associated with Paymentus is the service fee charged of \$1.75 per customer payment transaction of \$300.00 or less, a payment amount that exceeds \$300.00 will be charged an additional \$1.75 per \$300.00 increment. The estimated cost in DM 17-058 was \$70,000 per year and will be included in a future budget adjustment as the current approved budget is \$30,000 [GL # 02-5-06-54013].

Director Comments



Yucaipa Valley Water District

Adjournment



Yucaipa Valley Water District



FACTS ABOUT THE YUCAIPA VALLEY WATER DISTRICT

Service Area Size: 40 square miles (sphere of influence is 68 square miles)

Elevation Change: 3,140 foot elevation change (from 2,044 to 5,184 feet)

Number of Employees: 5 elected board members
62 full time employees

Operating Budget: Water Division - \$13,397,500
Sewer Division - \$11,820,000
Recycled Water Division - \$537,250
Total Annual Budget - \$25,754,750

Number of Services: 12,434 water connections serving 17,179 units
13,559 sewer connections serving 20,519 units
64 recycled water connections

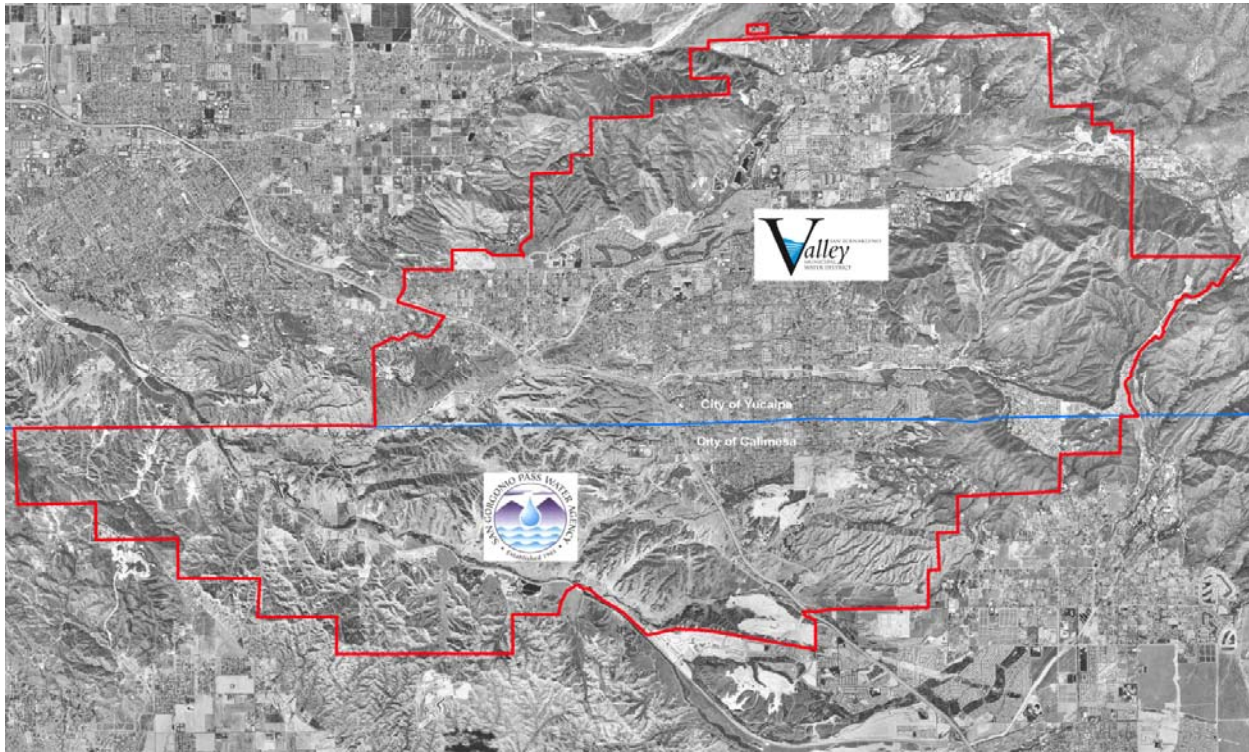
Water System: 215 miles of drinking water pipelines
27 reservoirs - 34 million gallons of storage capacity
18 pressure zones
12,000 ac-ft annual water demand (3.9 billion gallons)
Two water filtration facilities:
- 1 mgd at Oak Glen Surface Water Filtration Facility
- 12 mgd at Yucaipa Valley Regional Water Filtration Facility

Sewer System: 8.0 million gallon treatment capacity - current flow at 4.0 mgd
205 miles of sewer mainlines
5 sewer lift stations
4,500 ac-ft annual recycled water prod. (1.46 billion gallons)

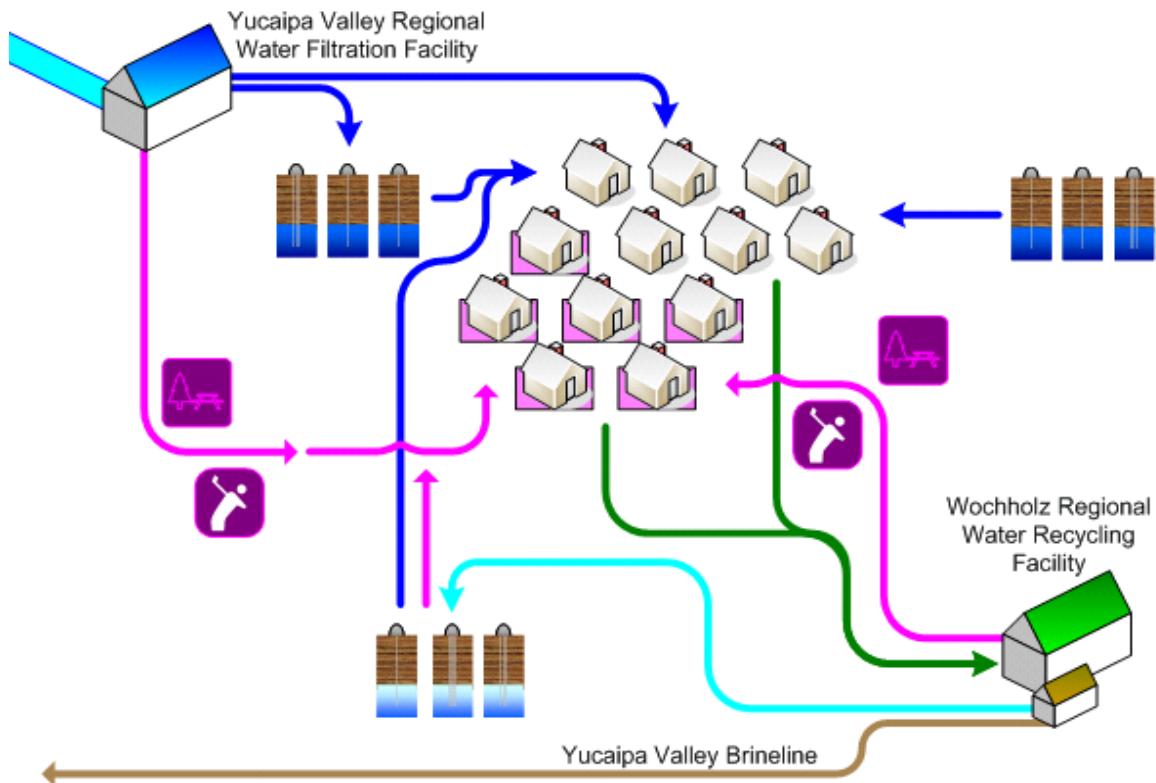
Recycled Water: 22 miles of recycled water pipelines
5 reservoirs - 12 million gallons of storage
1,200 ac-ft annual recycled demand (0.4 billion gallons)

Brine Disposal: 2.2 million gallon desalination facility at sewer treatment plant
1.108 million gallons of Inland Empire Brine Line capacity
0.295 million gallons of treatment capacity in Orange County

State Water Contractors: San Bernardino Valley Municipal Water District
San Geronimo Pass Water Agency



Sustainability Plan: A Strategic Plan for a Sustainable Future: The Integration and Preservation of Resources, adopted on August 20, 2008.





THE MEASUREMENT OF WATER PURITY

One part per hundred is generally represented by the percent (%).
This is equivalent to about fifteen minutes out of one day.

One part per thousand denotes one part per 1000 parts.
This is equivalent to about one and a half minutes out of one day.

One part per million (ppm) denotes one part per 1,000,000 parts.
This is equivalent to about 32 seconds out of a year.

One part per billion (ppb) denotes one part per 1,000,000,000 parts.
This is equivalent to about three seconds out of a century.

One part per trillion (ppt) denotes one part per 1,000,000,000,000 parts.
This is equivalent to about three seconds out of every hundred thousand years.

One part per quadrillion (ppq) denotes one part per 1,000,000,000,000,000 parts.
This is equivalent to about two and a half minutes out of the age of the Earth (4.5 billion years).





GLOSSARY OF COMMONLY USED TERMS

Every profession has specialized terms which generally evolve to facilitate communication between individuals. The routine use of these terms tends to exclude those who are unfamiliar with the particular specialized language of the group. Sometimes jargon can create communication cause difficulties where professionals in related fields use different terms for the same phenomena.

Below are commonly used water terms and abbreviations with commonly used definitions. If there is any discrepancy in definitions, the District's Regulations Governing Water Service is the final and binding definition.

Acre Foot of Water - The volume of water (325,850 gallons, or 43,560 cubic feet) that would cover an area of one acre to a depth of 1 foot.

Activated Sludge Process – A secondary biological sewer treatment process where bacteria reproduce at a high rate with the introduction of excess air or oxygen, and consume dissolved nutrients in the wastewater.

Annual Water Quality Report - The document is prepared annually and provides information on water quality, constituents in the water, compliance with drinking water standards and educational material on tap water. It is also referred to as a Consumer Confidence Report (CCR).

Aquifer - The natural underground area with layers of porous, water-bearing materials (sand, gravel) capable of yielding a supply of water; see Groundwater basin.

Backflow - The reversal of water's normal direction of flow. When water passes through a water meter into a home or business it should not reverse flow back into the water mainline.

Best Management Practices (BMPs) - Methods or techniques found to be the most effective and practical means in achieving an objective. Often used in the context of water conservation.

Biochemical Oxygen Demand (BOD) – The amount of oxygen used when organic matter undergoes decomposition by microorganisms. Testing for BOD is done to assess the amount of organic matter in water.

Biosolids – Biosolids are nutrient rich organic and highly treated solid materials produced by the sewer treatment process. This high-quality product can be used as a soil amendment on farm land or further processed as an earth-like product for commercial and home gardens to improve and maintain fertile soil and stimulate plant growth.

Catch Basin – A chamber usually built at the curb line of a street, which conveys surface water for discharge into a storm sewer.

Capital Improvement Program (CIP) – Projects for repair, rehabilitation, and replacement of assets. Also includes treatment improvements, additional capacity, and projects for the support facilities.

Collector Sewer – The first element of a wastewater collection system used to collect and carry wastewater from one or more building sewer laterals to a main sewer.

Coliform Bacteria – A group of bacteria found in the intestines of humans and other animals, but also occasionally found elsewhere and is generally used as an indicator of sewage pollution.

Combined Sewer Overflow – The portion of flow from a combined sewer system, which discharges into a water body from an outfall located upstream of a wastewater treatment plant, usually during wet weather conditions.

Combined Sewer System– Generally older sewer systems designed to convey both sewage and storm water into one pipe to a wastewater treatment plant.

Conjunctive Use - The coordinated management of surface water and groundwater supplies to maximize the yield of the overall water resource. Active conjunctive use uses artificial recharge, where surface water is intentionally percolated or injected into aquifers for later use. Passive conjunctive use is to simply rely on surface water in wet years and use groundwater in dry years.

Consumer Confidence Report (CCR) - see Annual Water Quality Report.

Cross-Connection - The actual or potential connection between a potable water supply and a non-potable source, where it is possible for a contaminant to enter the drinking water supply.

Disinfection By-Products (DBPs) - The category of compounds formed when disinfectants in water systems react with natural organic matter present in the source water supplies. Different disinfectants produce different types or amounts of disinfection byproducts. Disinfection byproducts for which regulations have been established have been identified in drinking water, including trihalomethanes, haloacetic acids, bromate, and chlorite

Drought - a period of below average rainfall causing water supply shortages.

Dry Weather Flow – Flow in a sanitary sewer during periods of dry weather in which the sanitary sewer is under minimum influence of inflow and infiltration.

Fire Flow - The ability to have a sufficient quantity of water available to the distribution system to be delivered through fire hydrants or private fire sprinkler systems.

Gallons per Capita per Day (GPCD) - A measurement of the average number of gallons of water use by the number of people served each day in a water system. The calculation is made by dividing the total gallons of water used each day by the total number of people using the water system.

Groundwater Basin - An underground body of water or aquifer defined by physical boundaries.

Groundwater Recharge - The process of placing water in an aquifer. Can be a naturally occurring process or artificially enhanced.

Hard Water - Water having a high concentration of minerals, typically calcium and magnesium ions.

Hydrologic Cycle - The process of evaporation of water into the air and its return to earth in the form of precipitation (rain or snow). This process also includes transpiration from plants, percolation into the ground, groundwater movement, and runoff into rivers, streams and the ocean; see Water cycle.

Infiltration – Water other than sewage that enters a sewer system and/or building laterals from the ground through defective pipes, pipe joints, connections, or manholes. Infiltration does not include inflow. See *Inflow*.

Inflow - Water other than sewage that enters a sewer system and building sewer from sources such as roof vents, yard drains, area drains, foundation drains, drains from springs and swampy areas, manhole covers, cross connections between storm drains and sanitary sewers, catch basins, cooling towers, storm waters, surface runoff, street wash waters, or drainage. Inflow does not include infiltration. See *Infiltration*.

Inflow / Infiltration (I/I) – The total quantity of water from both inflow and infiltration.

Mains, Distribution - A network of pipelines that delivers water (drinking water or recycled water) from transmission mains to residential and commercial properties, usually pipe diameters of 4" to 16".

Mains, Transmission - A system of pipelines that deliver water (drinking water or recycled water) from a source of supply the distribution mains, usually pipe diameters of greater than 16".

Meter - A device capable of measuring, in either gallons or cubic feet, a quantity of water delivered by the District to a service connection.

Overdraft - The pumping of water from a groundwater basin or aquifer in excess of the supply flowing into the basin. This pumping results in a depletion of the groundwater in the basin which has a net effect of lowering the levels of water in the aquifer.

Peak Flow – The maximum flow that occurs over a specific length of time (e.g., daily, hourly, instantaneously).

Pipeline - Connected piping that carries water, oil or other liquids. See Mains, Distribution and Mains, Transmission.

Point of Responsibility, Metered Service - The connection point at the outlet side of a water meter where a landowner's responsibility for all conditions, maintenance, repairs, use and replacement of water service facilities begins, and the District's responsibility ends.

Potable Water - Water that is used for human consumption and regulated by the California Department of Public Health.

Pressure Reducing Valve - A device used to reduce the pressure in a domestic water system when the water pressure exceeds desirable levels.

Pump Station - A drinking water or recycled water facility where pumps are used to push water up to a higher elevation or different location.

Reservoir - A water storage facility where water is stored to be used at a later time for peak demands or emergencies such as fire suppression. Drinking water and recycled water systems will typically use concrete or steel reservoirs. The State Water Project system considers lakes, such as Shasta Lake and Folsom Lake to be water storage reservoirs.

Runoff - Water that travels downward over the earth's surface due to the force of gravity. It includes water running in streams as well as over land.

Sanitary Sewer System - Sewer collection system designed to carry sewage, consisting of domestic, commercial, and industrial wastewater. This type of system is not designed nor intended to carry water from rainfall, snowmelt, or groundwater sources. See *Combined Sewer System*.

Sanitary Sewer Overflow – Overflow from a sanitary sewer system caused when total wastewater flow exceeds the capacity of the system. See *Combined Sewer Overflow*.

Santa Ana River Interceptor (SARI) Line – A regional brine line designed to convey 30 million gallons per day of non-reclaimable wastewater from the upper Santa Ana River basin to the sewer treatment plant operated by Orange County Sanitation District.

Secondary Treatment – Biological sewer treatment, particularly the activated-sludge process, where bacteria and other microorganisms consume dissolved nutrients in wastewater.

Supervisory Control and Data Acquisition (SCADA) - A computerized system which provides the ability to remotely monitor and control water system facilities such as reservoirs, pumps and other elements of water delivery.

Service Connection - The water piping system connecting a customer's system with a District water main beginning at the outlet side of the point of responsibility, including all plumbing and equipment located on a parcel required for the District's provision of water service to that parcel.

Sludge – Untreated solid material created by the treatment of sewage.

Smart Irrigation Controller - A device that automatically adjusts the time and frequency which water is applied to landscaping based on real-time weather such as rainfall, wind, temperature and humidity.

Special District - A political subdivision of a state established to provide a public services, such as water supply or sanitation, within a specific geographic area.

Surface Water - Water found in lakes, streams, rivers, oceans or reservoirs behind dams.

Total Suspended Solids (TSS) – The amount of solids floating and in suspension in water or sewage.

Transpiration - The process by which water vapor is released into the atmosphere by living plants.

Trickling Filter – A biological secondary treatment process in which bacteria and other microorganisms, growing as slime on the surface of rocks or plastic media, consume nutrients in primary treated sewage as it trickles over them.

Underground Service Alert (USA) - A free service that notifies utilities such as water, telephone, cable and sewer companies of pending excavations within the area (dial 8-1-1 at least 2 working days before you dig).

Urban Runoff - Water from city streets and domestic properties that typically carries pollutants into the storm drains, rivers, lakes, and oceans.

Valve - A device that regulates, directs or controls the flow of water by opening, closing or partially obstructing various passageways.

Wastewater – Any water that enters the sanitary sewer.

Water Banking - The practice of actively storing or exchanging in-lieu surface water supplies in available groundwater basin storage space for later extraction and use by the storing party or for sale or exchange to a third party. Water may be banked as an independent operation or as part of a conjunctive use program.

Water cycle - The continuous movement water from the earth's surface to the atmosphere and back again; see Hydrologic cycle.

Water Pressure - Pressure created by the weight and elevation of water and/or generated by pumps that deliver water to the tap.

Water Service Line - The pipeline that delivers potable water to a residence or business from the District's water system. Typically the water service line is a 1" to 1½" diameter pipe for residential properties.

Watershed - A region or land area that contributes to the drainage or catchment area above a specific point on a stream or river.

Water Table - The upper surface of the zone of saturation of groundwater in an unconfined aquifer.

Water Transfer - A transaction, in which a holder of a water right or entitlement voluntarily sells/exchanges to a willing buyer the right to use all or a portion of the water under that water right or entitlement.

Water Well - A hole drilled into the ground to tap an underground water aquifer.

Wetlands - Lands which are fully saturated or under water at least part of the year, like seasonal vernal pools or swamps.

Wet Weather Flow – Dry weather flow combined with stormwater introduced into a combined sewer system, and dry weather flow combined with infiltration/inflow into a separate sewer system.





COMMONLY USED ABBREVIATIONS

AQMD	Air Quality Management District
BOD	Biochemical Oxygen Demand
CARB	California Air Resources Board
CCTV	Closed Circuit Television
CWA	Clean Water Act
EIR	Environmental Impact Report
EPA	U.S. Environmental Protection Agency
FOG	Fats, Oils, and Grease
GPD	Gallons per day
MGD	Million gallons per day
O & M	Operations and Maintenance
OSHA	Occupational Safety and Health Administration
POTW	Publicly Owned Treatment Works
PPM	Parts per million
RWQCB	Regional Water Quality Control Board
SARI	Santa Ana River Inceptor
SAWPA	Santa Ana Watershed Project Authority
SBVMWD	San Bernardino Valley Municipal Water District
SCADA	Supervisory Control and Data Acquisition system
SSMP	Sanitary Sewer Management Plan
SSO	Sanitary Sewer Overflow
SWRCB	State Water Resources Control Board
TDS	Total Dissolved Solids
TMDL	Total Maximum Daily Load
TSS	Total Suspended Solids
WDR	Waste Discharge Requirements
YVWD	Yucaipa Valley Water District