



**ELSINORE
VALLEY**

MUNICIPAL WATER DISTRICT

**Regulations
For
Waste Discharge
And Sewer Use**

ORDINANCE NO. 279

**ADOPTED BY THE BOARD OF DIRECTORS
OF ELSINORE VALLEY MUNICIPAL WATER DISTRICT**

December 14, 2023

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This Ordinance has been incorporated in the EVMWD’s Administrative Code as Sections 3403-3499.

ARTICLE 1

General Provisions

1.100 INTENT

It is the intent of this Ordinance to protect public health, Elsinore Valley Municipal Water District (District) personnel, the District's wastewater collection, treatment systems and the environment from waste discharges by users with the potential to detrimentally impact the beneficial use of reclaimed (recycled) water and municipal sludge (biosolids).

1.200 PURPOSE

The purpose of this Ordinance is to set forth:

1. Conditions and limitations on the use of the District's sewer system;
2. Specific enforcement provisions to resolve dischargers' noncompliance with the District's Ordinance, thereby allowing the District to:
 - a. Comply with the laws, regulations, and rules imposed upon it by Regulatory Agencies;
 - b. Ensure that the District's sewerage facilities and treatment processes are protected and are able to operate with the highest degree of efficiency;
 - c. Protect the beneficial use of reclaimed (recycled) water and municipal sludge (bio-solids); and
 - d. Protect the public health and environment.

1.300 POLICY

- A. This Ordinance shall be interpreted in accordance with the definitions set forth in Article 2. The provisions of this Ordinance shall apply to the direct and indirect discharge of all wastes to facilities of the District.
- B. The District shall seek the cooperation of the users of the sewer system to ensure compliance with this Ordinance. Reasonable approaches shall be utilized when applying applicable regulations without compromising the intent, purpose and policies of this Ordinance.

- C. The District shall adopt more stringent quality requirements on wastewater discharges regulated by 40 CFR, Chapter I, Subchapter N, Parts 405-471, in the event that more stringent quality requirements are necessary to protect beneficial use of reclaimed (recycled) water and municipal sludge (biosolids) or meet additional requirements set in permits issued to the District.
- D. The District shall encourage conservation and pollution prevention through source control strategies, which reduce the amount of pollutants entering the environment, prior to recycling, pretreatment, or disposal.
- E. The District shall use the revenues derived from the application of this Ordinance to defray the cost of regulating sewer usage to include, but not be limited to, administration, monitoring, inspecting, permitting, reporting, and enforcement.
- F. All costs and expenses incurred by the administration, monitoring, inspecting, permitting, reporting, and enforcement procedures of the District's Pretreatment Program Section shall be paid by the applicant/discharger. All applicable fees shall be pursuant to the most current editions of the ***Districts Pretreatment Program Fee Schedule and Enforcement Response Plan*** (ERP) and as amended thereto.
- G. The District shall ensure that all parties are afforded due process of law. An applicant or user shall be given written notice of rejection of an application, or violation of a control mechanism, or of any enforcement action. Such notice shall include a statement of reasons in support thereof and proposed actions to be taken, if any. Affected applicants or users shall have the right to a hearing. Decisions/determinations may be appealed as set forth in Article 5 and/or the Districts ERP.
- H. The District, in its sole and reasonable discretion, may utilize any-one, combination, or all enforcement remedies provided in Article 1.600(A) (10) in response to any violation.

1.400 SCOPE

The provisions of these Regulations shall apply, but not limited to sewer construction, use, maintenance, discharge, deposit, or disposal of wastewater, both directly and indirectly, into and through all District collection and treatment systems and to the issuance of control mechanisms and assessment/imposition of fees, fines and penalties thereof.

1.500 APPLICABILITY

This "Regulations for Waste Discharge and Sewer Use" Ordinance applies to all users who discharge or have the potential to discharge wastewater to the District's POTW and specifies herein that all users are subject to regulation and enforcement.

1.600 POWERS

EVMWD General Manager and his designated personnel are authorized to:

1. Issue, modify, and reissue Waste Discharge Authorizations;
2. Issue, modify, and reissue Waste Discharge Permits;
3. Require the installation and maintenance of pretreatment and/or monitoring facilities and equipment;
4. Conduct inspections of facilities, including, but not limited to, inspecting and copying records;
5. Require monitoring and reporting of discharges to the sewer system;
6. Monitor the quality of wastewater entering the sewer system;
7. Require the development of Spill Containment Plans and reporting of accidental discharges;
8. When applicable require the development of a Slug Control Plan (per Title 40 of the Code of Federal Regulations (40 CFR) 403.8.
9. Deny, approve or approve with conditions, new or increased discharges or change in the quantity or characteristics of discharges, when such discharges do not meet applicable pretreatment requirements as specified in 40 CFR 403.8.
10. Take enforcement actions against those who violate or cause violation of this Ordinance or Waste Discharge Permit conditions. These actions may include, but are not limited to the following:
 - a. Issuing letters;
 - b. Issuing Notices of Violation;
 - c. Issuing Administrative Orders;
 - d. Issuing Cease and Desist Orders;
 - e. Initiating and conducting non-compliance meetings;

- f. Initiating and conducting non-compliance inspections;
 - g. Initiating and conducting administrative hearings;
 - h. Petitioning the courts for injunctions or civil penalties;
 - i. Signing criminal complaints;
 - j. Terminating water and or wastewater services;
 - k. Requiring payment of violation charges;
 - l. Revoking and/or suspending the Waste Discharge Permit or Authorization.
 - m. Issuing Emergency Water and/or Wastewater Suspensions.
11. Delegate authority to the Division Head, Department Head, Pretreatment Program Coordinator, or Environmental Compliance Inspector of any power granted to or the carrying out of any duty imposed upon the District pursuant to this Ordinance.
 12. Establish Best Management Practices applicable as Local Limits.
 13. Establish policies and standards applicable for dischargers or potential discharges of non-domestic wastewater.

1.700 ACCESS

The District (and regulatory agencies, when accompanied by District personnel) shall have the right to enter the premises of any user to determine whether the user is complying with all requirements of this ordinance and any individual wastewater discharge permit. Users shall allow the District ready access to all parts of the premises for the purposes of inspection, sampling, measuring, testing, records examination and copying, taking photographs and the performance of any additional duties.

1. Where a user has security measures in force which require proper identification and clearance before entry into its premises, the user shall make necessary arrangements so that, upon presentation of suitable identification, the District shall be permitted to enter without delay for the purposes of performing specific responsibilities.
2. The District shall have the right to set up on the user's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the user's operations.
3. The District may require the user to install and maintain monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the user at its own expense. All devices used to measure wastewater flow and quality shall be calibrated at a frequency to be determined by the District to ensure their accuracy.

4. The location of the monitoring facility shall provide ample room in or near the monitoring facility to allow accurate sampling and preparation of samples and analysis. Whether constructed on public or private property, the monitoring facilities should be provided in accordance with the General Manager's requirements and all applicable local construction standards and specifications. Such facilities shall be constructed and maintained in such manner so as to enable the District to perform independent monitoring activities.
5. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the user at the written or verbal request of the General Manager and shall not be replaced. The costs of clearing such access shall be borne by the user.
6. Unreasonable delays in allowing the District access to the user's premises shall be a violation of this ordinance.

1.800 INFORMATION REQUIRED

- A. To provide for fair and equitable use of sewerage facilities, the District shall have the unqualified right to require a discharger to provide information necessary to insure compliance with all rules, regulations and provisions of this Ordinance.
- B. All information and data on a user shall be available to the public and governmental agencies in accordance with Public Records unless the user specifically requests and is able to demonstrate to the satisfaction of the District that the release of such information would divulge information, processes or methods which would be detrimental to the user's competitive position. The demonstration of the need for confidentiality made by the permittee must meet the burden necessary for holding such information from the general public under applicable State and Federal law.

In any event, the District shall not limit RWQCB and EPA access to any information provided by the discharger.

In any event, information concerning wastewater quality and quantity will not be deemed confidential. Such information may include, but is not limited to:

1. Wastewater discharge peak flow rates and volume over a specified time period;

2. Physical, chemical, bacteriological, or radiological analysis of wastewaters;
3. Information on raw materials, processes, and products;
4. Quantity and disposition of specific liquid, sludge, oil, solvent, or other materials as required;
5. Details of wastewater pretreatment facilities, their operation and maintenance;
6. Details of systems to prevent and control the losses of materials through spills to the POTW;
7. Detailed plumbing plans indicating all sources discharging to the on or off-site pretreatment or sewerage facilities;
8. Information on slug discharges or a slug control program, per 40 CFR 403.8;
9. Notification of discharges of a listed hazardous waste [Section 3001 of the Resource Conservation and Recovery Act (RCRA)] to the sewer system per 40 CFR 403.12.
10. Baseline monitoring reports per 40 CFR 403.12.
11. Compliance progress reports in accordance with all provisions listed in 40 CFR 403.12.
12. Notification of potential problems, including slug loading in accordance with all provisions listed in 40 CFR 403.12.
13. Prompt notification of substantial changes in volume or character of pollutants discharged in accordance with all provisions listed in 40 CFR 403.12.
14. Monitoring and analysis reports demonstrating continued compliance in accordance with all provisions listed in 40 CFR 403.12.
15. Site and process flow diagrams.

1.900 AUTHORITY

The District is regulated by several agencies of the United States Government and the State of California, pursuant to the provisions of Federal and State Laws including, but not limited to:

1. Federal Water Pollution Control Act, commonly known as the Clean Water Act (33 U.S.C. Section 1251 et seq);
2. California Porter Cologne Water Quality Act (California Water Code Section 13000 et seq.);
3. California Health & Safety Code Sections 25100 to 25250;
4. Resource Conservation and Recovery Act of 1976 (42 U.S.C. Section 6901 et seq.);
5. California Government Code, Sections 54739-54740)

These agencies grant the District the authority to regulate and/or prohibit, by the adoption of an ordinance, and by issuance of control mechanisms, the discharge of any waste, directly or indirectly, to the District's wastewater systems. Said authority includes the right to establish limits, conditions, and prohibitions; to establish flow rates or prohibit flows discharged to the District's wastewater systems; to require the development of compliance schedules for the installation of equipment, systems, and materials by all users; and to take all actions necessary to enforce its authority, whether within or outside the District boundaries, including those users that are tributary to the District or within areas for which the District has contracted to provide wastewater services.

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ARTICLE 2

Definitions

2.100 DEFINITIONS

- A. Where definitions contained within this document, conflict with definitions found in other documents or regulations, the definitions found herein shall take precedence and apply to discharges to EVMWD POTWs.
- B. The following abbreviations, when used in this Ordinance, shall have the designated meanings:
1. BMP – Best Management Practices
 2. BMR – Baseline Monitoring Report
 3. BOD – Biochemical Oxygen Demand
 4. CFR – Code of Federal Regulations
 5. COD – Chemical Oxygen Demand
 6. EPA – Environmental Protection Agency
 7. ERP – Enforcement Response Plan
 8. EVMWD – Elsinore Valley Municipal Water District (District)
 9. FSF – Food Service Facility
 10. gpd – Gallons Per Day
 11. LWH - Liquid Waste Hauler
 12. mg/L – Milligrams Per Liter
 13. NAICS – North American Industry Classification System
 14. NPDES – National Pollution Discharge Elimination System
 15. NSIU – Non-Significant Industrial User
 16. POTW – Publicly Owned Treatment Works
 17. RCRA – Resource Conservation and Recovery Act
 18. RWQCB – Regional Water Quality Control Board
 19. RWRF – Regional Water Reclamation Facility
 20. SIC – Standard Industrial Classification
 21. SIU – Significant Industrial User
 22. SNC – Significant Non-Compliance
 23. TDS – Total Dissolved Solids
 24. TRC – Technical Review Criteria
 25. TSS – Total Suspended Solids
 26. WDP - Waste Discharge Permit
 27. WRF – Water Reclamation Facility
- C. Unless a provision explicitly states otherwise, the following terms and phrases, as used in this Ordinance, shall have the meanings designated hereinafter.

1. Amalgam Process Wastewater shall mean any wastewater generated and discharged by a Dental Discharger through the practice of dentistry that may contain dental amalgam.
2. Amalgam Separator shall mean a collection device designed to capture and remove dental amalgam from the amalgam process wastewater of a Dental Discharger.
3. Amalgam Waste shall mean any waste containing mercury or residuals from the preparation, use or removal of dental amalgam.
4. Applicant shall mean any person(s) who have applied for permission to discharge to the POTW.
5. Best Management Practices shall include schedule of activities, prohibitions of practices, maintenance procedures, and other management practices. BMPs include treatment requirements, operating procedures, and practices to control facility site runoff, spillage or leaks, sludge or waste disposal,
6. Board shall mean the Board of Directors of the Elsinore Valley Municipal Water District.
7. Building Sewer shall mean the entire length of a private sewage service lateral extending from the facility or structure to be served to the point of connection with the sewer system.
8. Categorical Pretreatment Standards shall mean those final regulations promulgated and adopted by EPA (as outlined in 40 CFR 403, and 40 CFR, Chapter I, Subchapter N, 405-471) for each Standard Industrial Classification (SIC) or subcategory containing pollutant discharge limits.
9. Categorical User shall mean any industrial user whose process(es) are subject to Categorical Pretreatment Standards.
10. Cesspool shall mean a lined excavation in the ground which receives the discharge of a sewage drainage system, or part thereof, so designed as to retain the solids and organic matter but permitting liquids to seep out. This shall also mean Seepage Pit.
11. Class I User shall mean a discharger that is a Categorical or Significant Industrial User (SIU).
12. Class II User shall mean a discharger that discharges non-domestic wastewater and has the potential to discharge incompatible pollutants and/or pollutants that are limited by the adoption of local

limits established by the District. Or a Categorical Discharger that dischargers less than one hundred (100) gallons a day of process wastewater.

13. Class III User shall mean Food Service Facilities (FSF's)
14. Class IV User shall mean a discharger that is required to install and maintain or has an existing oil/sand gravity separation interceptor or clarifier system.
15. Class V User shall mean Liquid Waste Haulers.
16. Class VI User shall mean any discharger that discharges only domestic wastewater but has the potential to discharge hazardous materials and/or incompatible pollutants and/or pollutants that are limited by the adoption of local limits established by the District.
17. Code of Federal Regulations (CFR) shall mean the codification of the general and permanent rules published in the United States Federal Register by the Executive departments and agencies of the Federal Government to include but not be limited to the Environmental Protection Agency.
18. Collection System shall mean the publicly owned combined pipes, conduits, manholes, lift stations and other structures, above and below ground, whose purpose is to convey wastewater to one of the Districts Water Reclamation Facilities (WRF).
19. Compatible or Conventional Pollutant shall mean a combination of BOD, TSS, pH, fecal coliform bacteria, nutrients, plus other pollutants that the District's treatment facilities are designed to accept, treat and/or remove. Some compatible pollutants may be considered incompatible when discharged in quantities that have an adverse effect on the District's collection, treatment, disposal systems and/or discharge permit regulating the treatment facilities, and cause process interference or pass through the treatment facilities.
20. Contact Amalgam is amalgam that has been in contact with the patient. Examples are extracted teeth with amalgam restorations, carving scrap collected at chair side, and amalgam captured by chair side traps, filters, or screens.
21. Control Mechanism shall mean Waste Discharge Permit, Waste Discharge Authorization, Zero Discharge Permit, or Special Discharge Agreement.

22. Dental Amalgam shall mean an alloy of elemental mercury and other metal(s) that is used in the practice of dentistry.
23. Dental Dischargers shall mean a facility where the practice of dentistry is performed, including, but not limited to, institutions, permanent or temporary offices, clinics, home offices, and facilities owned by Federal, State or local governments, that discharges wastewater to a POTW.
24. Dental New Sources shall mean a dental discharger whose first discharge to a POTW occurred on or after July 15, 2017.
25. Department Head or Division Manager shall mean that person duly designated by EVMWD to direct the District's Pretreatment Program and perform the duties as specified in this Ordinance.
26. Dilution shall mean increase in use of process water, potable water or any other means to dilute a discharge as a partial or complete substitute for adequate treatment to achieve discharge requirements.
27. Discharger shall mean any person, entity or collection agency that discharges or causes a discharge of domestic or non-domestic wastewater directly or indirectly to a District WRF. Discharger shall mean the same as User.
28. Discharge Requirements shall mean the requirements of Federal (as listed in 40 CFR 403), state or local public agencies having jurisdiction over the effluent discharges from a District WRF.
29. District shall mean the Elsinore Valley Municipal Water District and where it refers to an action or decision of an individual, shall mean the General Manager of the District or the General Manager's designee.
30. Domestic Wastewater shall mean the liquid and solid waterborne wastes derived from the ordinary living processes of humans of such character as to allow satisfactory disposal, without special treatment, into the collection system or by means of a private disposal system.
31. Duly Authorized Representative shall mean the same as Responsible Party.
32. Effluent shall mean wastewater flowing from a POTW or a User's facility.

33. Exempt Dental Practice shall mean any dental facility in which no dental amalgam is placed or removed nor is dental amalgam used at any time in the dental practice.
34. Existing Dental Sources shall mean a dental discharger that is not a Dental New Source.
35. Food Service Facilities shall include, but are not limited to, retail establishments selling prepackaged foods, prepared foods and or drinks for consumption either on or off the premises. Institutional kitchens are included, but not limited to, schools, hospitals, convalescent/health care homes, community centers, fire stations etc., also, lunch counters and refreshment stands selling prepackaged and prepared foods/drinks for immediate consumption. Restaurants, lunch counters, and drinking places operating as a subordinate service facility by other establishments are also included.
36. Grab Sample shall mean a sample taken from a waste stream without regard to the flow of the waste stream and over a period of time not to exceed fifteen (15) minutes.
37. General Manager shall mean the General Manager of the Elsinore Valley Municipal Water District or his designee, agent, representative, coordinator or inspector.
38. Incompatible or Non-Conventional Pollutant shall mean any pollutant which is not a compatible pollutant as defined herein.
39. Indirect Discharger shall mean any User which discharges or has a potential to discharge wastewater to a septic tank, cesspool, chemical toilet, or private sewer system which, from time to time, is serviced by a Liquid Waste Hauler permitted by the District to discharge to POTW.
40. Industrial User shall mean any discharger of non-domestic wastewater to a collection agency's sewer main either directly or indirectly; also, any discharger who has the potential to discharge non-domestic wastewater.
41. Industrial Wastewater shall mean, unless otherwise exempted, all liquid carried wastes including, but not limited to, all wastewater from any producing, manufacturing, processing, institutional, commercial, restaurant, agriculture, or other operation where the wastewater discharged contains quantities of wastes of non-human origin and excluding domestic wastewater, rainwater, uncontaminated groundwater, storm water, and drainage of uncontaminated water.

42. Inspector shall mean a person authorized by EVMWD to inspect any establishment directly or indirectly discharging or anticipating discharge to the collection system or a WRF.
43. Interference shall mean a discharge by a User which, alone or in conjunction with discharges by other sources, inhibits or disrupts the District's WRF, its treatment processes or operations, or its sludge processes (biosolids) use or disposal; and which is a cause of a violation of any requirement of the WRF's discharge order (including an increase in the magnitude or duration of a violation), or of the prevention of sewage sludge (biosolids) use or disposal in compliance with applicable Federal, State, and local regulations (per 40 CFR 403.3).
44. Liquid Waste Hauler shall mean the same as Waste Hauler.
45. Local Limits shall mean a set of technically based discharge limits that are developed by the District to protect the collection system and to prevent sludge (biosolids) contamination or violation of effluent or biosolids discharge requirements. Local Limits established by the District may include numeric effluent standards or BMPs. Refer to Table A.
46. Mass Emission Rate shall mean the weight of material discharged to the sewer system during a given time interval. Unless otherwise specified, the mass emission rate shall mean pounds per day of a particular constituent or combination of constituents.
47. 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 307c of the Act. (See also 40 CFR 403.3)
48. Non-contact Amalgam (scrap) is excess mix leftover at the end of a dental procedure.
49. Oil and Grease shall mean any petroleum derived products (e.g. oils, fuels, lubricants, solvents, cutting oils, mineral oils), any vegetable, plant, and/or nut derived products (e.g. oils, shortenings, water soluble cutting oils, etc.) or any animal derived products (e.g. fats, oils, greases, etc.) in part or in combination.
50. Non-domestic Wastewater shall mean all wastewater except domestic wastewater and pollutant-free wastewater. This shall also mean Industrial Wastewater.

51. Non-Significant Industrial User (NSIU) shall mean any industrial user that is not classified as a Categorical or Significant Industrial User.
52. Normal Working Day shall mean the period of time during which production and/or operation is taking place.
53. Pass Through shall mean the discharge of pollutants through the WRF effluent into water of the United States in quantities or concentrations, which cause the discharge to be in whole or in part of a violation of any requirement of the WRF's discharge order (per 40 CFR 403.3).
54. Permittee shall mean a person who has applied for and received permission to discharge into the District's sewer system subject to the requirements and conditions established by the District.
55. Person shall mean any individual, partnership, company, firm, association, corporation or public agency, including the State of California and the United States of America.
56. Pollutant shall mean any constituent or characteristic of wastewater on which a discharge limitation or prohibition may be imposed either by the District or the regulatory agencies empowered to regulate the District.
57. Pretreatment shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to discharge of the wastewater into an agency's sewer system. The reduction or alteration may be accomplished by physical, chemical or biological process or process changes, or by other means.
58. Pretreatment Facility shall mean any works or devices for the treatment or flow control of wastewater prior to discharge.
59. Pretreatment Requirements shall mean any substantive or procedural requirements related to pretreatment imposed on a user, other than a pretreatment standard.
60. Pretreatment Standard(s) shall mean any regulation containing pollutant discharge limits promulgated by EPA in accordance with Section 307(b) and (c) of the Act, which applies to Industrial Users. This term includes categorical pretreatment standards, local limits, prohibitive discharge limits established pursuant to Section 403.5, or BMPs established as part of categorical pretreatment standards or local limits.

61. Priority Pollutants shall refer to a list of 126 specific pollutants that includes heavy metals and specific organic chemicals. The Priority Pollutants are a subset of "toxic pollutants" as defined in the Act.
62. Public Agency shall mean the State of California or any city, county, special district, other local authority or public body within this state.
63. Publicly Owned Treatment Works (POTW) or Water Reclamation Facility (WRF) shall mean 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 any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes and lift stations and other conveyance systems that convey wastewater to a POTW.
64. Public Nuisance shall mean anything which: (1) is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property, and (2) affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal, and (3) occurs during or as a result of the treatment or disposal of wastes.
65. Qualified Professional shall mean any person who by virtue of education, training, or experience is qualified to evaluate and assess wastewater discharges and violations of this Ordinance.
66. RCRA shall mean Resource Conservation and Recovery Act of 1976, Public Law 94-580 and amendments thereto, and its regulations as found in 40 CFR Parts 260-266 and Part 270 as amended.
67. Recreational Vehicle (RV) as defined in CA Health and Safety Code Section 18010.
68. Regulatory Agencies shall mean those agencies having oversight of the operation of the District, including but not limited to the following:
 - A. United States Environmental Protection Agency (EPA);
 - B. California Environmental Protection Agency (Cal-EPA);
 - C. California State Water Resources Control Board (SWRCB);
 - D. California Regional Water Quality Control Board, Santa Ana Region (RWQCB, SAR);

E. California Regional Water Quality Control Board, San Diego Region (RWQCB, SDR)

69. Residential User shall mean a household which discharges only domestic wastewater from a dwelling unit.

70. Responsible Party shall mean:

A. if the User is a corporation, a responsible corporate officer, that is:

1. A president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation, or
2. the manager of one or more manufacturing, production, or operation facilities if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

B. if the User is a partnership or sole proprietorship a general partner or proprietor, respectively.

C. if the User is a Federal, State, or local governmental entity, or their agents, the principal executive officer or director having responsibility for the overall operation of the discharging facility.

D. a duly authorized representative of the individual designated in paragraph (A), (B) or (C) of this definition if:

1. The authorization is made in writing by the individual described in paragraph (A), (B) or (C);
2. The authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the discharge originates, such as the position of plant manager, operator of a well, or well field superintendent, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and
3. The written authorization is submitted to the District.

E. If an authorization under paragraph (D) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall

responsibility for environmental matters for the company, a new authorization satisfying the requirements of paragraph (D) of this section must be submitted to the District.

71. Sanitary Wastewater shall mean domestic quality wastewater from other than a dwelling unit.
72. Septic Tank shall mean a watertight receptacle, which receives the discharge from a private sewer system and is designed and constructed to retain solids, digest organic matter through a period of detention, and allow the liquids to discharge for disposal.
73. Sewer system means the publicly owned wastewater collection and treatment system.
74. Significant Industrial User (SIU) shall mean:
 - A. A user subject to categorical pretreatment standards; or
 - B. A user that:
 1. Discharges an average of twenty-five thousand (25,000) gallons per day (gpd) or more of process wastewater to the POTW (excluding sanitary, non-contact cooling, and boiler blowdown wastewater);
 2. Contributes a process waste stream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the WRF; or
 3. Is designated as such by the District on the basis that it has a potential for adversely affecting the WRF's operation or for violating any pretreatment standard or requirement.
 - C. Upon a finding that a user meeting the criteria in Subsection (B) has no reasonable potential for adversely affecting the WRF's operation or for violating any pretreatment standard or requirement, the District may at any time, on its own initiative or in response to a petition received from a user, and in accordance with procedures in 40 CFR 403.8 determine that such user should not be considered a significant industrial user.
75. Significant Non-Compliance (SNC) shall mean any user with compliance violations, which meet one or more of the following criteria:

- A. Chronic violations of wastewater discharge limits, defined as those in which sixty-six (66%) percent or more of all of the measurements taken during a six-month (6) period exceed (by any magnitude) the instantaneous limit, daily maximum limit or the average limit for the same pollutant parameter;
 - B. Technical review criteria (TRC) violations, defined as those in which thirty-three percent (33%) or more of all of the measurements taken during a six-month (6) period equal or exceed the product of the instantaneous limit, daily maximum limit or the average limit times 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 effluent limit (instantaneous, limit, daily maximum or longer-term average) that the District determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of District personnel or the general public);
 - D. Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the District's exercise of its emergency authority to halt or prevent such a discharge;
 - E. Failure to meet, by ninety-days (90) or more after the schedule 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 required reports such as baseline monitoring reports, ninety-day (90) compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules within thirty days of the due date;
 - G. Failure to accurately report non-compliance;
 - H. Any other violation or group of violations, which the District considers to be significant
76. Single Pass Cooling shall mean unpolluted water used for the absorption and immediate discharge of excess thermal energy to the environs prior to heat exchange and reuse.
77. Slug Discharge shall mean any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-

customary batch discharge. Also included are such discharges that have a reasonable potential to cause interference or pass-through, or in any other way violate District regulations. Additionally, SIUs are required to notify the District immediately of any changes at their facilities affecting the potential for a slug discharge.

78. Spill Containment shall mean a protection system installed by the user to prohibit the accidental discharge to the sewer of incompatible pollutants.
79. Toxic Pollutants shall mean those substances which, individually or when combined with other substances normally found in domestic sewage, result in wastes in an agency's sewer system in concentrations or quantities which could have an adverse or harmful effect on such sewer system facilities, sewage treatment plant operations and maintenance personnel or equipment, treated sewage effluent quality, water reclamation procedures, public or private property, or which may endanger the public, local environment, or create a public nuisance.
80. User shall mean any person who discharges or causes a discharge of domestic or non-domestic wastewater directly or indirectly to the District's WRF. User shall mean the same as Discharger.
81. Violation shall mean an event or condition at a user's facility or dwelling that is prohibited by Ordinance, control mechanism, Order, and/or policies and standards established by the Districts Pretreatment Program.
82. Violation Charge shall mean that charge levied against a discharger for costs incurred by the District as a result of a waste discharge violation.
83. Waste Discharge Authorization shall mean the revocable permission to discharge wastewater to the collection system possibly subjected to technically based limits on wastewater constituents, characteristics and/or policies and standards established by the Districts Pretreatment Program.
84. Waste Discharge Permit (WDP) shall mean the periodically renewable, revocable permission to discharge industrial wastewater to the collection system subject to technically based limits on wastewater constituents, characteristics and/or policies and standards established by the Districts Pretreatment Program.

85. Waste Discharge Violation shall mean the failure by a user to comply with this Ordinance, or any conditions or reporting requirements as contained in their control mechanism.
86. Waste Hauler shall mean any commercial pumper that is permitted by Riverside County Department of Health as a Non-Hazardous Liquid Waste Hauler, discharging portable/chemical toilet, domestic and sanitary wastewater only. This definition shall also mean septic tank pumper and liquid waste hauler.
87. Water Reclamation Facility (WRF) shall mean the District's sewage treatment plants designed to serve specific areas of the District.
88. Wastewater Facilities shall mean any and all facilities used for collecting, conveying, pumping, treating and disposing of wastewater and biosolids.
89. Zero Discharger shall mean a Categorical User that discharges no process wastewater to the POTW besides domestic wastewater.

2.101 OTHER MEANINGS

Words used in this Ordinance in the singular may include the plural and the plural the singular. Use of masculine shall mean feminine and use of feminine shall mean masculine. Shall is mandatory; may is permissive or discretionary.

ARTICLE 3

General Sewer Use Requirements

3.100 PROHIBITED DISCHARGE STANDARDS

- A. **General Prohibitions.** No user shall introduce or cause to be introduced into the District's sewer system any pollutant or wastewater which, alone or in conjunction with other substances, may cause pass through and/or interference, or any wastewater which has the potential to adversely or harmfully effect the District's sewers, maintenance personnel, wastewater treatment plant personnel or equipment, treatment plant processes or the quality of treatment plant effluent or biosolids, public or private property, or wastes which may otherwise endanger the public, the environment, or create a public nuisance. These general prohibitions apply to all users whether or not they are subject to categorical pretreatment standards or any other National, State, or local pretreatment standards or requirements.
- B. **Specific Prohibitions.** No user shall introduce or cause to be introduced into the District's sewer system the following pollutants, substances, or wastewater:
1. Pollutants which can create a fire or explosive hazard in the District's WRF or collection system, including, but not limited to, waste streams with a closed-cup flashpoint of less than 140°F (60°C) using the test methods specified in 40 CFR 261.21;
 2. Wastewater having a pH less than 6.0 or more than 11.0, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment and/or personnel of the POTW;
 3. Any solids or viscous substances of such size or in such quantity, condition, or nature that they may cause obstruction to flow in the sewer or be detrimental to proper wastewater treatment plant operations. These objectionable substances include, but are not limited to, asphalt, dead animals, concrete, ashes, sand, mud, straw, industrial process shavings, metal, glass, diatomaceous earth, rags, feathers, tar, plastics, wood, paunch manure, bones, hair and/or fleshing's, entrails, disposable dishes, disposable cups, paper towels or other similar paper products whole or ground or any materials which tend to solidify or collect in the sewer and may obstruct wastewater flow.
 4. Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration

which, either singly or by interaction with other pollutants, could cause interference with the District's WRF's or collection system;

5. Wastewater having a temperature greater than 140°F (60°C), or which will inhibit biological activity in the WRF resulting in interference, but in no case wastewater which causes the temperature at the introduction into the WRF to exceed 104°F (40°C);
6. Any petroleum oil, refined petroleum products, or products of mineral origin in amounts, which has the potential to cause interference or pass-through;
7. Any non-biodegradable or biodegradable cutting oils, commonly called soluble oils, which form persistent water emulsions; including engine/machine coolants and ethylene glycol.
8. Pollutants which result in the presence of toxic gases, vapors, or fumes within the District's WRF or collection system in a quantity that may cause acute worker health and safety problems;
9. Trucked or hauled pollutants, except at discharge points designated by the District;
10. Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, may create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
11. Wastewater, which imparts color, which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the WRF's effluent;
12. Any wastewater containing any radioactive wastes or isotopes of such half-life or concentration as may cause interference, pass-through, or violation of applicable State or Federal regulations;
13. Storm water, surface/yard water, ground water, sulfur water, artesian well water, roof runoff, subsurface drainage, hot springs water, swimming pool/spa drainage and filter backwash, condensate, deionized water, non-contact cooling water, recreation vehicle (RV) holding tank waste and unpolluted wastewater;
14. Sludges, screenings, or other residues from the pretreatment of industrial wastes;

15. Detergents, surface-active agents, or other substances, which may cause excessive foaming in the District's WRF or collection system;
16. Wastewater required to be manifested under RCRA;
17. Solid wastes from hospitals, clinics, offices of medical doctors, convalescent homes, mortuaries, medical laboratories or other medical facilities including, but not limited to, hypodermic needles, syringes, instruments, IV bags, utensils or other paper and plastic items of a disposable nature, also including, but not limited to, pharmaceutical wastes such as antibiotics, painkillers, antineoplastic, and controlled substances;

Infectious wastes may not be discharged to the District's sewer system without prior written authorization from the District. All dischargers who wish to discharge infectious waste must make the request in writing and include the source and volume of the infectious waste. The District shall have the authority to require that any discharge of an infectious waste to the sewer system be rendered non-infectious prior to discharge;

18. Dissolved sulfides above a concentration of 0.1 mg/l or wastes which contribute to excessive sulfide production;
19. Any quantities of herbicides, germicides, biocides, algacides, pesticides, fertilizers or any types of bacteriological retardation type compounds. This shall include any of the following substances: DDT (both isomers), DDD, DDE, Aldrin, Chlordane, Dieldrin, Endosulfan (alpha, beta and sulfate), Endrin, Aldehyde, Heptachlor, Perchloroethylene, Heptachlor Epoxide, Lindane, Disulfoton, Formaldehyde, Phorate, Glutaraldehyde, Dichlorobenzene and/or Toxaphene;
20. Any quantity of Dissolved Organic Halides (DOX), also known as Purgeable Halocarbons;
21. Any quantity of any of the following compounds: Arochlors 1221, 1228, 1232, 1242, 1254, 1260 and 1262. Any quantity of TCDD equivalents.

- C. Pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the District's sewer system.

3.200 NATIONAL CATEGORICAL PRETREATMENT STANDARDS

- A. Users must comply with the categorical pretreatment standards found at 40 CFR Chapter I, Subchapter N, Parts 405-471.
- B. Where a categorical pretreatment standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the District may impose equivalent concentration or mass limits in accordance with 40 CFR 403.6.
- C. When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the District shall impose an alternate limit using the combined waste stream formula in 40 CFR 403.6.
- D. A user may obtain a variance from a categorical pretreatment standard if the user can prove, pursuant to the procedural and substantive provisions in 40 CFR 403.13, that factors relating to its discharge are fundamentally different from the factors considered by EPA when developing the categorical pretreatment standard.
- E. A user may obtain a net gross adjustment to a categorical standard in accordance with 40 CFR 403.15.
- F. A user must implement any BMPs required by a Categorical Pretreatment Standard included among the numeric effluent limits established by the District within the user's Control Mechanism.

3.300 LOCAL LIMITS

- A. No user shall discharge or cause to be introduced directly or indirectly into the District's sewer system, a quantity or quality of wastewater, which exceeds the Local Limits on discharges to the POTW, established by the District. (Refer to Table A)
- B. Local Limits apply at the point where the wastewater is discharged to the District's sewer system, except for BMPs. The District may impose limitations based on concentrations of pollutants in milligrams per liter (mg/L) or as an amount of pollutants in pounds per day (lbs/day).
- C. As an alternative to numeric local limits, the General Manager may impose as local limits BMPs that protect against pass-through or interference, provided that such BMPs allow for verification of compliance. No User shall discharge wastewater to the sewer system contrary to the BMPs established by the District.

3.400 LIMITATIONS ON WATER SOFTENERS

Residential water softeners will be regulated in accordance with State law. Industrial and commercial users may not discharge wastewater from the regenerative process of onsite water softening units into the Districts sewer system. Any person installing or operating a water softener apparatus of any kind shall make such apparatus accessible to the District for inspection at all times and shall submit pertinent information as requested by the District.

3.500 ACCIDENTAL DISCHARGE/SLUG CONTROL PLANS

The General Manager shall evaluate whether each significant industrial user needs an accidental discharge/slug control plan or other action to control slug discharges. The General Manager may require any user to develop, submit for approval, and implement such a plan or take such other action that may be necessary to control slug discharges. Alternatively, the General Manager may develop such a plan for any users. A user must implement any plan or action required by this section. An accidental discharge/slug control plan shall address, at a minimum, the following:

- A. Description of discharge practices, including non-routine batch discharges;
- B. Description of stored chemicals;
- C. Procedures for immediately notifying the General Manager of any accidental or slug discharge, as required by Section 4.307 of this Ordinance;
- D. Procedures or BMPs to prevent adverse impact from any accidental or slug discharge. Such procedures or BMPs may include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

The General Manager shall evaluate each significant industrial user for accidental discharge/slug discharge control plans within one year of the user being identified as significant. The District shall re-evaluate the need for an accidental discharge/slug control plan for each user prior to reissuance or revision of the user's control mechanism or following notification of changed discharge conditions pursuant to 40 CFR 403.12(i) or 40 CFR 403.8(f)(2)(vi). Any significant industrial user must implement any plan required by this section.

3.600 DISCHARGES OF OXYGEN-DEMANDING WASTES

The General Manager shall evaluate each user for impacts to District treatment facilities that may occur as a result of the discharge of oxygen-demanding wastes. As part of this evaluation, the General Manager may require industries with the potential for discharges of wastewater containing high oxygen-demanding loads (which may include breweries, microbreweries, food processing facilities, or wine

processing facilities) to submit information to the District, and any user required to do so must submit information, that characterizes:

- A. The concentration of biochemical oxygen demand (BOD) or chemical oxygen demand (COD);
- B. Maximum and average anticipated discharge flows and oxygen-demanding loads;
- C. Times of the day when maximum discharge of oxygen-demanding wastes may occur; and
- D. Any facilities, operations, BMPs or other actions proposed by the discharger to mitigate impacts associated with the discharge of oxygen-demanding wastes.

The General Manger shall consider site-specific and discharge-specific factors in establishing numerical or narrative BOD or COD discharge standards within the user's control mechanism to ensure compliance with Prohibited Discharge Standard 3.100 B.4. Such site-specific factors may include evaluating: (1) industrial user discharge flows, oxygen-demanding loads, and discharge timing; (2) the availability and allocation of wastewater sewer system assimilative capacity downstream from the user's discharge; (3) treatment plant design specifications for treating oxygen-demanding waste loads; (4) potential economic impacts to the District associated with accepting oxygen-demanding waste loads; and (5) potential facilities, operations, BMPs, and other actions proposed by the discharger to mitigate impacts associated with the discharge of oxygen-demanding wastes. A user must comply with any numeric and narrative discharge standards included in the user's control mechanism pursuant to this section.

3.700 RIGHT OF REVISION

The District reserves the right to establish, by ordinance, Waste Discharge Authorizations or in Waste Discharge Permits, more stringent standards, conditions or requirements on discharges to the District's WRF's or collection system in accordance with 40 CFR 403.18.

3.800 DILUTION

No user shall ever increase the use of process water or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by applicable pretreatment standards or requirements. The District may impose such limitations on the amount, in lbs/day, of pollutants discharged by users who are using dilution to meet applicable pretreatment standards or requirements, or in other cases when the imposition of such limitations is appropriate.

3.900 LIQUID WASTE HAULER PERMIT APPLICATIONS

All liquid waste haulers shall comply with all permitting and disposal procedures as established by this Section and pay all applicable fees established by the District. In addition, all liquid waste haulers shall abide by the following requirements and conditions:

1. The District's Regional WRF located at 14980 Strickland Avenue, Lake Elsinore, CA shall be the only designated disposal site for permitted hauled liquid wastes.
2. Liquid waste haulers seeking a Waste Discharge Permit to use the District's designated disposal site shall complete and file with the District an application provided by the District. This application shall require the following information:
 - a. Name, address and telephone number of the liquid waste hauler.
 - b. Number of vehicles, gallon capacity of each vehicle, license plate of each vehicle, ownership, make and model of all vehicles that are operated by the hauler for purposes of hauling liquid wastes.
 - c. Person to contact regarding the information contained in the application.
 - d. The name and policy number of the insurance carrier and bonding company.
 - e. The number of the current permit required by the Riverside County Department of Environmental Health for transportation and disposal of liquid wastes.
 - f. Other information as may be required by the District.

3.901 LIQUID WASTE HAULER DISCHARGE PERMIT CONDITIONS AND LIMITS

- A. All liquid waste haulers shall obtain a Waste Discharge Permit for discharge to the District's Regional WRF. This permit shall be issued for no longer than one (1) year. All terms and conditions of the permit may be subject to modification and change by the District at any time during the duration of the permit. Conditions contained within the permit may include, but are not limited to, the following:
 1. Business name, address, and telephone number.

2. Authorized representative and signature.
 3. Certification of permit condition acceptance.
 4. Restrictions on operating hours for designated dumpsite.
 5. Conditions upon which permit revocation, suspension, or termination can occur.
 6. Permit number.
 7. Record keeping and reporting requirements.
 8. Compliance with applicable rules and regulations of this Article and the Riverside County Health Department regarding cleanliness and sanitary conditions.
 9. Requirements to notify the District immediately of any unusual circumstances observed during liquid waste pumping operations.
 10. Other conditions, policies, procedures, limitations or prohibitions deemed appropriate by the District.
- B. Permits to use the designated disposal site of the District are subject to all the provisions of this section and any other discharge limits, policies and procedures enacted by the District.
- C. Liquid wastes disposed of at the District's designated disposal site may be subject to sampling and analysis to determine compliance with all applicable provisions of this section and any other applicable provisions of this Ordinance. The sampling shall be performed by automated instruments and/or authorized personnel of the District and may be taken at any time. If the wastes are found to be unacceptable, the liquid waste hauler shall be liable for all costs associated with the inspection, sampling, and analysis.
- D. If the liquid waste hauler is in the business of hauling both industrial wastes and domestic wastes, the liquid waste hauler shall remove all industrial waste contamination from the interior of the vacuum tank prior to removing any domestic wastes from a site.
- E. Falsification by a liquid waste hauler of any information in any permit application, hauler's report, manifest, or correspondence shall be a violation of this Ordinance and may result in termination, revocation or suspension of the Waste Discharge Permit and all discharge privileges.

- F. All reports, and records required to be retained by this Section, shall be retained for a minimum of three (3) years and shall be made available to the District immediately upon request.
- G. All liquid waste haulers shall pay all applicable fees and charges. Failure to pay any applicable fee or charge shall be a violation of this Ordinance and shall be cause for the District to suspend all waste discharge privileges until all applicable fees and charges have been paid.
- H. All liquid waste haulers shall provide detailed documentation as to the origin of the wastes hauled prior to discharging into the District's Regional WRF.
- I. If the wastes hauled by a liquid waste hauler are found unacceptable for discharge into the District's Regional WRF, the liquid waste hauler shall dispose of the wastes at a legal disposal site. The liquid waste hauler shall provide the District with a copy of the waste hauler's manifest documenting the legal disposal of the rejected wastes within fourteen (14) days from the date the wastes were rejected. Failure to provide verifiable documentation shall constitute a violation of this section.
- J. Liquid waste haulers are prohibited from discharging industrial waste into the District's POTW. No liquid waste hauler shall mix industrial waste and domestic septic wastes in an attempt to discharge the mixture to the District's designated dumpsite.
- K. No liquid waste hauler shall discharge or cause to be discharged any material defined as hazardous by RCRA.
- L. The District shall accept only domestic septic tank and portable/chemical toilet wastes. At no time shall the permittee discharge grease interceptor waste, sand/oil separator waste, industrial waste, hazardous waste or any other non-domestic waste to the Regional WRF dump station. In the case of portable/chemical toilet waste, only wastes containing bacteria-based deodorizers will be accepted at the District's Regional WRF dump station. The District in its sole and reasonable discretion must first approve the type of chemical toilet products that an applicant or permittee wishes to discharge.
- M. The District may deny the issuance or re-issuance of a Waste Discharge Permit for any of the following conditions:
 - 1. The applicant knowingly falsified information on the application;
 - 2. The applicant's previous liquid waste hauler permit is under suspension or probation or has been otherwise revoked and the condition upon which such action was taken still exists; or

3. The applicant is not current on all disposal and permit related reports, fees and charges.
- N. In the event that a liquid waste haulers permit is denied, the District may notify the applicant in writing of such denial and the appeal procedures. Such notification shall state the grounds for such denial and necessary actions which must be taken by the applicant prior to the issuance of a permit.
- O. All liquid waste hauler permits issued to any person or company may be revoked, suspended or entered into a probationary period upon a finding by the District that any of the following conditions exist:
1. Such person or representative thereof failed to display the authorization document upon request by a District employee.
 2. Such person or representative thereof has changed, altered or otherwise modified the face of a permit or authorization document without the permission of the District;
 3. Such person or representative thereof has violated any condition of the permit;
 4. Such person or representative thereof has falsified any application record, report or monitoring results required to be maintained or has failed to make them immediately available to the District upon request;
 5. Such person or representative thereof failed to halt immediately the discharge from his or her truck into designated disposal facilities of the District upon the order of any authorized District employee;
 6. Such person or representative thereof discharged or attempted to discharge a hazardous waste or material into the designated discharge point;
 7. Such person or representative thereof discharged or attempted to discharge industrial waste into the designated discharge point;
 8. Such person or representative thereof has repeatedly filed documents with falsified or incorrect information;
 9. Such person or representative thereof has done physical violence or harm to any District employee;
 10. Such person or representative thereof has made threatening remarks or threatening acts toward any District employee.

- P. Any Waste Discharge Permit, which has been revoked, suspended or entered into probation pursuant to this Ordinance, may request to be reinstated after submitting a formal written request to the District for review.
- Q. Upon determination of a violation of this Ordinance or a Waste Discharge Permit violation, the permittee shall be subject to the enforcement actions set forth in the Enforcement Article of this Ordinance, and/or the District's Enforcement Response Plan or as is otherwise contained in the Waste Discharge Permit as necessary to protect the District's WRFs, the public, the environment or District employees.
- R. Suspension and periods of probation may be imposed by the District for any length of time, up to a five (5) year period.
- S. Any authorized District employee shall have the authority to order the immediate cessation of the discharge from any liquid waste hauler truck in the designated disposal site of the District. Such order shall be based on the employee's best professional judgment that said discharge may be in violation of any applicable condition of this Ordinance or may otherwise be harmful to the operation of the District's WRF or its employees.

3.1000 USE OF AND DAMAGE TO DISTRICT EQUIPMENT OR FACILITIES

- A. No person shall enter, break, damage, destroy, uncover, deface or tamper with any temporary or permanent structure, equipment or appurtenance which is part of the Districts collection system or WRF.
- B. Any person who discharges or causes the discharge of wastewater or materials, which cause detrimental effects on the Districts collection system, WRF, the environment or any other damages, including the imposition of fines by Federal, State or other regulatory agencies against the District, shall be liable to the District for all damages and fines incurred including all legal and administrative expenses. An administrative fee of fifty (50%) percent of the Districts repairs and personnel costs shall be added to these charges. All charges shall be due and payable to the District within thirty (30) days of invoicing by the District.

3.2000 BUILDING SEWERS

All building sewers connected to the District's wastewater collection system shall be regularly and adequately maintained by the property owners, so as to prevent sewer blockages and/or spills caused by damage to the building sewer. All construction, reconstruction, or maintenance of a building sewer shall be accomplished by the property owner at their sole expense. All new construction and repair work shall be in accordance with District construction standards.

3.3000 CHARGES FOR EXCESSIVE SEWER MAINTENANCE

No person shall discharge or cause to be discharged to a District's sewer system, either directly or indirectly, any waste that obstructs, interferes with, or otherwise requires excessive maintenance of any District's sewer or sewerage facility; including any waste that creates a stoppage or breakage; any toxic, hazardous or odorous condition; or any damage or deterioration of any District's sewer or sewerage facility. Any excessive sewer or sewerage maintenance expenses or reconstruction costs including administrative costs attributable thereto shall be charged to the discharger causing or contributing to such conditions. Any refusal to pay such charges shall constitute a violation of this Ordinance.

3.4000 IMPROPER USE OF CONNECTED SEWERS

The District may inspect any building sewer or collecting sewers that discharge wastewater directly or indirectly to the District's sewer system. If the District determines that the improper use, maintenance, or construction of a building sewer or collecting sewer causes or contributes to the discharge of septic wastewater, excessive groundwater, debris or any other objectionable substance to the District's collection system, the District may give notice of the unsatisfactory condition to any discharger contributing to such condition and shall direct that condition be corrected. In the event of a failure to comply with the District's directive, the District may disconnect such building sewer or collecting sewer from the District's sewer system.

3.5000 INSPECTION OF CONSTRUCTION

- A. Any person seeking to connect a building sewer or interior plumbing from a facility to the sewer system shall first submit to an Environmental Compliance Review and receive approval from the District's Pretreatment Program prior to commencing construction. Field inspections are required during construction and prior to back filling any trenches. A twenty-four (24) hour advance inspection request (excluding weekends and holidays) is required. If any construction is performed prior to District approval or before inspections are performed the work may be required to be exposed and may have to be altered to meet District requirements.
- B. No wastewater shall be discharged into any sewerage facility tributary to a District facility prior to obtaining final construction approval and after all appropriate fees have been paid.

3.6000 AVAILABILITY OF DISTRICT SEWERAGE FACILITIES

If wastewater conveyance and treatment capacity is not available, the District may require any industrial wastewater discharger to restrict a discharge until sufficient capacity can be made available. When requested, the District will advise persons desiring to locate new facilities in those areas where industrial wastewater of their

proposed quantity and quality can be accommodated by available wastewater facilities. The District may, in its sole and reasonable discretion, refuse service to persons locating facilities in areas where their proposed quantity or quality of industrial wastewater would adversely affect the available wastewater facilities.

3.7000 FLOW MEASUREMENT

All industrial users who discharge twenty - five thousand gallons per day (gpd) or more of industrial wastewater, or as otherwise required by the District, shall install a continuous monitoring flow meter capable of measuring the industrial user's discharge to the District's collection system. The flow measurement device shall conform to standards issued by the District. Regarding industrial users who were discharging to the District's sewer system prior to the adoption of this Ordinance, the District may evaluate each discharger on a case-by case basis.

3.8000 ANTI-FLOODING DEVICE

Whenever, in the opinion of the District, there exists the possibility of domestic or non-domestic wastewater from the District collection system flooding private property as a result of a restriction or stoppage from the District Collection system, an anti-flooding device (backwater valve), approved by the District, shall be installed and connected to a building sewer. This device shall be purchased, installed, and maintained at the discharger's expense.

3.9000 CONFIDENTIAL INFORMATION

In accordance with 40 CFR 403.14 any information submitted to the District pursuant to these regulations may be claimed as confidential by the submitter. Any such claim must be asserted at the time of submission in the manner prescribed on the application form or instructions, or in the case of other submissions, by stamping the words "*confidential business information*" on each page containing such information. If no claim is made at the time of submission, EVMWD may make the information available to the public without further notice. If a claim is asserted, the information will be treated in accordance with applicable law.

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Article 4

Control Mechanisms

4.100 WASTEWATER ANALYSIS

When requested by the District, a user must submit information on the nature and characteristics of its wastewater within sixty (60) days of the request. The District may prepare a form for this purpose and may periodically require users to update this information.

4.101 CONTROL MECHANISM REQUIREMENTS

- A. All industrial users shall notify the District of the volume and characteristics of their wastewater at least sixty (60) days prior to commencing their discharge on a form provided by the District. This notification shall include but not be limited to any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater being introduced into the WRF.
- B. It shall be unlawful for any industrial user to discharge wastewater either directly or indirectly into the District's sewer system without first obtaining a control mechanism or other authorization from the District's Pretreatment Program Section. Any violation of the terms and conditions of a control mechanism shall be deemed a violation of this Ordinance and subject the user to the sanctions set out in Article 5 of this Ordinance and the Districts Enforcement Response Plan. Obtaining a control mechanism does not relieve the user of its obligation to comply with all Federal and State pretreatment standards or requirements or with any other requirements of Federal, State, and local law.

4.102 NEW CONNECTIONS

Any categorical or SIU required to obtain a control mechanism who proposes to begin or recommence discharging into the District's sewer system must apply for such control mechanism prior to the beginning or recommencing of such discharge. An application for this control mechanism, in accordance with Section 4.105 of this Ordinance, must be filed at least sixty (60) days prior to the date upon which any discharge will begin.

4.103 RESPONSIBILITY OF USERS

It shall be the responsibility of the user and/or discharger to comply with all the provisions of this Ordinance. The omission to act by the District and/or the failure of the District to take cognizance of the nature of the operation of the user and/or the properties of the user's wastewater shall not relieve the user of responsibility to comply with the conditions of this Ordinance, including, but not limited to, such

requirements regarding permitting, pretreatment of wastewaters, monitoring, sampling and reporting. It shall be the responsibility of the user to make determinations as to the nature of its operation and wastewater flow and to take such actions as may be required under this Ordinance prior to any discharge of wastewater, whether or not the user has been informed by the District of the requirements, which may apply to the user regarding its discharge.

4.104 CLASS OF USERS

- A. The District will classify all users in accordance with the activities conducted on the premises where the discharge occurs. The purpose of the classification is to facilitate regulation of discharges to the District's POTWs on the basis of each user's waste discharge quality and quantity. The classification shall further provide a means of imposing an appropriate level of oversight, control and enforcement according to the source of the discharge. The classification system will also allow equitable recovery of capital and operating costs for the Districts Pretreatment Program.
 - 1. Users are categorized as Class I, II, III, IV, V or VI as defined in Article 2 of this Ordinance.
- B. All classes of users shall apply for and must receive a Waste Discharge Permit or authorization prior to discharging wastewater to the District's POTW.
- C. Residential users, under normal circumstances, will not be required to apply for or receive a control mechanism as defined in this Ordinance, providing that said residential user discharges only that wastewater which is consistent with the definition of domestic wastewater set forth in this Ordinance.

4.105 WASTE DISCHARGE APPLICATION CONTENTS

All users required, or who may be required, to obtain a control mechanism must submit a Waste Discharge Application or other type of document as required by the District. The District may require all users to submit as part of an application the following information:

- A. All information required in Section 4.301 of this Ordinance;
- B. Description of activities, facilities, and plant processes on the premises, including a list of all raw materials and chemicals used or stored at the facility, which are or could accidentally or intentionally be discharged to the District's sewer system;
- C. Number and type of employees, hours of operation, and proposed or actual hours of operation;

- D. Each product produced by type, amount, process or processes, and rate of production;
- E. Type and amount of raw materials processed (average and maximum per day);
- F. Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge;
- G. Time and duration of discharges; and
- H. Any other information as may be deemed necessary by the District to evaluate the Waste Discharge Application, including projected discharge water quality concentrations or mass loads.

Incomplete or inaccurate applications will not be processed and will be returned to the user for revision and resubmittal.

4.106 APPLICATION SIGNATORIES AND CERTIFICATION

All Waste Discharge Applications and user reports must be signed by a responsible corporate officer (as defined in 40 CFR 403.12 of the user and shall contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

4.107 CONTROL MECHANISM DECISIONS

The District will evaluate the data furnished by the user and may require additional information. Within forty-five (45) days of receipt of a complete Waste Discharge Application, the District will determine whether or not to issue or modify a control mechanism. The District may deny any application for a control mechanism.

4.108 CONTROL MECHANISMS DURATION

- A. A Waste Discharge Permit shall be issued for a specified time period, not to exceed three (3) years from the effective date of the permit. A Waste Discharge Permit may be issued for a period less than three (3) years, at the discretion of the District's Pretreatment Program manager. Each Waste Discharge Permit will indicate a specific date upon which it will expire.
- B. A Waste Discharge Authorization may be issued for an indefinite time period, subject to review and reconsideration at the discretion of the District.
- C. A Special Agreement shall be issued for a specified time period, set forth in the terms of the Special Agreement.

4.109 WASTE DISCHARGE PERMIT CONTENTS

- A. Waste Discharge Permit shall include such conditions as are deemed reasonably necessary by the District to prevent pass through or treatment process interference, protect the quality of the water body receiving the WRF's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the WRF and the District's collection system.

Waste Discharge Permits may contain:

- 1. A statement that indicates Waste Discharge Permit duration, which in no event shall exceed three (3) years;
- 2. A statement that the Waste Discharge Permit is nontransferable in accordance with Section 4.202;
- 3. Effluent limitations or BMPs determined by the General Manager to be required in order to ensure compliance with general Pretreatment Standards (40 CFR 403), Local Limits, or Categorical Pretreatment Standards;
- 4. Slug control requirements or slug control preventative actions for Significant Industrial Users, as deemed necessary by the General Manager;
- 5. Self-monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants to be monitored, sampling locations, frequency, and sample type based on Federal, State, and local laws. The reporting requirements shall also include compliance information for BMPs required under Categorical Pretreatment Standards or BMPs required under District local limits;

6. Slug control discharges per 40 CFR 403.8 shall be referenced in SIU control mechanisms.
 7. A statement of applicable civil and criminal penalties for violations of pretreatment standards and requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law.
- B. Waste Discharge Permits may contain, but need not be limited to, the following conditions:
1. Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
 2. Requirements for the installation and maintenance of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the District's sewer system;
 3. Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or routine discharges;
 4. Development and implementation of waste minimization plan to reduce the amount of pollutants discharged to the District's sewer system;
 5. The unit charge or schedule of user charges and fees for the management of the wastewater discharged to the District's sewer system;
 6. Requirements for installation and maintenance of inspection and sampling facilities and pretreatment equipment;
 7. Concentration or mass load limits determined by the General Manager as being required to ensure compliance with Prohibited Discharge Standards established in Section 3.100.
 8. A statement that compliance with the Waste Discharge Permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State pretreatment standards, including those which become effective during the term of the Waste Discharge Permit; and

9. Other conditions as deemed appropriate to ensure compliance with this ordinance, and State and Federal laws, rules, and regulations.

4.200 WASTE DISCHARGE PERMIT APPEALS

- A. Any person, including the user, may petition the District in writing to the District Pretreatment Department to reconsider the terms of a Waste Discharge Permit within thirty (30) days of notice of its issuance.
 1. Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.
 2. In its petition, the appealing party must indicate the Waste Discharge Permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to be placed in the Waste Discharge Permit.
 3. The effectiveness of the Waste Discharge Permit shall not be stayed pending the appeal.
 4. If the District fails to act within thirty (30) days of the filing of a petition in writing for reconsideration, the petition for reconsideration shall be deemed denied.
- B. Any person, including the User, may petition the Board of Directors to reconsider the decision of the District.
 1. If the Board of Directors fails to act within thirty (30) days of the filing of a petition for reconsideration, the petition for reconsideration shall be deemed denied. Decisions not to issue a Waste Discharge Permit, not to reconsider the provisions of a Waste Discharge Permit, or not to modify the provisions of a Waste Discharge Permit shall be considered final administrative actions for the purpose of judicial review.
- C. Any party aggrieved by a final Waste Discharge Permit action may obtain review of the action by filing in court a petition for writ of mandate within ninety (90) days following the effective date of the action. If no aggrieved party petitions for writ of mandate within the time provided by this section, a final Waste Discharge Permit administrative action shall not be subject to review by any court or agency. The evidence before the court shall consist of the record before the District, and any other relevant evidence, which in the judgement of the court, should be considered to effectuate and implement the policies of this Ordinance. Except as otherwise provided in this section, subdivisions (e) and (f) of the Code of Civil Procedure sections 1094.5 and 1094.6 shall govern proceedings pursuant to this section.

4.201 WASTE DISCHARGE PERMIT MODIFICATION

The District may modify a Waste Discharge Permit for good cause including, but not limited to, the following reasons:

- A. To incorporate any new or revised Federal, State, or local pretreatment standards or requirements;
- B. To address significant alterations or additions to the discharger's operation processes, or wastewater volume or character since the time of Waste Discharge Permit issuance;
- C. A change in the WRF that requires either a temporary or permanent reduction or elimination of the authorized discharge;
- D. Information indicating that the permitted discharge poses a threat to the District's collection system, District personnel, WRF or the receiving waters;
- E. Violation of any terms or conditions of the Waste Discharge Permit;
- F. Misrepresentation or failure to fully disclose all relevant facts in the Waste Discharge Application or in any required reporting;
- G. Revision of or a grant of variance from such categorical standards pursuant to 40 CFR 403.13;
- H. Correction of typographical or other errors in the Waste Discharge permit;
or
- I. Other terms and conditions determined to be necessary to protect the District's POTW.

4.202 WASTE DISCHARGE PERMIT TRANSFER

Waste Discharge Permits shall not be transferred to a new owner or business operator. New applications will need to be submitted for review prior to commencing discharge to the POTW.

4.203 WASTE DISCHARGE PERMIT REVOCATION

- A. A Waste Discharge Permit may be revoked for good cause including, but not limited to the following reasons:
 - 1. Failure to notify the District of significant changes to the wastewater prior to the changed discharge;

2. Failure to provide prior notification to the District of changed conditions pursuant to Section 4.305 of this Ordinance;
 3. Misrepresentation or failure to fully disclose all relevant facts in the Waste Discharge Application or other related documents;
 4. Falsifying self-monitoring reports;
 5. Tampering with monitoring equipment;
 6. Refusing to allow the District timely access to the facility premises and records;
 7. Failure to meet effluent limitations;
 8. Failure to pay fines or penalties;
 9. Failure to pay monthly sewer or sewer connection fees;
 10. Failure to meet compliance schedules;
 11. Failure to complete a wastewater survey or the Waste Discharge Application or other documents as required by the District;
 12. Violation of any pretreatment standard, requirement, or condition or any terms of the Waste Discharge Permit or this Ordinance.
- B. Waste Discharge Permits shall be void upon cessation of operations or transfer of business ownership. All Waste Discharge Permits issued to a particular user are void upon the issuance of a new Waste Discharge Permit to that user.
- C. Waste Discharge permit revocation is subject to appeal as set forth in article 5.1000

4.204 WASTE DISCHARGE PERMIT REISSUANCE

A user with an expiring Waste Discharge Permit shall apply for Waste Discharge Permit reissuance by submitting a complete Waste Discharge Application (or a statement signed by the responsible party that there are no changes to the application previously submitted), in accordance with Section 4.105 of this Ordinance, a minimum of sixty (60) days prior to the expiration of the user's existing Waste Discharge Permit.

4.300 REPORTING REQUIREMENTS

4.301 BASELINE MONITORING REPORTS

- A. Within either one hundred eighty (180) days after the effective date of a categorical pretreatment standard, or the final administrative decision on a category determination under 40 CFR 403.6, whichever is later, existing categorical users currently discharging to or scheduled to discharge to the District's collection system shall submit to the District a report which contains the information listed in paragraph B, below. At least ninety (90) days prior to commencement of their discharge, new sources, and sources that become categorical users subsequent to the promulgation of an applicable categorical standard, shall submit to the District a report which contains the information listed in paragraph B, below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source shall also give estimates of its anticipated flow and quantity of pollutants to be discharged.
- B. Users described above shall submit the information set forth below.
1. Identifying Information - The name and address of the facility, including the name of the operator and owner.
 2. Environmental Permits - A list of any environmental control permits held by or for the facility.
 3. Description of Operations - A brief description of the nature, average rate of production, and standard industrial classifications of the operation(s) carried out by such user. This description should include a schematic process diagram, which indicates points of discharge to the District's collection system from the regulated processes.
 4. Flow Measurement - Information showing the measured average daily and maximum daily flow, in gallons per day, to the District's collection system from regulated process streams and other streams, as necessary, to allow use of the combined waste stream formula set out in 40 CFR 403.6.
 5. Measurement of Pollutants -
 - a. The categorical pretreatment standards applicable to each regulated process.
 - b. The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the District, of the regulated pollutants in the discharge from each regulated process. Instantaneous, daily maximum, and long-term average concentrations, or mass, where required, shall be reported. The sample shall be representative of daily operations and shall be analyzed in

accordance with procedures set out in Section 4.310 of this Ordinance.

- c. A minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide, and volatile organics. For all other pollutants, 24-hour composite samples must be obtained through flow-proportional composite sampling techniques where feasible. The District may waive flow-proportional composite sampling for any Industrial User that demonstrates that flow-proportional sampling is infeasible. In such cases, sampling may be obtained through time-proportional composite sampling techniques or through a minimum of four (4) grab samples per day where the User demonstrates that this will provide a representative sample of the effluent being discharged. The User shall take a minimum of one (1) representative sample to compile that data necessary to comply with the requirements of this paragraph.
 - d. Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment, the User should measure the flows and concentrations necessary to allow use of the combined waste stream formula of 40 CFR 403.6 in order to evaluate compliance with Pretreatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6 this adjusted limit along with supporting data shall be submitted to the District.
 - e. Sampling shall be performed in accordance with procedures prescribed in 40 CFR Part 136 and amendments thereto set out in Section 4.311 of this Ordinance.
6. Certification. A statement, reviewed by the user's authorized representative and certified by a qualified professional, indicating whether pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.
7. Compliance Schedule. If additional pretreatment and/or operation and maintenance will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment and/or operation and maintenance shall be implemented. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment

standard. A compliance schedule pursuant to this section must meet the requirements set out in Section 4.302 of this Ordinance.

8. Signature and Certification. All baseline-monitoring reports must be signed and certified in accordance with Section 4.106 of this Ordinance.

4.302 COMPLIANCE SCHEDULE PROGRESS REPORTS

The following conditions shall apply to the compliance schedule required by Section 4.301(B)(7) of this Ordinance:

- A. The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);
- B. No increment referred to above shall exceed nine (9) months;
- C. The user shall submit a progress report to the District no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the user to return to the established schedule; and
- D. In no event shall more than nine (9) months elapse between such progress reports to the District.

4.303 REPORTS ON COMPLIANCE WITH CATEGORICAL PRETREATMENT STANDARD DEADLINE

Within ninety (90) days following the date for final compliance with applicable categorical pretreatment standards, or in the case of a new source following commencement of the introduction of wastewater into the District's sewer system, any user subject to such pretreatment standards and requirements shall submit to the District a report containing the information described in Section 4.301(B) of this Ordinance.

For users subject to equivalent mass or concentration limits established in accordance with the procedures in 40 CFR 403.6, this report shall contain a reasonable measure of the user's long-term production rate. For all other users subject to categorical pretreatment standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the user's actual production during the appropriate sampling

period. All compliance reports must be signed and certified in accordance with Section 4.106 of this Ordinance.

4.304 PERIODIC COMPLIANCE REPORTS

- A. If a permitted user monitors any pollutant using the procedures prescribed in Section 4.310 of this Ordinance, the results of this monitoring shall, at a frequency determined by the District but in no case less than twice per year be reported. The report shall indicate the nature and concentration of pollutants in the discharge, which are limited by Pretreatment Standards, and the measured or estimated average and maximum daily flows for the reporting period. Where the District has imposed mass limitations on permitted users as provided for by CFR 40 403.6, the report shall indicate the mass of pollutants regulated by Pretreatment Standards in the discharge.

For dischargers subject to equivalent mass or concentration limits established by the District in accordance with the procedures in 40 CFR 403.6, the report shall contain a reasonable measure of the Users long term production rate. For Users subject to categorical Pretreatment Standards expressed only in terms of allowable pollutant discharge per unit of production (or other measure of operation), the report shall include the Users actual average production rate for the reporting period. For users subject to BMPs as part of the federal categorical pretreatment standards, such reports shall include BMP compliance information required by the General Manager, or required as part of federal pretreatment standards. All such reports must be signed and certified in accordance with Section 4.106 of this Ordinance.

- B. All wastewater samples must be representative of the Users discharge. Wastewater monitoring and flow measurement equipment shall be properly operated, calibrated per manufacturer's specifications or every six (6) months per calendar year if there are no specific requirements, kept clean, and maintained in good working order at all times. The failure of a user to keep its monitoring facility in good working order shall not be grounds for the user to claim that sample results are unrepresentative of its discharge.
- C. If a User subject to the reporting requirement in this section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the General Manager or this Ordinance, using the procedures prescribed in Section 4.311 of this Ordinance, the results of this monitoring shall be included in the report.

4.305 REPORTS OF CHANGED CONDITIONS

Each user must notify the District of any planned significant changes to the user's operations or system, which might alter the nature, quality, or volume of its wastewater at least forty-five (45) days before the change is made. Each user must also notify the General Manager of any planned changes that may affect the potential for slug discharge.

- A. The District may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a Waste Discharge Application under Section 4.105 of this Ordinance.
- B. The District may issue a Waste Discharge Permit under Section 4.104 of this Ordinance or modify an existing Waste Discharge Permit under Section 4.201 of this Ordinance in response to changed conditions or anticipated changed conditions.
- C. For purposes of this requirement, significant changes include, but are not limited to, flow or pollutant load increases of twenty percent (20%) or greater, and the discharge of any previously unreported pollutants.

4.306 REPORTS OF A DISCHARGE OF HAZARDOUS WASTE

Any industrial user shall give immediate notice of the discharge of hazardous waste, as defined in 40 CFR Part 261, and in accordance with the pretreatment requirements in 40 CFR Part 403.12 (p)(1).

4.307 REPORTS OF POTENTIAL PROBLEMS

- A. In the case of any discharge, including, but not limited to, accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge, or a slug load, that may cause potential problems for the WRF or the District's collection system, the user shall immediately telephone and notify the District of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user.
- B. Within five (5) days following such discharge, the user shall, unless waived by the District, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the District's collection system or WRF, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to this Ordinance.

4.308 REPORTS FROM USERS

All users shall provide appropriate surveys, applications, information forms and/or reports to the District as required by the Pretreatment Program.

4.309 REPORTS OF SAMPLING VIOLATIONS/REPEAT SAMPLING

If sampling performed by a user indicates a violation, the user must notify the District within twenty-four (24) hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the District within thirty (30) days after becoming aware of the violation. The user is not required to resample if the District monitors at the user's facility at least once a month, or if the District samples between the user's initial sampling and when the user receives the results of this sampling.

If sampling and analysis performed by the District indicates a violation, the District may notify the user of the violation and require the user to conduct the repeat sampling and analysis.

4.310 ANALYTICAL REQUIREMENTS

All pollutant analyses, compliance monitoring and sampling including sampling techniques, to be submitted as part of a waste discharge application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136, unless otherwise specified in an applicable categorical pretreatment standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, sampling and analysis must be performed in accordance with procedures approved by US EPA.

4.311 SAMPLE COLLECTION

- A. Except as indicated in Section B below, the user must collect wastewater samples using flow proportional composite collection techniques. In the event flow proportional sampling is infeasible, the District may authorize the use of time proportional sampling or a minimum of four (4) grab samples where the user demonstrates that this will provide a representative sample of the effluent being discharged and is appropriate for assessing compliance with applicable pretreatment standards. In addition, grab samples may be required to show compliance with instantaneous discharge limits.
- B. Samples for oil and grease, temperature, pH, cyanide, phenols, sulfides, and volatile organic compounds must be obtained using grab sample collection techniques.

4.312 TIMING

Written reports will be deemed to have been submitted on the date postmarked. For reports which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of the District's receipt of the report shall govern.

4.313 RECORD KEEPING

Users subject to the reporting requirements of this Ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements. Records shall be maintained in accordance with 40 CFR 403.12(o), and shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; the results of such analyses; and the results of BMP monitoring and compliance. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the user or EVMWD, or where the District has specifically notified the user of a longer retention period.

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ARTICLE 5

Enforcement

5.100 COMPLIANCE INSPECTIONS, MONITORING, AND ENFORCEMENT

A. Enforcement Responsibility

The District shall have primary responsibility to enforce all applicable pretreatment requirements and standards established in this Ordinance and as detailed in 40 CFR 403.8.

Any of the following is a reason for enforcement action:

1. Failure to file a waste discharge permit application in accordance with provisions established in 40 CFR 403 or within this Ordinance.
2. Knowingly providing false statements, representations, records, reports, or other documents to the District.
3. Falsifying, tampering or knowingly rendering inaccurate any monitoring device or method required under a control mechanism or regulations established within this Ordinance.
4. Failure of the user to report significant changes in operations or wastewater constituents and characteristics in accordance with regulations established in 40 CFR 403.12 or within this Ordinance.
5. Refusal of reasonable access to the user's premises for the purpose of inspection or monitoring.
6. Violation of any pretreatment standard or requirement established in 40 CFR.
7. Violation of requirements or standards established in control mechanisms.
8. Violations of any requirements or local limits established in this Ordinance.
9. Failure to pay fees and charges pursuant to requirements established in this Ordinance.

B. Discharger Compliance Sampling

Per requirements established in 40 CFR 403.8, the District shall randomly sample and analyze the effluent from industrial users and conduct surveillance activities in order to identify, independent of information supplied by industrial users, occasional and continuing noncompliance with pretreatment standards. Inspection and sampling from each SIU shall be conducted at a frequency of at least once per year.

C. Non-Compliance Investigations

The District shall investigate instances of noncompliance with Pretreatment Standards and Requirements, as indicated in the reports, self-monitoring information, or notices submitted by the discharger, or as indicated by District analysis, inspection, and surveillance activities. District sample collection, analysis, and collection of other information shall be performed with sufficient care to produce evidence admissible in enforcement proceedings or in judicial actions.

D. Slug Control Plan Determination

Users shall comply per requirements established in 40 CFR 403.8 SIUs shall have slug control requirements referenced within their control mechanisms. Additionally, SIUs are required to notify the District immediately of any changes at their facilities affecting the potential for a slug discharge.

E. Self-Monitoring Reports

The District shall receive and analyze self-monitoring reports and other notices submitted by dischargers in accordance with self-monitoring requirements established in 40 CFR 403.12.

F. Self-Monitoring Requirements as a Result of Non-Compliance

1. If analysis of any sample obtained by the District or by a user shows non-compliance with the applicable wastewater discharge limits set forth in the Ordinance or in the permittee's discharge permit, the District may impose self-monitoring requirements on the permittee or user.
2. A user shall perform required self-monitoring of constituents at the frequency, specific location, and manner directed by the District.
3. All analyses of self-monitoring samples shall be performed by an independent laboratory acceptable to the District and submitted to the District in a form and at a frequency determined by the District.
4. All self-monitoring costs shall be borne by the user.
5. Nothing in this section shall be deemed to limit the authority of the District to impose self-monitoring as a permit condition.

G. Non-Compliance Sampling Fees

1. If analysis of any sample of a user's discharge obtained by the District shows a violation by the user of the mass emission rates or concentration limits specified in the user's discharge permit or in this Ordinance, then the user shall be subject to noncompliance sampling fees pursuant to the most current edition of the Districts Pretreatment Program Fee Schedule and the Enforcement Response Plan as amended.
2. The fees specified within the Districts Pretreatment Program Fee Schedule and/or the Enforcement Response Plan as amended thereto shall be imposed for each date on which the District conducts sampling as a result of a violation by a user.

H. Non-Compliance Inspection Fees

1. Each user is subject to routine inspections and fees. When non-compliance with any of the provisions of this Ordinance or in the permittee's discharge permit is determined, a follow-up inspection may be required. Each user shall receive one follow-up inspection to verify compliance for each routine inspection without being subject to noncompliance inspection fees.
2. When it becomes necessary to perform additional inspections in order to determine compliance with the provisions of this Ordinance, then the user shall pay noncompliance fees to the District pursuant to the most current edition of the Districts Pretreatment Program Fee Schedule and/or the Enforcement Response Plan as amended thereto.

5.200 ELECTION OF ENFORCEMENT REMEDIES

The District, upon finding a violation, may employ any of the remedies set forth in this article or as otherwise authorized by law, subject to due consideration of the following factors and the District's Enforcement Response Plan:

- A. The magnitude of the violation;
- B. The duration of the violation;
- C. The effect of the violation on WRF compliance with Discharge Order;
- D. The effect of the violation on the operation of the District's sewer system, District personnel, the environment, or the public;

- E. The compliance history of the user; and
- F. The good faith of the user.

The District's election of remedies is not exclusive as further set forth in Section 5.1400.

5.300 NOTICE OF VIOLATION

- A. Upon finding a violation, the District may issue a notice of violation. Within ten (10) working days of the delivery of this notice, the user may respond to the Pretreatment Program Section with either an objection contesting the finding, or an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required action. Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal process. Said response in no way relieves the user of liability for any violations occurring before or after the receipt of the notice of violation.
- B. Upon receipt of an objection contesting a finding of violation, the Department Head will schedule a hearing within ten (10) working days at which the user may present information supporting the objection. Within five (5) working days of the hearing, the Department Head shall determine the validity of the objection, either rescinding the notice of violation or denying the objection, thereby requiring submission of the plan of corrective action. The user may appeal the Department Head's determination as set forth in Article 5.1000.

5.400 ADMINISTRATIVE ORDERS

Administrative Orders include, but are not limited to, Consent Orders, Show Cause Orders, Cease and Desist Orders, and Compliance Orders.

5.401 CONSENT ORDERS

The District may enter into Consent Orders, assurances of voluntary compliance, or other similar documents establishing an agreement with any user responsible for noncompliance. Such documents will include specific action to be taken by the user to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to Sections 5.403 of this Ordinance and shall be judicially enforceable.

5.402 SHOW CAUSE ORDERS

- A. The District may order a user which has been given a notice of violation and which has failed to submit an acceptable plan of corrective action or which, having submitted such a plan, fails to follow through with execution of the

plan, to appear at a hearing scheduled by the General Manager to show cause why the enforcement action proposed in the Show Cause Order should not be taken.

- B. The Show Cause Order shall specify the time and place for the hearing, the proposed enforcement action, the reasons for such action, and a request that the user show why the proposed enforcement action should not be taken. The Show Cause Order shall be served personally or by registered or certified mail (return receipt requested) at least fifteen (15) days prior to the hearing. The Order may be served on any authorized representative of the user. A Show Cause Order shall not be a bar against, or prerequisite for, taking any other action against the user.
- C. At the conclusion of the show cause hearing, the District may rescind previous enforcement action; issue an appropriate Administrative Order (Consent Order, Compliance Order, or Cease and Desist Order), including assessment of fines; initiate control mechanism revocation proceedings or termination of sewer services; or direct the action on the file to Counsel for legal action.

5.403 COMPLIANCE ORDERS

- A. When the District finds a violation, District may issue an order to the user responsible for the violation directing that the user come into compliance within a specified time. If the user does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated.
- B. Compliance orders may also contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for pretreatment standards or requirement, nor does a compliance order relieve the user of liability for any violation, including any continuing violation.
- C. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the user.

5.500 ADMINISTRATIVE FINES

- A. When, subsequent to a Show Cause hearing, the District finds a violation, District may fine the user in an amount not to exceed \$5,000.00 per violation per day of discharge in violation of any control mechanism or order issued hereunder, or any other pretreatment standards or requirement.

- B. The user may be responsible for the District's costs of preparing administrative enforcement actions, such as notices and orders.
- C. Unpaid charges, fines, and penalties shall, after thirty (30) calendar days, be assessed an additional penalty of five percent (5%) of the unpaid balance, and interest shall accrue thereafter at a rate of one and one-half percent (1.5%) per month. A lien against the user's property will be sought for unpaid charges, fines, and penalties.
- D. Users desiring to dispute an administrative fine must file a written request for the District to reconsider the fine along with full payment of the fine amount within thirty (30) days of the user's receipt of notice of the fine. Assessment of fines may be appealed pursuant to Article 5.1000. In the event the user's appeal is successful, the payment, together with any interest accruing thereto, shall be returned to the user.
- E. Issuance of an administrative fine shall not be a bar against, or a prerequisite for, taking any other action against the user.

5.600 EMERGENCY SUSPENSIONS

- A. The District may immediately suspend a user's discharge or water supply, after informal notice to the user, whenever such suspension is necessary to stop an actual or threatened discharge which reasonably appears to present or cause an imminent or substantial endangerment to the health or welfare of persons or the environment.
- B. The District may also immediately suspend a user's discharge or water supply, after notice and opportunity to respond, that threatens to interfere with the operation of a WRF, or which presents, or may present, an endangerment to the environment.
- C. Any user notified of a suspension of its discharge or water supply shall immediately stop or eliminate its contribution. In the event of a user's failure to immediately comply voluntarily with the suspension order, the District may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the District's collection system, the District's WRFs, the receiving stream, or endangerment to any individuals. The District may allow the user to recommence its discharge when the user has demonstrated to the satisfaction of the District that the period of endangerment has passed, unless the termination proceedings in Section 5.700 of this Ordinance are initiated against the user.
- D. A user that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken

to prevent any future occurrence, to the District prior to the date of any show cause or termination hearing under Sections 5.402 or 5.700 of this Ordinance.

- E. Nothing in this section shall be interpreted as requiring a hearing prior to any emergency suspension.

5.700 TERMINATION OF DISCHARGE

In addition to the provisions in Section 4.203 of this Ordinance, any user who violates the following conditions is subject to discharge termination:

- A. Violation of Waste Discharge Permit conditions;
- B. Failure to accurately report the wastewater constituents and characteristics of its discharge;
- C. Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;
- D. Refusal of reasonable access to the user's premises for the purpose of inspection, monitoring, or sampling; or
- E. Violation of the pretreatment standards in Article 3 of this Ordinance. Such user will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Section 5.402 of this Ordinance why the proposed action should not be taken. Exercise of this option by the District shall not be a bar to, or a prerequisite for, taking any other action against the user.
- F. Failure to pay any monthly sewer fees, pretreatment fees for service, violation fees, or sewer connection fees.

5.800 PUBLISHED NOTICES FOR SIGNIFICANT NONCOMPLIANCE

In accordance with Federal Regulations, the District shall annually cause to be published the names of all Categorical or SIUs in significant non-compliance. Said publication shall be made in the newspaper of the largest daily circulation published in the District's service area.

5.900 JUDICIAL ENFORCEMENT REMEDIES

In certain circumstances, judicial enforcement may be appropriate. Such remedies may include, but are not limited to, injunctive relief, civil penalties, and criminal prosecution.

5.901 INJUNCTIVE RELIEF

When the District finds a violation, the District may petition the Superior Court for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the control mechanism, order, or other requirement imposed by this Ordinance on activities of the user. The District may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the user to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against the user.

5.902 CIVIL PENALTIES

A. Authority

All users of the District's system and facilities are subject to administrative or judicial enforcement actions by the District, U.S. EPA, State of California Regional Water Quality Control Board, State Water Resources Control Board, or the County of Riverside District Attorney. Said actions may be taken pursuant to the authority and provisions of several laws, including but not limited to: (1) Federal Water Pollution Control Act, commonly known as the Clean Water Act (33 U.S.C.A. Section 1251 et seq.); (2) California Porter-Cologne Water Quality Act (California Water Code Section 13000 et seq.); (3) California Hazardous Waste Control Law (California Health & Safety Code Sections 25100 to 25250); (4) Resource Conservation and Recovery Act of 1976 (42 U.S.C.A. Section 6901 et seq.); and (5) California Government Code, Sections 54739-54740.

B. Recovery of Fines or Penalties

When the District must pay fines or penalties imposed by other regulatory or enforcement agencies based, and the District can establish said violation was the result of the discharge of any user, which discharge was in violation, as defined in this Ordinance, the District shall be entitled to recover from the user all costs and expenses, including, but not limited to, the full amount of said fines or penalties.

C. Ordinance

Pursuant to the authority of California Government Code Sections 54739-54740, any person who violates any provision of this Ordinance, any permit condition, prohibition or effluent limit, or any suspension or revocation order, shall be liable civilly for a sum not to exceed \$25,000.00 per violation for each day in which such violation occurs. Pursuant to the authority of the Clean Water Act, 33 U.S.C. Section 1251 et seq., any person who violates any provision of this Ordinance, or any permit condition, prohibition, or effluent limit shall be liable civilly for a sum not to exceed \$25,000.00 per violation for each day in which such violation occurs. The District shall

petition the Superior Court to impose, assess, and recover such penalties, or such penalties as the District may impose, assess, and recover pursuant to Federal and/or State law.

D. Administrative Civil Penalties

1. Pursuant to the authority of California Government Code Sections 54740.5 and 54740.6, the District may issue an administrative complaint against any person who violates:
 - a. any provision of this Ordinance;
 - b. any permit condition, prohibition, or effluent limit; or
 - c. any suspension or revocation order.
2. The administrative complaint shall be served by personal delivery or certified mail and shall specify a date and time for a hearing, which will be held within sixty (60) days following service. The administrative complaint will allege the act or failure to act that constitutes the violation of the District's requirements, the provisions of law authorizing civil liability to be imposed, and the proposed civil penalty. A hearing officer designated by the Board of Directors shall hear the matter. The person against whom an administrative complaint has been issued may waive the right to a hearing.
3. At the hearing, the person shall have an opportunity to respond to the allegations set forth in the administrative complaint by presenting written or oral evidence.
4. After the hearing, the hearing officer shall deliver a written report to the District, setting forth findings of fact, conclusions and a recommendation. Upon receipt of the written report, the District shall issue its decision and order in writing within thirty (30) calendar days after the hearing. The decision and order shall be served by personal delivery or certified mail.
5. In determining the amount of civil penalties, the District may take into consideration all relevant circumstances, including but not limited to the extent of harm caused by the violation, the economic benefit derived by the User through any noncompliance, the nature and persistence of the violation, the length of time over which the violation occurs, and corrective action, if any, attempted or taken by the person involved.
6. Civil penalties may be assessed as follows:

- a. In an amount which shall not exceed \$2,000.00 for each day for failing or refusing to furnish technical or monitoring reports;
 - b. In an amount, which shall not exceed \$3,000.00 for each day for failing or refusing to timely comply with any compliance schedules established by the District;
 - c. In an amount, which shall not exceed \$5,000.00 per violation for each day of discharge in violation of any waste discharge limit, permit condition, or requirement issued, reissued, or adopted by the District;
 - d. In any amount, which does not exceed \$10.00 per gallon for discharges in violation of any suspension, revocation, cease and desist order or other orders, or prohibition issued, reissued, or adopted by the District;
 - e. The District has the authority to seek civil or criminal penalties in at least the amount of \$1,000 a day for each violation by industrial users of pretreatment standards or requirements.
7. The District's order assessing administrative civil penalties shall be final on the thirty-first (31st) day after it is served on the person unless an appeal and request for hearing is filed with the Board of Directors before the thirty-first (31st) day. Copies of the administrative order shall be served on the party served with the administrative complaint, either by personal service or by registered mail, and a copy forwarded to other persons who appeared at the hearing and requested a copy.
 8. The District's decision and order is subject to appeal to the Board of Directors pursuant to Section 5.1100. Any person aggrieved by a final order issued by the Board of Directors may obtain review of the order of the Board of Directors in the superior court, pursuant to Government Code Section 54740.6, by filing a petition for writ of mandate within thirty (30) days following service of the Board's decision or order.
 9. Payment of any order setting administrative civil penalties shall be made within thirty (30) days of the date the order becomes final. The amount of any administrative civil penalties imposed, which have remained delinquent for a period of sixty (60) days, shall constitute a lien against the real property of the discharger from which the discharge resulting in the imposition of the civil penalty originated. The lien shall have no effect until recorded with the county recorder. The District may record the lien for any unpaid administrative civil

penalties on the ninety-first (91st) day following the date the order becomes final.

10. No administrative civil penalties shall be recoverable under Section 5.902(D) for any violation for which the District has recovered civil penalties through a judicial proceeding filed pursuant to Government Code Section 54740.

E. Filing a suit for civil penalties shall not be a bar to, or a prerequisite for, taking any other action against a user.

5.903 CRIMINAL PROSECUTION

A user who willfully or negligently violates any provision of this Ordinance, a control mechanism, or order issued hereunder, or any other pretreatment standard or requirement shall, upon conviction, be guilty of a misdemeanor, punishable by a fine not to exceed \$25,000.00, or imprisonment for not more than six (6) months, or both. Each violation and each day in which a violation occurs may constitute a new and separate violation of this Ordinance and shall be subject to the penalties contained herein.

5.1000 APPEALS TO GENERAL MANAGER

A. General

Except as otherwise provided in this Ordinance, any user or applicant affected by any decision, action or determination may file with the General Manager a written request for an appeal hearing. The District must receive the request within thirty (30) days of mailing of notice of the decision, action, or determination to the user or applicant. The request for hearing shall set forth in detail all facts supporting the request.

B. Notice

The General Manager shall, within fifteen (15) days of receiving the request for appeal, designate a Hearing Officer who will hear the appeal and provide written notice to the user or applicant of the hearing date, time and place. The hearing date shall not be more than thirty (30) days from the mailing of such notice by certified mail, unless the user or applicant agrees to a later date. If the hearing is not held at the agreed time due to actions or inactions of the user or applicant, then the decision shall be deemed final.

C. Hearing

At the hearing, the user or applicant shall have the opportunity to present information supporting its position concerning the decision, action or determination.

D. Written Determination

After the hearing, the Hearing Officer shall deliver a written report to the General Manager setting forth findings of fact, conclusions, and a recommendation whether to uphold, modify or reverse the original decision, action or determination. Upon receipt of the written report, the General Manager shall issue his decision and order within thirty (30) calendar days of the hearing. The written decision and order of the General Manager shall be sent by certified mail. The order of the General Manager shall be final on the sixteenth (16th) day after it is mailed, unless a request for hearing is filed with the Board of Directors pursuant to Section 5.1100, no later than 5:00 p.m. on the fifteenth (15th) day following such mailing.

5.1100 APPEALS TO THE BOARD OF DIRECTORS

A. General

1. Any user or applicant may appeal a decision, action, or determination made by the General Manager prior to the date that the General Manager's order becomes final, by filing a written request for hearing with the Board of Directors accompanied by an appeal fee of \$2,000.00. The request for hearing shall set forth in detail all the issues in dispute and all facts supporting the request.
2. No later than sixty (60) days after receipt of the request for hearing, the Board of Directors shall either set the matter for a hearing or deny the request for a hearing.
3. A hearing shall be held by the Board of Directors within sixty-five (65) days of the date the request for a hearing was granted, unless the user or applicant and the Board of Directors agree to a later date. If the matter is not heard within the required time, due to actions or inactions of the user or applicant, the General Manager's order shall be final.

B. Granting Request for Hearing

The Board of Directors shall grant all requests for an appeal's hearing concerning permit suspension, revocation, or denial. Whether to grant or deny the request for a hearing on appeals of other decisions of the General Manager shall be within the sole discretion of the Board of Directors.

C. Appeal Fee Refund

The appeal fee shall be refunded if the Board of Directors denies a hearing.

D. Written Determination

1. After the hearing, the Board of Directors shall make a determination whether to uphold, modify, or reverse the decision, action, or determination made by the General Manager.
2. The Board's decision shall be set forth in writing and shall contain findings of fact and conclusions. The written decision and order of the Board of Directors shall be sent by certified mail within sixty-five (65) days after the close of the hearing
3. The order of the Board of Directors shall be final upon its adoption.

5.1200 APPEAL OF CHARGES AND FEES

- A. Any user or applicant may request in writing reconsideration of the imposition and collection of fees or charges, such as connection charges, sewer use charges, and waste hauler fees. Following review of such a request, the District shall notify the user or applicant by certified mail of the District's decision on the reconsideration request within thirty (30) days of the District's receipt of the request. Any user or applicant may file an appeal, which shall be heard by the Board of Directors. The District must receive the notice of appeal within thirty (30) days of the mailing of the District's decision on the reconsideration request.
- B. Notwithstanding the foregoing, appeals of non-compliance sampling fees shall be made pursuant to the appeal procedure set forth in Sections 5.1000 and 5.1100.

5.1300 PAYMENT OF CHARGES

- A. Except as otherwise provided, all fees, charges and penalties established by this Ordinance and/or by the most current edition of the ***District's Pretreatment Program Fee Schedule and/or Enforcement Response Plan*** and as amended thereto are due and payable upon notice thereof. All such amounts are delinquent if unpaid thirty (30) days after date of invoice.
- B. Any charge that becomes delinquent shall have added to it a penalty in accordance with the following:
 1. Thirty-one (31) days after date of invoice, a basic penalty of 5% of the base invoice amount, not to exceed a maximum of \$1,000.00; and
 2. Interest at a rate of 1.5% per month of the sum of base invoice amount and basic penalty shall accrue from and after the thirty-first (31st) day after date of invoice.

- C. Any invoice outstanding and unpaid after sixty (60) days shall be cause for immediate initiation of permit revocation proceedings or immediate suspension of the permit.
- D. Penalties charged under this section shall not accrue to those invoices successfully appealed.

5.1400 REMEDIES NONEXCLUSIVE

The remedies provided for in this Ordinance and the most current edition of the District's Enforcement Response Plan are not exclusive. The District may take any, all, or any combination of these actions against a noncompliant user. Enforcement of pretreatment violations will be in accordance with this ordinance. However, the District may take other action against any user when the circumstances warrant. Further, the District is empowered to take more than one enforcement action against any noncompliant user.

5.1500 COLLECTION OF DELINQUENT ACCOUNTS

Collection of delinquent accounts shall be in accordance with the District's policy resolution establishing procedures for collection of delinquent obligations owed to the District, as amended from time to time by the Board of Directors. Any such action for collection may include an application for an injunction to prevent repeated and recurring violations of this Ordinance.

5.1600 RECOVERY OF COSTS INCURRED BY DISTRICT

In the event a user fails to comply with any of the terms and conditions of the District's Ordinance, an administrative order, a permit suspension or revocation, a Consent Order, or a permit issued hereunder, the District shall be entitled to reasonable attorney's fees and costs which may be incurred in order to enforce any of said terms and conditions with or without filing proceedings in court.

5.1700 FINANCIAL SECURITY/AMENDMENTS TO PERMIT

A. Compliance Deposit

Users that have been subject to enforcement and/or collection proceedings may be required to deposit with the District an amount necessary to guarantee payment of all charges, fees, penalties, costs and expenses that may be incurred in the future, before permission is granted for further discharge to the sewer system. In the District's sole discretion, the deposit required by this subsection may be made as a performance bond, letter of credit, cash, or other security.

B. Delinquent Accounts

The District shall review and examine user's account to determine whether previously incurred fees and charges have been paid in accordance with time requirements prescribed by this Ordinance. The District may thereafter issue an amendment to the user's control mechanism in accordance with the provisions of Article 4 and Section 5.1700 E. of this Ordinance.

C. Bankruptcy

Every user filing any legal action in any court of competent jurisdiction, including the United States Bankruptcy Court, for purposes of discharging its financial debts or obligations or seeking court-ordered, protection from its creditors, shall, within ten (10) days of filing such action, apply for and obtain the issuance of an amendment to its control mechanism.

D. Permit Amendments

The District shall review and examine user's account to determine whether previously incurred fees and charges have been paid in accordance with time requirements prescribed by this Ordinance. The District may thereafter issue an amendment to the user's permit in accordance with the provisions of Article 4 and Section 5.1700 E. of this Ordinance.

E. Security

An amendment to a control mechanism issued pursuant to Sections 5.401, 5.402, and 5.403, may be conditioned upon the user depositing financial security in an amount equal to the average total fees and charges for three (3) calendar months during the preceding year. Said deposit shall be used to guarantee payment of all fees and charges incurred for future services and facilities furnished by District and shall not be used by the District to recover outstanding fees and charges incurred prior to the user filing and receiving protection from creditors in the United States Bankruptcy Court.

F. Return of Security

In the event the user makes payment in full within the time prescribed by this Ordinance of all fees and charges incurred over a period of two (2) years following the issuance of an amendment to the control mechanism pursuant to Sections 5.1700 (B), (C), (D), the District shall either return the security deposit posted by the user or credit their account.

G. Water Supply Severance

Water service to the user may be severed for any violation. Service will only recommence, at the user's expense, after it has satisfactorily demonstrated its ability to comply.

5.1800 JUDICIAL REVIEW

A. Purpose and Effect

Pursuant to Section 1094.6 of the California Code of Civil Procedure, the District hereby enacts this part to limit to ninety (90) days following final decisions in adjudicatory administrative hearings the time within which an action can be brought to review such decisions by means of administrative mandamus.

B. Definitions

As used in this section, the following terms and words shall have the following meanings:

1. Decision shall mean and include adjudicatory administrative decisions that are made after hearing, or after revoking, suspending, or denying an application for a permit or a license.
2. Complete Record shall mean and include the transcript, if any, of the proceedings, all pleadings, all notices and orders, any proposed decision by the General Manager, the final decision, all admitted exhibits, all rejected exhibits in the possession of the District or its offices or agents, all written evidence, and any other papers in the case.
3. Party shall mean a person whose permit or service has been denied, suspended, or revoked.

C. Time Limit for Judicial Review

Judicial review of any decision of the District or its officer or agent may be made pursuant to Section 1094.5 of the Code of Civil Procedure only if the petition for writ of mandate is filed not later than the 90th day following the date on which the decision becomes final. If there is no provision for reconsideration in the procedures governing the proceedings or if the date is not otherwise specified, the decision is final on the date it is made. If there is provision for reconsideration, the decision is final upon the expiration of the period during which reconsideration can be sought; provided that if reconsideration is sought pursuant to such provision the decision is final for the purpose of this section on the date that reconsideration is rejected.

D. Preparation of the Record

The petitioner may request, in writing, the complete record of the proceedings. The record shall be prepared by the District officer or agent

who made the decision and shall be delivered to the petitioner within ninety (90) days after filing the written request. The District may recover from the petitioner its actual costs for transcribing or preparing the record.

E. Extension

If the petitioner files a request for the record within ten (10) days after the date the decision becomes final, the time within which a petition, pursuant to Section 1094.5 of the Code of Civil Procedure, may be filed shall be extended to not later than the 30th day following the date on which the record is either personally delivered or mailed to the petitioner or the petitioner's attorney of record, if appropriate.

F. Notice

In making a final decision, the District shall provide notice to the party that the time within which judicial review must be sought is governed by Section 1094.6 of the Code of Civil Procedure.

G. Administrative Civil Penalties

Notwithstanding the foregoing in Section 5.1700, and pursuant to Government Code Section 54740.6, judicial review of an order of the Board of Directors imposing administrative civil penalties pursuant to Section 5.902(D) may be made only if the petition for writ of mandate is filed not later than the 30th day following the day on which the order of the Board of Directors becomes final.

ARTICLE 6

Gravity Separation Interceptor Program

6.100

PURPOSE AND SCOPE

- A. All industrial users shall be required to install and maintain a gravity separation interceptor system when the District finds that it is necessary for the proper handling of (a) liquid waste containing fats, oils and grease (of animal, vegetable, plant, nut, or petroleum origin), (b) flammable wastes, (c) sand and or suspended solids that will settle, or (d) other harmful constituents which may be properly eliminated from the collection system by use of a gravity separation interceptor. The interceptor shall have a minimum operational fluid capacity of not less than 750 gallons. The interceptor system shall be watertight, structurally sound, and durable and shall have a minimum of two chambers and a sample box.
- B. An interceptor system is not required for a building used solely for residential purposes except where common food preparation occurs.
- C. An interceptor system shall be required when the wastewater flow from the building is anticipated to contain fats, oils, grease (of animal, vegetable, plant, nut, or petroleum origin), flammable substances, sand and or suspended solids or other harmful ingredients in amounts or concentrations which, in the sole discretion of the District, present the possibility of causing or contributing to the fouling of, the blockage of, or other damage to the District's POTW.
- D. All industrial users for which a gravity separation interceptor system is required shall have an interceptor system, which shall serve only that singular establishment or business.
- E. Hydromechanical grease traps may not be used as a substitute to the gravity separation interceptors required under 6.100.A. Alternative grease interceptor devices may be approved by the District on a case-by-case basis only in circumstances where (1) installation of a 750-gallon gravity separator is impractical or not physically possible at the site, (2) the District determines that the proposed alternative grease interceptor device can achieve adequate grease removal on a sustained basis, and (3) the District determines that the alternative grease interceptor device can be adequately maintained and serviced. As a condition of approving any such alternative grease interceptor devices, the District may establish additional requirements (over and above the requirements of Section 6.102) that may include special onsite kitchen-practices,

BMPs, or grease interceptor device maintenance, cleaning, or servicing requirements.

- F. Existing establishments shall not be exempt from the requirements of this Article or Ordinance. There is no Grandfather clause.

6.101

ADMINISTRATION OF INTERCEPTOR PROGRAM

- A. The District may administer a Gravity Separation Interceptor Program which is intended to prevent fats, oils, and grease (of animal, vegetable, plant, nut, and petroleum origin), sand, flammable liquids, and other substances which are likely to block, restrict or create a hazard within the collection system, from entering the system through use of gravity separation interceptors.
- B. The District may require any industrial user to install or increase the size of an interceptor system according to the guidelines set forth in the District's Standard Specifications, the most current edition of the Uniform Plumbing Code, and or any other District requirement, program or procedure prior to connection to the District or at any time after connection to the District if the District discovers or determines subsequent to the connection that the building, facility, or operation of the user produces a waste with characteristics that would require installation of an interceptor system pursuant to this Ordinance.
- C. The installation of a District approved sized interceptor system shall be the responsibility of the parcel owner and the entity, which applies for the connection or waste discharge permit, and the owner/proprietor of the business or entity whose operations cause or contribute to the necessity for an interceptor system.
- D. The District may determine whether a gravity interceptor or some other type of pretreatment system is required on a case-by-case basis based on an evaluation of objective criteria including but not limited to factors such as those listed hereunder:
 - 1. The type of facility (e.g. restaurant, brewery, winery, distillery, bakery, coffee house, sandwich shop, vehicle wash, gas station, lube/oil facility, body shop, on or off-road vehicle/vessel repair/service shop etc.);
 - 2. The peak flow of process wastewater discharged to the sewer system;
 - 3. The type of products or materials used in the preparation, cleaning, processing or manufacturing operations carried on within the user's facility;

4. The overall potential for the discharge of fats, oils, and grease (of animal and/or, vegetable, plant, nut origin), oils/chemicals (of petroleum origin), and/or sand-laden wastewater from the facilities operation(s) to the POTW.
- E. The District shall approve the interceptor size, design, location and procedures for operation and maintenance of a required interceptor system. Such approval shall be obtained prior to the user's connection of the facility to the District's collection system, in the event of new construction or remodeling.
- F. In circumstances where a user has already connected (e.g. prior to adoption of this Ordinance or failure by a user to contact the District regarding interceptor requirements and approval) and the District determines that an interceptor system must be installed, the user shall promptly provide for the installation of the interceptor system within a reasonable time frame (as may be set by the District), including providing design plans and operational plans for District approval prior to interceptor system installation.
- G. The installation of an interceptor system as required by this Ordinance on an existing users' facility shall occur within reasonable time not to exceed ninety (90) days after the user has been provided notice of the requirement that an interceptor system be installed. Upon written request and approval this ninety-day (90) limit may be extended to a maximum of one hundred and eighty days (180) from the time of the first notice.

6.102

INTERCEPTOR MAINTENANCE PROGRAM REQUIREMENTS

- A. Any user who is required by the District and/or this Ordinance to install and/or operate a gravity separation interceptor system shall be required to adequately maintain the system so that such a device is in proper working order at all times. Cleaning and completely pumping out of all interceptor contents including the sample box shall be completed as needed, but in no case shall the frequency of cleaning and pumping out be less than (2) two times per calendar year.
- B. All types of gravity separation interceptor systems shall be cleaned a minimum of two (2) times per calendar year by a properly licensed and permitted waste hauler or as often as necessary so as to assure that the interceptor will operate as designed at all times.
- C. The use of chemicals, microbiological agents to metabolize oil and grease, or other materials for the emulsification, suspension or dissolution of oil or grease is prohibited.

- D. Any users who are required to install or have in operation an interceptor system pursuant to this Ordinance, may be required to have a written plan of operation or program for their facility which is intended to insure that the interceptor operates as designed to prevent grease, fats, oil (of animal, vegetable or petroleum origin), sand or other harmful constituents from entering the collection system. These procedures may include: adoption of BMPs, kitchen practices to minimize the fat, oil and grease-laden garbage which ultimately enters the facility's drains and floor traps; maintaining records of inspections by the user of the interceptor; maintaining, on-site, manifests from the licensed and permitted waste hauler servicing the interceptor system; and/or other such procedures as may be required for the proper operation of the interceptor system.
- E. All gravity separation interceptor systems shall be located and maintained so as to provide immediate and easy access for maintenance and inspection at all times.

6.103 PROHIBITED RESTAURANT SURFACE DISCHARGES

No person who owns, operates, or maintains a restaurant shall at any time discharge any wastewater to a service dock area, parking lot, storm drain or the ground. Wastewater generated by restaurants must be disposed of through an approved gravity separation interceptor system that is connected to the Districts collection system or hauled offsite to a legal disposal site.

6.104 CONDITIONAL WAIVERS FOR GRAVITY SEPARATION INTERCEPTORS

The District on a case-by-case basis may, in its sole and reasonable discretion grant conditional waivers for gravity separation interceptors to those users, which are determined by the District not to have any potential adverse effects on the Districts POTW. The user shall submit a written request along with a report from a licensed professional engineer supporting the request to the District and must be granted approval prior to commencing construction or remodeling. In lieu of installing a gravity separator interceptor system, and a condition of granting a conditional waiver, the District may require the user to install a sampling manhole, sample box or some other type of device as required by the District for monitoring the discharger's process waste stream.

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ARTICLE 7

Dental Amalgam

7.100 DENTAL AMALGAM

- A. All dental facilities that discharge wastewater generated from the placement or removal of dental amalgam to the POTW are required to install an amalgam separator, implement BMPs, and meet specific reporting and certification requirements.
- B. Exempt Dental Practice. BMPs are not required for dental facilities meeting the definition of an Exempt Dental Practice. A written request for a waiver shall be delivered to the District before the dental practice opens for business but in no case later than thirty (30) days from date the dental practice opens for business.
- C. Amalgam Separator. Amalgam separators shall be installed in all dental facilities, except exempt dental practices. All amalgam separators shall meet the following criteria:
 - 1. The amalgam separator shall be ISO 11143 certified and shall be designed and approved for a flow rate capable of handling the maximum volume discharged from the dental practice it serves;
 - 2. The amalgam separator shall be certified to meet at least a 99% solids removal or higher solids removal efficiency as specified by federal or state regulations;
 - 3. The amalgam separator shall allow the Dental Discharger to make direct visual observations as to the level of solids in the collection container, proper solid and liquid separation, and the condition of all plumbing connections;
 - 4. The amalgam separator shall be installed so that all amalgam-contaminated wastewater will pass through the unit before being discharged to the POTW.
 - 5. Amalgam separators shall be installed so they are accessible at all times for cleaning and inspection;
 - 6. Each dental practice shall be responsible for inspecting the amalgam separator(s) at least once per week and recording if the level of solids is approaching the level where maintenance is required, or other operational problems are identified. In addition, the date of visual inspection and the person performing the inspection shall be recorded on the log sheet;

7. The amalgam separator shall be serviced, at a minimum, in accordance with the manufacturer's instructions or more frequently if visual inspections indicate that the level of solids is at or over 80% of the recommended maximum level;
8. Waste removed from the amalgam separator shall be collected and handled in accordance with the manufacturer's instructions and as described below.

7.101

BEST MANAGEMENT PRACTICES

- A. Dental New Sources: BMPs shall be implemented by the Dental Discharger upon discharge to the sewer system. The Duly Authorized Representative of the Dental New Source Discharger shall report to the District within 30 days of Discharge a report including the following information:
 1. The facility name, physical address, mailing address, and contact information;
 2. Name(s) of the operator(s) and owner(s);
 3. A description of the operation at the dental facility including: The total number of chairs, the total number of chairs at which dental amalgam may be discharged in the resulting wastewater, and a description of any existing amalgam separator(s) or equivalent device(s) currently operated to include, at a minimum, the make, model, year of installation;
 4. Certification that the amalgam separator(s) or equivalent device is designed and is being operated and maintained to meet the requirements specified in this Ordinance, and 40 CFR Part 441;
 5. Certification that the dental discharger is implementing BMPs specified in this Ordinance, and 40 CFR Part 441;
 6. The name of the third-party service provider that maintains the amalgam separator(s) or equivalent device(s) operated at the dental office, if applicable. If the Dental Discharger maintains the amalgam separator and other BMP requirements, the Dental Discharger shall provide a brief description of the practices employed by the facility to ensure proper operation and maintenance in accordance with this Ordinance, and 40 CFR Part 441;
 7. Signatory Certification as shown in Section 7.103, Item (4) below by the Duly Authorized Representative.

- B. Existing Dental Sources: Existing Dental Source dischargers that are currently operating and discharging shall install an appropriate amalgam separator and implement required BMPs within ninety (90) days once the discharger has been notified by the District. The Existing Dental Source Discharger shall provide the report specified in Section 7.101 above within 120 days once the discharger has been notified by the District.
- C. Each Dental Discharger shall ensure that all dental chairs are equipped with chair-side traps and that all vacuum pumps are equipped with traps and filters where recommended by the manufacturer. All equipment shall be operated and maintained in accordance with the manufacturer's instructions.
- D. Each Dental Discharger shall use disinfecting line cleaners that have a pH in the range of 7-9 and are non-chlorine and non-oxidizing. When cleaning filters, the Dental Discharger shall not rinse filters or traps over sinks or drains that do not discharge through the amalgam separator. All water containing amalgam waste must be washed through amalgam separator lines.
- E. Each Dental Discharger shall recycle all bulk mercury and all amalgam waste.
 - 1. All contact and non-contact scrap amalgam must be salvaged and stored in structurally sound, tightly closed and appropriately labeled containers and recycled no more than twelve (12) months from the date the first amalgam waste is added to the container. The beginning accumulation date shall be included on the outside of the container. State or federal hazardous waste authorities may have additional, more stringent requirements;
 - 2. The Dental Discharger shall never dispose of amalgam waste, infectious waste or biohazard containers in the garbage;
 - 3. The Dental Discharger shall use only pre-capsulated, single-use dental amalgam and shall stock a variety of sizes in order to minimize waste;
 - 4. The Dental Discharger shall not cause or contribute to Pass Through, and/or process Interference at the Districts WRF, or violate a Specific Prohibition or Article of this Ordinance.

7.102

RECORDKEEPING

- A. All records shall be kept on site for a minimum of three (3) years and shall be made available to the District upon request. Each Dental Discharger shall maintain records of:
1. Amalgam Waste Disposal. Records shall include the date, name and address of the facility to which any amalgam waste is shipped, and the amount shipped;
 2. Weekly Visual Inspections: Records (logs) shall include the date and time of the visual inspection, name and initials of person conducting the inspection and whether or not the level of solids is such that the unit needs to have maintenance or other problems are identified (e.g. leaks, etc.);
 3. Amalgam Waste: Records of all maintenance and service completed on the amalgam separator.

7.103

REPORTING

- A. The Dental Discharger shall submit a certification provided by the District by January 28th of each year, a report that includes:
1. The manufacturer, model and date of installation for each amalgam separator;
 2. The name of the installer(s) and the name of the company that maintains the amalgam separator or if performed in-house, the name of the person responsible;
 3. Copies of the records in Article 7, Section 7.103, Paragraph 6, Items A-D;
 4. The following Signatory Certification shall be signed by the Authorized Representative:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

5. Reports shall be submitted to:

*ELSINORE VALLEY MUNICIPAL WATER DISTRICT
ATTN: PRETREATMENT PROGRAM
P.O. Box 3000
31315 Chaney St.
Lake Elsinore, CA 92530*

6. The Dental Discharger shall inform the District prior to:
 - A. Sale or transfer of ownership of the business;
 - B. Change in the trade name under which the business is operated;
 - C. Change in nature of the services provided that affect the potential to discharge amalgam; or
 - D. Remodeling/tenant improvements of the facility.

7.104 INSPECTIONS PERMITTING AND DATA COLLECTION

- A. The District may permit, conduct inspections, require written waste surveys or other reporting for any Dental Discharger. Inspections may be conducted with or without notice for the purpose of determining applicability and/or compliance with this Ordinance.
- B. If any inspection reveals non-compliance with any provision of this Ordinance, corrective action shall be required. The corrective action shall not limit the ability of the District to take an enforcement action.

7.105 ENFORCEMENT

Failure to comply with this Article, Ordinance, or Waste Discharge Permit shall subject the User to enforcement actions as set forth in this Ordinance, and/or the Districts Enforcement Response Plan.

ARTICLE 8

Severability

8.100 SEVERABILITY

If any provision of this Ordinance or the application to any person or circumstances is held invalid, the remainder of the Ordinance or the application of such provision to other persons or other circumstances shall not be affected.

ARTICLE 9

Repeal

9.100 REPEAL

Effective 14th day of December 2023, the Ordinance No. 160 is hereby repealed and superseded by the Ordinance No. 279.

ARTICLE 10

Effective Date

10.100 EFFECTIVE DATE

The effective date of this Ordinance shall be the 14th of December, 2023.

TABLE A

Local Limits for Discharge to the EVMWD Sewer System

EVMWD Local Limits		
Pollutant Category	(Concentration in mg/L)	
	Daily Maximum	Monthly Average
<u>Physical</u>		
Grease/oil (mineral/petroleum origin)	100	NS
<u>Mineral</u>		
TDS	NS	See note ^A
Boron	4.6	NS
Fluoride	4.0	NS
<u>Toxic Inorganic</u>		
Arsenic	1.3	0.11
Cadmium	0.04	NS
Chromium (total)	1.0	NS
Copper	0.8	NS
Lead	0.3	NS
Mercury	0.05	0.003
Selenium	0.03	NS
Silver	0.2	NS
Zinc	2.2	NS
Cyanide	0.08	NS
<u>Toxic Organic</u>		
Bis (2-ethylhexyl) phthalate (BEHP)	NS	0.11

A. Monthly average TDS concentrations from industrial dischargers subject to local limits are not to exceed TDS concentrations in the RWRF influent by more than 25%.

NS – indicates no specific daily maximum or monthly average local limit.

TABLE B

Pretreatment Program Fee Schedule

DESCRIPTION	USER CLASS FEE (\$)¹					
	1	2	3	4	5	6
Permit Fee / Year	5,000	1,000	200	400	300	200
Permit Revision Fee	1,000	300	100	100	300	100
Routine/Follow-Up Inspection	1,500	500	200	200	N/A	200
Non-Compliance Inspection	1,200	800	500	500	N/A	300
Non-Compliance Sampling	200	200	200	200	200	200
Non-Compliance Meeting	200	200	200	200	200	200
Failure to Allow Entry for Inspection	200	200	200	200	N/A	200

ALL USER CLASSES FEE (\$)

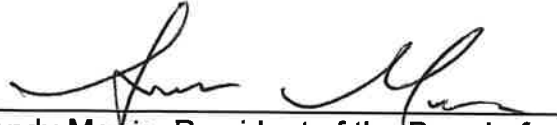
Environmental Compliance Review Fee¹	230
Construction Inspection Fee¹	320
Additional Manpower / hour¹	100
Replace Dump Station Access Card¹	100
Chemical Analysis¹	Actual Costs as Billed by Lab Plus G&A O/H
Liquid Waste (Septage) Processing Fee / gallon²	0.12

Notes:

¹These rates are periodically adjusted. For the most current rate, please refer to the <Pretreatment Fees> at <<https://www.evmwd.com/customers/customer-service/rates-fees>>.

²This rate is also periodically adjusted. For the most current rate, please refer to the <Sewer Rates> at <<https://www.evmwd.com/customers/customer-service/rates-fees>>.

ADOPTED, SIGNED, AND APPROVED this 14th day of December, 2023



**Andy Morris, President of the Board of
Directors of the Elsinore Valley Municipal
Water District**

ATTEST:

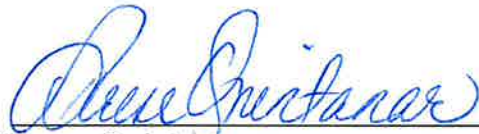


**Terese Quintanar, Secretary of the
Board of Directors of the Elsinore
Valley Municipal Water District**

STATE OF CALIFORNIA)
) ss:
COUNTY OF RIVERSIDE)

I, Terese Quintanar, Secretary of the Board of Directors of the Elsinore Valley Municipal Water District, do hereby certify that the foregoing Ordinance 279 was adopted at a regular meeting of the Board of Directors of the Elsinore Valley Municipal Water District held December 14, 2023, by the following vote:

AYES: Burke, Edmondson, Ferguson, Ryan, Morris
NOES: None
ABSENT: None
ABSTAIN: None



Terese Quintanar, Secretary of the
Board of Directors of the
Elsinore Valley Municipal Water District