

SECTION 2400. SEWER RATES & CHARGES

§ 2401. Sewer Divisions. *(M-4757, R-23-11-01)*

There are four sewer service divisions within the District - the Regional, Canyon Lake, Southern Division (California Oaks) and Horsethief Canyon. A customer's sewer rates and charges may vary based on sewer service division.

§ 2402. Monthly Sewer Service Rates - Southern Division removed per Board approval on 07/27/17.

§ 2403. Section Removed 11/19/12 per Board Approval. *(M-4757)*

§ 2404. Sewer Rates - Regional System, Horsethief Canyon Sewer, and Southern Division.

(R- 11-05-05, M-4757, R-15-07-03, R-19-08-01, R-21-06-06, R-23-11-01)

User Group	User Code	Description	Effective Date									
			7/1/2023		1/1/2024		7/1/2024		7/1/2025		7/1/2026	
			Fixed Monthly Charge/Unit	Rate Per Person	Fixed Monthly Charge/Unit	Rate Per Person	Fixed Monthly Charge/Unit	Rate Per Person	Fixed Monthly Charge/Unit	Rate Per Person	Fixed Monthly Charge/Unit	Rate Per Person
1-A	RESIDENTIAL		\$22.90	\$7.82	\$23.21	\$8.94	\$25.30	\$9.75	\$27.46	\$10.58	\$29.80	\$11.48
	101	Single Family										
	101	Condominiums										
1-B	RESIDENTIAL		22.90	7.82	23.21	8.94	25.30	9.75	27.46	10.58	29.80	11.48
	102	Multi-Family Residential										
	103	Mobile Home Park										

User Group	User Code	Description	Effective Date									
			7/1/2023		1/1/2024		7/1/2024		7/1/2025		7/1/2026	
			Fixed Monthly Charge/Unit	Rate Per CCF	Fixed Monthly Charge/Unit	Rate Per CCF	Fixed Monthly Charge/Unit	Rate Per CCF	Fixed Monthly Charge/Unit	Rate Per CCF	Fixed Monthly Charge/Unit	Rate Per CCF
II	COMMERCIAL		\$22.90	\$4.70	\$23.21	\$5.40	\$25.30	\$5.89	\$27.46	\$6.40	\$29.80	\$6.95
	201	Retail Stores										
	202	Offices										
	203	Bars										
	204	Car Washes										
	205	Gyms & Spas										
	206	Service Shops										
	207	Laundromats										
	208	Hospitals										
	209	Unclassified										
	210	Unclassified – unit charge, not consumption										
	211	Water Store										
	212	Booster Pump Station-no charge										

User Group	User Code	Description	Effective Date									
			7/1/2023		1/1/2024		7/1/2024		7/1/2025		7/1/2026	
			Fixed Monthly Charge/Unit	Rate Per CCF	Fixed Monthly Charge/Unit	Rate Per CCF	Fixed Monthly Charge/Unit	Rate Per CCF	Fixed Monthly Charge/Unit	Rate Per CCF	Fixed Monthly Charge/Unit	Rate Per CCF
III	COMMERCIAL		22.90	5.64	23.21	5.53	25.30	6.03	27.46	6.55	29.80	7.11
	301	Repair Shop/Svc Stations										
	302	Hotel/Motel (w/o restaurants)										
	303	Manufacturing										
	304	RV Parks (w/o restaurants)										
	305	Unclassified										
	306	RV's – per site										
	307	Lake Park Resort										
	310	Unclassified – unit charge, not consumption										
IV	COMMERCIAL		22.90	10.49	23.21	12.37	25.30	13.49	27.46	14.64	29.80	15.89
	401	Hotel/Motels (w/ restaurant)										
	402	Markets										
	403	Mortuary										
	404	Restaurants										
	405	Beauty Shops										
	406	Unclassified										
	410	Unclassified – unit charge, not consumption										
V	COMMERCIAL		22.90	4.26	23.21	4.40	25.30	4.80	27.46	5.21	29.80	5.66
	501	Schools (Nurseries)										
	502	Membership Organizations										
	503	Government										
	504	State Park										
	505	Park Restrooms										
	506	Fire Station										
	507	Fire Station - per firefighter										
	510	Unclassified - Unit Charge Not Consumption										
VI	SEPTAGE PRETREATMENT FACILITIES											
		\$/gallon		0.135		0.147		0.160		0.174		0.189
VII	SEPTAGE											
		\$/gallon		0.135		0.147		0.160		0.174		0.189
VIII	SCHOOLS		22.90	4.26	23.21	4.40	25.30	4.80	27.46	5.21	29.80	5.66
	801	Public School										
	802	Private Schools										
	803	Public/Student Count										

§ 2405. Sewer Rates – Canyon Lake. (R-11-05-05, R-15-07-03, R-19-08-01, R-21-06-06, R-23-11-01)

User Group	User Code	Description	Effective Date														
			7/1/2023			1/1/2024			7/1/2024			7/1/2025			7/1/2026		
			Fixed Monthly Charge/Unit	Rate Per Person	Monthly Surcharge	Fixed Monthly Charge/Unit	Rate Per Person	Monthly Surcharge	Fixed Monthly Charge/Unit	Rate Per Person	Monthly Surcharge	Fixed Monthly Charge/Unit	Rate Per Person	Monthly Surcharge	Fixed Monthly Charge/Unit	Rate Per Person	Monthly Surcharge
1-A	RESIDENTIAL		\$22.90	\$7.82	\$12.00	\$23.21	\$8.94	\$12.00	\$25.30	\$9.75	\$12.00	\$27.46	\$10.58	\$12.00	\$29.80	\$11.48	\$12.00
	101	Single Family															
	101	Condominiums															
1-B	RESIDENTIAL		22.90	7.82	9.00	23.21	8.94	9.00	25.30	9.75	9.00	27.46	10.58	9.00	29.80	11.48	9.00
	102	Multi-Family Residential															
	103	Mobile Home Park															

User Group	User Code	Description	Effective Date																			
			7/1/2023				1/1/2024				7/1/2024				7/1/2025				7/1/2026			
			Fixed Monthly Charge/Unit	Rate Per CCF	Monthly Surcharge	Surcharge Rate Per CCF	Fixed Monthly Charge/Unit	Rate Per CCF	Monthly Surcharge	Surcharge Rate Per CCF	Fixed Monthly Charge/Unit	Rate Per CCF	Monthly Surcharge	Surcharge Rate Per CCF	Fixed Monthly Charge/Unit	Rate Per CCF	Monthly Surcharge	Surcharge Rate Per CCF	Fixed Monthly Charge/Unit	Rate Per CCF	Monthly Surcharge	Surcharge Rate Per CCF
II	COMMERCIAL		\$22.90	\$4.70	\$9.00	\$1.10	\$23.21	\$5.40	\$9.00	\$1.10	\$25.30	\$5.89	\$9.00	\$1.10	\$27.46	\$6.40	\$9.00	\$1.10	\$29.80	\$6.95	\$9.00	\$1.10
	201	Retail Stores																				
	202	Offices																				
	203	Bars																				
	204	Car Washes																				
	205	Gyms & Spas																				
	206	Service Shops																				
	207	Laundromats																				
	208	Hospitals																				
	209	Unclassified																				
	210	Unclassified – unit charge, not consumption																				
III	COMMERCIAL		22.90	5.64	9.00	1.21	23.21	5.53	9.00	1.21	25.30	6.03	9.00	1.21	27.46	6.55	9.00	1.21	29.80	7.11	9.00	1.21
	301	Repair Shop/Svc Stations																				
	302	Hotel/Motel (w/o restaurants)																				
	303	Manufacturing																				
	304	RV Parks (w/o restaurants)																				
	305	Unclassified																				
	310	Unclassified – unit charge, not consumption																				
IV	COMMERCIAL		22.90	10.49	9.00	2.29	23.21	12.37	9.00	2.29	25.30	13.49	9.00	2.29	27.46	14.64	9.00	2.29	29.80	15.89	9.00	2.29
	401	Hotel/Motels (w/ restaurant)																				
	402	Markets																				
	403	Mortuary																				
	404	Restaurants																				
	405	Beauty Shops																				
	406	Unclassified																				
	410	Unclassified – unit charge, not consumption																				
V	COMMERCIAL		22.90	4.26	9.00	1.10	23.21	4.40	9.00	1.10	25.30	4.80	9.00	1.10	27.46	5.21	9.00	1.10	29.80	5.66	9.00	1.10
	501	Schools (Nurseries)																				
	502	Membership Organizations																				
	503	Government																				
	504	State Park																				
	505	Park Restrooms																				
	506	Fire Station																				
	507	Fire Station - per firefighter																				
	510	Unclassified - Unit Charge Not Consumption																				

§ 2406. Methods of Calculation - Sewer Rates. (M-1408, M-4816)

- A. Commercial Sewer Rates. Monthly sewer operations and maintenance fees for commercial sewer accounts other than User Codes 101, 102, 103, 304/306, 506/507, 801, 802, 803, will be billed based on one monthly minimum unit and total water consumption at the applicable CCF rate for that user classification. Multiple commercial accounts served by a single water meter shall be assigned the user rate code of the business with the highest wastewater strength.
- B. In cases where the District cannot verify the water consumption for the billing calculation of commercial accounts served water by other sources (private wells), the account will not qualify for sewer charges based on one monthly minimum. They will be charged based on a method whereby the numbers of units are determined by the number of individually owned businesses that are served by a particular meter or an estimate of the minimum units based upon the District's sewer EDU capacity fee table.
- C. The monthly minimum charge will apply to all commercial accounts with the following exceptions (residential categories included):
1. Single-Family Residential - User Code 101. The monthly minimum charge will be calculated at one. When multiple single family dwellings are located on the same parcel, each dwelling will be assigned one monthly minimum.
 2. Condominiums - User Code 101. Each condominium will be considered a single family dwelling, being charged one monthly minimum for each condo. There are existing situations where the District currently charges some condominiums at the lower multi-family rate. This will be allowed to continue until the property changes ownership. The new owners will be advised of the monthly rate change to single family residential.
 3. Multi-Family Residential - User code 102. Each apartment will be assigned one monthly minimum per unit. Each duplex, triplex, or fourplex will be assigned one monthly minimum per unit.
 4. Mobile Home Parks - User Code 103. Mobile homes within a park will be assigned one monthly minimum per mobile.

§ 2407. Sewer Deposits. (R-1239)

See section 4050. This was moved per Board approval on 3/24/08.

§ 2408. Sewer Capacity. (R-07-05-05, M-4466, M-4607, R-14-08-01, M-4542, M-5081, R-16-05-02, R-16-08-01, R-18-09-01, R-19-08-01, R-21-06-05, R-21-06-05, R-21-06-06, R-22-06-03, R-23-06-03)

A. Sewer Capacity Fee Calculation. The table below identifies the Sewer Capacity Fees to be paid for each new Equivalent Dwelling Unit (EDU) connected to the District’s wastewater (sewage) collection and treatment system. The fee for each EDU is comprised of pipeline and treatment components. The fee varies by the wastewater system that serves the development.

The Sewer Capacity Fees due for any development are equivalent to the Total Capacity Fee per EDU (see table below in §2408) multiplied by the number of EDUs being connected. The number of EDUs being connected is equivalent to the number of Units of Usage being connected multiplied by the EDUs per Unit of Usage (see table in §2409). That is,

$$\text{Sewer Capacity Fee} = \text{Total Capacity Fee per EDU} \times \# \text{ EDUs Connected}$$

where:

$$\# \text{ EDUs Connected} = \# \text{ Usage Units Connected} \times \# \text{ EDUs per Usage Unit}$$

(R-15-07-03, R-16-08-01, R-18-09-01)

	<u>Effective Date</u>	
	7/1/2022	7/1/2023
<u>Sewer Capacity Fees by Sewer System/Component ⁽¹⁾</u>	<u>Per EDU</u>	<u>Per EDU</u>
Treatment	\$4,608	\$4,792
Collection System	4,350	4,524
Total Capacity Fee per EDU-- Regional	8,958	9,316
Horsethief/ Treatment	\$9,546	\$9,928
Horsethief/ Collection System	4,350	4,524
Total Capacity Fee per EDU – Horsethief	\$13,896	\$14,452
(1) Applies to all connections except for flows from Horsethief WRF		

B. Restaurant Sewer Capacity Fees. Restaurant Sewer Capacity Fees are proportionate to the size of the water meter installed and the total floor

area of the restaurant. The meter size determines the amount of wastewater flow and the floor area determines how much sewage, or organic material, is generated by the restaurant. The Sewer Capacity Fees for restaurants shall be calculated by multiplying the Total Sewer Capacity Fee per EDU (from table above) by the Wastewater Flow EDU Factor by the Sewage Generation EDU Factor. The Wastewater Flow EDU Factor is from the table below. The Sewage Generation EDU Factor is calculated by dividing the restaurant's total floor area (in square feet) by 1,000 square feet. The minimum Wastewater Flow and Sewer Generation EDU Factors are 1.00. The calculation is as follows:

Sewer Capacity Fee = Total Capacity Fee per EDU x Wastewater Flow EDU Factor x Sewage Generation EDU Factor

Total Capacity Fee per EDU is from table in §2408 A;
 Wastewater Flow EDU Factor is from table below; and
 Sewage Generation EDU Factor = Total Floor Area (sq. ft.) / 1,000 sq. ft.

Meter Size (in)	Maximum Safe Flow (GPM)	Wastewater Flow EDU Factor
0.75	30	1.00
1	50	1.67
1.5	100	3.33
2	160	5.33
3	320	10.67
4	500	16.67

Source: AWWA Manual M6, Table 2-2

June 9, 2011 shall be the baseline date for existing restaurants. That is, all Sewer Capacity Fees for all restaurants established as of that date shall be considered paid in full. Any restaurant existing as of that date that increases the size of its water meter or increases its total floor area after that date shall pay the appropriate additional fees due for such increases. The appropriate additional fees shall be determined by calculating the fees due based on the increased meter size and/or floor area and subtracting the fees due based on the existing meter size and floor area. No refunds, or Sewer Capacity Fees shall be issued for any decreases in either meter size, or floor area.

- C. Commercial Center Sewer Capacity Fee Deposit. In the event that the potential tenant in a Commercial Center is unknown, the Sewer Capacity Fee Deposit for the Unknown Spaces is equivalent to the Stores EDUs per Unit of Usage of 0.3807. At a later date, when a tenant commits to moving into the commercial space and if their business will generate a lower Sewer Capacity Fee, the payer can be reimbursed for the additional amount previously collected. However, if the tenant will generate a higher sewer capacity fee based on the type of business, then that additional amount shall be paid prior to water service being established to the business. (February 11, 2010)

§ 2409. Sewer Capacity Fees – EDUs Per Unit of Usage*(M-4466, M-4607, R 18-5-02, R-19-08-01, R-20-06-01)*

Category	Usage Unit	EDUs Per Usage Unit
Residential		
Single Family	Parcel	1.0000
Duplex	Parcel	1.2000
Triplex	Parcel	1.8000
Fourplex	Parcel	2.4000
Condominium	# of Units	0.6000
5 or More Units	# of Units	0.6000
Mobile Home Parks	Spaces	0.6000
Commercial		
Animal Kennel	1000 Sq. Ft.	0.3807
Auditorium/Amusement	1000 Sq. Ft.	1.3246
Auto Sales/Repairs	1000 Sq. Ft.	0.3807
Bar	Seat	0.0685
Beauty/Barber Shop	Sink	0.2500
Bowling/Skating	1000 Sq. Ft.	0.8165
Car Wash-Wand Type	1000 Sq. Ft.	2.6496
Car Wash-Tunnel Type	1000 Sq. Ft.	13.9957
Car Wash-Reuse System	1000 Sq. Ft.	4.7500
Club	1000 Sq. Ft.	0.4682
Dentist Office	1000 Sq. Ft.	1.1400
Doctor Office	1000 Sq. Ft.	1.1400
Drive-In Theater	1000 Sq. Ft.	0.0785
Dry Cleaners - Plant with Office	Employee + Machine	0.0700 1.6200
Dry Cleaners - Office Only	Employee	0.0700
Dry Manufacturing	1000 Sq. Ft.	0.1267
Financial Institutions	1000 Sq. Ft.	0.3807
Golf Courses/Camp/Parks	1000 Sq. Ft.	0.3807
Health Spa W/Showers	1000 Sq. Ft.	1.3738
Health Spa W/O Showers	1000 Sq. Ft.	0.6893
Hospitals	Bed	0.9456
Hotels/Motels/Rooming Houses	Rooms	0.4728
Indoor Theater	1000 Sq. Ft.	0.4728
Laundromats	Machine	0.4675
Lumber Yards	1000 Sq. Ft.	0.1267
Mortuaries/Cemeteries	1000 Sq. Ft.	0.7039
Night Club	1000 Sq. Ft.	1.3246
Nurseries/Greenery's	1000 Sq. Ft.	0.0966
Nursing Homes	Bed	0.4728
Office Building	1000 Sq. Ft.	0.7568
Open Storage	1000 Sq. Ft.	0.1267
Professional Building	1000 Sq. Ft.	1.1374
RV Camp With Sewer Hookups	Site	0.4844
Campsite (Developed)	Site	0.2422
Service Shop	1000 Sq. Ft.	0.3807
Service Stations	1000 Sq. Ft.	0.3807
Shopping Center	1000 Sq. Ft.	1.6483

Special Events Center	Attendance	0.0363
Stores	1000 Sq. Ft.	0.3807
Supermarket	1000 Sq. Ft.	1.0542
Veterinarian	1000 Sq. Ft.	1.1400
Warehousing	1000 Sq. Ft.	0.1267
Wholesale Outlets	1000 Sq. Ft.	0.3807
Institutional		
Churches	1000 Sq. Ft.	0.1874
Pre-Schools	Student	0.0393
Schools: No Cafeteria/No Showers	Student	0.0393
Schools: Cafeteria/No Showers	Student	0.0589
Schools: Cafeteria & showers	Student	0.0785

§ 2410. Section removed 10/28/10

§ 2411. Section removed 10/28/10

§ 2412. Sewer Charges on Vacant New Construction. (M-767)

- A. The Developer will provide the District with a signed letter certifying that the property is vacant and an estimate of the number of days until occupancy is expected to occur.
- B. If the estimated time for move in is more than 30 days, the District will place a code on the account which will reduce the sewer charge by 50% of the appropriate monthly sewer service charge.
- C. This procedure will apply only to new construction and not model homes. When occupancy occurs, the reduction code will automatically be removed from the account allowing for full charges to be applied to the bill. If the property becomes occupied without notification to the District, the developer will be responsible for payment of all discounted charges back dated to the time of occupancy.
- D. To ensure compliance with the procedures listed above, the Customer Service Manager will, on a monthly basis, review a computer generated report identifying those services utilizing this reduced charge program. The Customer Service Manager will have her staff do a monthly on-site inspection of all services under the program.
- D. The procedure listed above does not apply to any service being provided sewer by Rancho California Water District since RCWD charges a minimum of \$20 per EDU per month regardless of lateral connection.

§ 2413. Landscape Irrigation Credit. *(R-1253)*

- A. Landscape Irrigation Credit is designed for Regional commercial accounts whose sewer charges are based on water consumption. The program is available only from April to November.
- B. Landscaping must be permanent in nature in designated areas (lawns, shrubs, trees, planters, etc.)
- C. The criteria for eligibility is that the premises must have permanently installed functioning automatic irrigation/sprinkler system. Landscaping must be kept green during the eligibility period, having the appearance of being regularly watered.
- D. Water usage in ccf (hundred cubic feet) will be credited by Customer Service personnel taking into consideration total square footage of the landscaped area on an automatic irrigation/sprinkler system as follows:

$$\text{Total Square Feet} \times .0025 \text{ ccf} = \text{water usage credit}$$

- E. In any case, dollar amount of the landscape irrigation credit cannot reduce the sewer charges below the regular minimum sewer charges. Each account under the Landscape Irrigation Program shall be reviewed annually for any changes in the landscaping which would affect the eligibility for the program or the calculation formula. The customer must define his watering schedule and agree to maintain landscaping and notify District of any change in procedure.
- F. This program is intended for commercial water/sewer accounts where, in the opinion of the General Manager, the installation of an irrigation meter will not economically or logically provide a means for a fair & equitable sewer charge. Landscape Irrigation Credit is approved by the General Manager on a case-by-case basis.

§2414. Brine Line Connection and User Fees.

(M-4526, M-4861, M-4958, M-5048, M-5145)

The Inland Empire Brine Line conveys non-reclaimable wastewater from the Upper Santa Ana River Watershed to a treatment plant in Fountain Valley that is owned and operated by the Orange County Sanitation District. In 1999, the District acquired 0.8 MGD of pipeline capacity in the Brine Line from Western Municipal Water District (WMWD), who purchased 2.0 MGD from Santa Ana Watershed Project Authority (SAWPA).

The table below reflects a pass-through of WMWD Brine Line fees, and includes the District's administrative fees and carrying cost of the currently owned pipeline capacity.

Sewer Fees– Brine Line Brine Line–Industrial User–Direct Connection	
EVMWD’s Rates for Treatment, Disposal, Pipeline, and Replacement Costs	
Variable Monthly Rate	\$1,129 per MG (Includes 3%/MG District Administration Fee)
Fixed Monthly Rate	\$15,187 per MGD of treatment and disposal capacity \$7,488 per MGD of pipeline capacity
Quality Surcharge	
Pass thru Brine Line Rates (for any volumetric flows):	
TSS	\$450/1,000 lbs.
BOD	322/1,000 lbs.
Excess Quality Surcharge	
TSS	\$0.2405/lb.
BOD	0.3923/lb.
Emergency Rates	
For standby discharges/emergency overflow connections	110% of the Flow, BOD, TSS, and Excess Quality/Quantity Surcharges
If any day limits are exceeded, the following additional charges apply:	
TSS over 4,000 lbs. (in any one day)	\$292.02/1,000 lbs.
BOD between 10,000–12,000 lbs (in any one day)	\$188.90/1,000 lbs.
BOD over 12,000 lbs. (in any one day)	\$251.86/1,000 lbs.
Quantity Surcharge	
For any flow exceeding the purchased amount in any day during any month shall pay a quantity related surcharge of \$0.1978/gpd	
Additional Charges	
Any capacity-related fixed costs that a user may be required to pay under their agreement with Western.	
Deposit	
Upon execution of any agreement with EVMWD for any industrial discharge right into the Brine Line, the user shall deposit with an amount sufficient to cover operation, maintenance, and replacement costs for 90 days.	

Brine Line–Industrial User–Indirect Connection (Truck Hauled)	
SAWPA Permit Fee	
Annual Permit Fee	\$6,535/yr. for Significant User \$5,934/yr. for Industrial User \$5,635/yr. for Non-Significant Industrial User
EVMWD’s Initial Deposit	
Post a deposit equal to 90 days anticipated billing based on discharge information provided in the questionnaire.	
Use Fee	
Brine – BOD and TSS less than 100 mg/L	\$0.038 per gallon
Non-Brine Tier 1 – 100 to 999 mg/L	\$0.054 per gallon
Non-Brine Tier 2 – 1,000 to 2,499 mg/L	\$0.103 per gallon
Non-Brine Tier 3 – 2,500 mg/L and higher	\$0.038 per gallon plus a surcharge of \$0.695/lb. BOD and \$0.662/lb. TSS
An additional \$0.02 per gallon is added to the above rates if truck-delivered non-reclaimable wastewater discharges from outside the Santa Ana River Watershed to a SAWPA authorized truck dump station.	
Deposit	

Upon execution of any agreement with EVMWD for any industrial discharge right into the Brine Line, the user shall deposit with an amount sufficient to cover operation, maintenance, and replacement costs for 90 days.

§ 2415. Pre-Treatment Fees for Service. *Effective Date 12/14/23*
(O-279)

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 Card ¹	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>.

§ 2416. Pre-Treatment Fees For Enforcement (M-4917)

(Reference, Enforcement Response Plan (ERP), Appendix A - Enforcement Response Guide (ERG)
Adopted December 14, 2023, O-279)

DEFINITIONS

NOV - Notice of Violation

HEARING - Show Cause Hearing

ESRT - Emergency Suspension, Revocation or Termination of Service

SRT - Suspension, Revocation, or Termination of service after hearing and appeal

Fine - Money required to be paid as a penalty for a violation(s)

Costs - Any/and all costs incurred by EVMWD as a result of discharger non-compliance

CS - Compliance Schedule

PN - Public Notice in local newspaper if it meets criteria of 40 CFR403.8 (f) (vii)

PV - Publication of Violation at the Users expense

JR - Judicial Remedy, civil and or criminal

SCP – Slug Control Plan

TOMP - Toxic Organic Management Plan

Force Majeure - Natural disasters or other unforeseen, uncontrollable events

TYPE OF NONCOMPLIANCE	NATURE OF VIOLATION^{1,2}	RESPONSE³
Exceeding discharge; per each constituent or prohibition	Not harmful <ul style="list-style-type: none"> • First occurrence • Second occurrence • Three or more occurrences 	<ul style="list-style-type: none"> • NOV • NOV, \$250 fine plus costs • NOV, \$1,000/occurrence fine plus costs
	Harmful <ul style="list-style-type: none"> • First occurrence • Second occurrence • Three or more occurrences 	<ul style="list-style-type: none"> • NOV, \$5,000 fine plus costs • SRT, JR injunction, \$5,000 fine, plus costs, PN & PV • ESRT, JR injunction, \$25,000/occurrence fine, plus costs, PN & PV
Slug discharge occurs; Reported as required	Not harmful <ul style="list-style-type: none"> • First occurrence • Second occurrence • Three or more occurrences 	<ul style="list-style-type: none"> • NOV • NOV, \$2,000 fine plus costs • SRT, JR, \$5,000 /occurrence fine plus costs
	Harmful <ul style="list-style-type: none"> • First occurrence • Second occurrence • Three or more occurrences 	<ul style="list-style-type: none"> • NOV, \$1,000 fine plus costs • ESRT, \$5,000 fine, plus costs, PN & PV • SRT, JR injunction, \$5,000/occurrence fine plus costs, PN & PV
Slug discharge occurs; Failure to report as required	Not harmful <ul style="list-style-type: none"> • First occurrence • Second occurrence • Three or more occurrences 	<ul style="list-style-type: none"> • NOV • NOV, \$3,000 fine • SRT, \$5,000/occurrence fine plus costs
	Harmful <ul style="list-style-type: none"> • First occurrence • Second occurrence • Three or more occurrences 	<ul style="list-style-type: none"> • NOV, \$5,000 fine, plus costs, PN & PV • ESRT, JR injunction, \$7,500 fine, plus costs, PN & PV • ESRT, JR injunction, \$25,000/per occurrence fine, plus costs, PN & PV
Discharging without a permit or approval	<ul style="list-style-type: none"> • Not harmful • Harmful 	<ul style="list-style-type: none"> • NOV, \$1,000 fine/day, plus costs, PN

		<ul style="list-style-type: none"> JR, \$25,000 fine/day, plus costs, PN & PV
Intentional dilution of waste streams to meet discharge limits	Any occurrence	<ul style="list-style-type: none"> Hearing, \$25,000 fine, PN & PV, JR criminal
Unauthorized discharge to a manhole or unpermitted location	Any occurrence	<ul style="list-style-type: none"> \$25,000 fine & possible JR criminal

Enforcement Response Guide (ERG)

TYPE OF NONCOMPLIANCE	NATURE OF VIOLATION ^{1,2}	RESPONSE ³
Late report (30 days or less)	<ul style="list-style-type: none"> First occurrence Second occurrence Three or more occurrences 	<ul style="list-style-type: none"> NOV, \$100 fine NOV, \$500 fine NOV, \$1,000 fine/occurrence
Late report (more than 30 days)	<ul style="list-style-type: none"> First occurrence Second occurrence Three or more occurrences 	<ul style="list-style-type: none"> NOV, \$250 fine NOV, \$1,000 fine NOV, \$2,000 fine/occurrence, plus costs, SRT
Incomplete report	<ul style="list-style-type: none"> First occurrence Second occurrence Three or more occurrences 	<ul style="list-style-type: none"> NOV NOV, \$500 fine NOV, \$1,000 fine/occurrence
Failure to report additional monitoring	<ul style="list-style-type: none"> First occurrence Second occurrence Three or more occurrences 	<ul style="list-style-type: none"> NOV, \$250 fine NOV, \$1,000 fine NOV, \$5,000 fine/occurrence
Failure to properly report violations or a change in characteristics of discharge	<ul style="list-style-type: none"> First occurrence Second occurrence Three or more occurrences 	<ul style="list-style-type: none"> NOV, \$100 fine NOV, \$500 fine NOV, \$1,000 fine / occurrence
Reporting false information	Any occurrence	Hearing, \$5,000 fine, costs, PN, PV & JR criminal
Improper sampling/analysis procedures	<ul style="list-style-type: none"> First occurrence Second occurrence Three or more occurrences 	<ul style="list-style-type: none"> NOV NOV, \$500 fine, plus costs NOV, \$1,000 fine/occurrence, plus costs
Complete failure to sample, monitor, or analyze after warning	Any occurrence	NOV, \$1,000 fine, plus costs, PN
Failure to install sampling point(s) or monitoring equipment as required	Any occurrence	NOV, \$500 fine/day, till task complete or permit is revoked

Falsifying, tampering with, or rendering inaccurate any required monitoring device or method	Any occurrence	Hearing, \$25,000 fine, JR criminal
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<p>Missed interim CS date(s)</p>	<p><u>Valid reason for missing CS date, but won't miss other dates</u></p> <ul style="list-style-type: none"> • Prior notice submitted • No notice submitted <p><u>Valid reason for missing CS date, but will miss other dates</u></p> <ul style="list-style-type: none"> • Prior notice submitted • No notice submitted <p><u>None valid reason submitted</u></p>	<ul style="list-style-type: none"> • NOV • NOV, \$500 fine, plus costs • NOV, \$250 fine, plus costs • NOV, \$1,000 fine, plus costs • NOV, \$2,000/day for each missed interim date till task complete or permit revoked
<p>Missed final CS date</p>	<ul style="list-style-type: none"> • Because of Force Majeure • Other than Force Majeure 	<ul style="list-style-type: none"> • Hearing plus costs • NOV, \$3,000/day until final compliance schedule task is complete or permit revoked, plus costs

Enforcement Response Guide (ERG)

TYPE OF NONCOMPLIANCE	NATURE OF VIOLATION ^{1,2}	RESPONSE ³
Failure to develop a TOMP or SCP	Any occurrence	NOV, \$500/day till complete or permit revoked
Failure to implement an approved TOMP or SCP	Any occurrence	NOV, \$1,000/day till complete or permit revoked
Refusal of reasonable or timely access to premises for inspection or monitoring	<ul style="list-style-type: none"> • First occurrence • Second or more occurrences 	<ul style="list-style-type: none"> • NOV, \$1,000 fine, plus costs • SRT, \$5,000 fine/occurrence, plus costs
Failure to implement Best Management Practices (BMPs)	<ul style="list-style-type: none"> • First occurrence • Second occurrence • Three or more occurrences 	<ul style="list-style-type: none"> • NOV, • NOV, \$250 fine, plus costs • NOV, \$500 fine, plus costs
Failure to install, properly design, operate or maintain pretreatment system(s).	<ul style="list-style-type: none"> • First occurrence • Second occurrence • Three or more occurrences 	<ul style="list-style-type: none"> • NOV • NOV, \$250 fine, plus costs • NOV, \$500 fine/occurrence plus costs
Inadequate recordkeeping	<ul style="list-style-type: none"> • First occurrence • Second occurrence 	<ul style="list-style-type: none"> • NOV • NOV, \$250 fine, plus costs • NOV, \$500 fine/occurrence plus costs

	<ul style="list-style-type: none"> • Three or more occurrences 	
Failure to comply with other Permit conditions Or Ordinance requirements	<ul style="list-style-type: none"> • Not harmful • Harmful 	<ul style="list-style-type: none"> • NOV, \$250 fine, plus costs • NOV and \$1,000 fine/day, plus costs

¹ Occurrences within a (12) twelve-month calendar period.

² Harmful shall mean a discharge, alone or in combination with other discharges, that cause process interference, sludge contamination or pass-through; endangers the health of POTW personnel or the public; or adversely affect any of the District’s wastewater treatment plants, collection system or the environment.

³ Guidelines for imposing fines are determined by EVMWD in its sole and reasonable discretion on a case-by-case basis. Some fines shall be in accordance with applicable State and/or Federal laws.