

ORDINANCE NO. 44

ORDER OF THE GOVERNING BOARD OF THE GOLETA
SANITARY DISTRICT ADOPTING AN ORDINANCE
AND GENERAL REGULATION REGULATING THE USE
OF THE SEWERAGE SYSTEM OF THE GOLETA
SANITARY DISTRICT AND REPEALING ORDINANCES NO. 28 & 36

The Governing Board of the Goleta Sanitary District of
the County of Santa Barbara, State of California, does enact
as follows:

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CHAPTER I
GENERAL PROVISIONS

Section 1.01 Purpose and Policy. This wastewater discharge ordinance sets uniform requirements for discharges into the wastewater collection and treatment system and enables the Goleta Sanitary District to comply with the administrative provisions of the Clean Water Act and Clean Water Grant regulations, the water quality requirements set by the California Regional Water Quality Control Board and the applicable effluent limitations, national standards of performance, toxic and pretreatment effluent standards, and any other discharge criteria which are required or authorized by State or Federal law, and to derive the maximum public benefit by regulating the quality and quantity of wastewater discharged into those systems. This ordinance provides for the establishment of a surveillance and enforcement procedure to control the discharge of certain wastes and the issuance of permits to certain users. Revenues derived from the permits required by this ordinance shall be used to defray the District's costs of conducting the source control program and industrial wastes discharge permit system.

Section 1.02 Definitions. Unless otherwise defined herein, terms shall be as adopted in the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation. Waste constituents and characteristics shall be measured by standard methods unless expressly stated, or as established by Federal or State regulatory agencies.

- 1) "ACT": refers to the "Federal Water Pollution Control Act Amendments" of 1972

(PL 92-500) and any amendments thereto including the "Clean Water Act of 1977", as well as any guidelines, limitations, and standard promulgated by the U.S. Environmental Protection Agency pursuant to the Act.

2) "Biochemical Oxygen Demand" (BOD): "BOD" means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure in five (5) days at 20°C, expressed in terms of weight and concentration (milligrams per liter).

3) "Building Drain": That part of the lowest horizontal piping of a drainage system which receives the discharge from drainage piping inside the walls of a building which conveys liquid wastes to the building sewer intersecting at a point two feet from the building foundation.

4) "Building Sewer": A sewer conveying wastewater from the premises of a user to a community sewer.

5) "Beneficial Uses": Uses of the waters of the state that may be protected against quality degradation include, but are not necessarily limited to, domestic, municipal, agricultural and industrial supply, power generation, recreation, aesthetic enjoyment, navigation and the preservation and enhancement of fish, wildlife, and other aquatic resources or reserves, and other uses, both tangible or intangible as specified by Federal or State law.

6) "CFR": Code of Federal Regulations: a document of the United States Government presenting federal agency rules, regulations, and guidelines.

7) "Commercial Establishments": Any building used for conducting private or public wholesale or retail transactions involving the exchange of services, commodities or financial business. Such facilities normally produce domestic wastes, but may also contain some

industrial wastes.

8) "Community Sewer": A sewer owned and operated by the District, a city, or other public agency tributary to a treatment facility operated by the District.

9) "Compatible Pollutant": Means BOD, suspended solids, Ph and fecal coliform bacteria, and such additional pollutants as are now or may be in the future specified and controlled in this District's NPDES permit for its wastewater treatment works where said works have been designed and used to reduce or remove such pollutants.

10) "Contamination": An impairment of the quality of the waters of the state by waste to a degree which creates a hazard to the public health through poisoning or through the spread of disease. Contamination shall include any equivalent effect resulting from the disposal of wastewater, whether or not waters of the state are affected.

11) "Cooling Water": The water discharged from any use such as air conditioning, cooling or refrigeration, during which the only pollutant added to the water is heat.

12) "Critical User": A user who is required to obtain a permit, as defined in Section 7.01.

13) "Discharge": To pump, to place, to deposit, to permit, or to cause to flow.

14) "Disclaimer Statement": Terms not otherwise defined herein shall be adopted in the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association, the American Water Works Association, and the Water Pollution Control Federation, and in the latest edition of Glossary -- Water and Wastewater Control Engineering, published by the American Public Health Association, the American Society of Civil Engineers, the American Water Works Association, and the Water Pollution

Control Federation.

15) "District": The Goleta Sanitary District of the County of Santa Barbara, State of California.

16) "District's Counsel": An attorney appointed by the Governing Board to represent the District.

17) "Domestic Wastes": Liquid wastes (a) from the noncommercial preparation, cooking, and handling of food; or (b) containing human excrement and similar matter from the sanitary conveniences of dwellings, commercial buildings, industrial facilities, and institutions.

18) "Garbage": Solid wastes from the domestic and commercial preparation, cooking and dispensing of food, and from the handling, storage, and sale of food.

19) "Governing Board": "Governing Board" means the five-person board elected at-large from within the District boundaries and empowered as a group acting in public meetings to legislate in all matters related to the District's jurisdiction established by the laws of the State of California.

20) "Holding Tank Waste": Any waste from holding tanks such as vessels, chemical toilets, industrial process detention tanks, and brine tanks.

21) "Incompatible Pollutant": Any pollutant which is not a "compatible pollutant" as defined in this section.

22) "Industrial User": Any non-domestic source of indirect discharge including but not limited to industrial establishments or building that discharge, in addition to domestic wastes, wastewater containing any of the constituents referenced in Chapter IV of this ordinance, particularly those items referenced in section 4.02.08.

23) "Industrial Wastewater": The liquid wastes resulting from the process employed in industrial, manufacturing, trade, or business establishments, as distinct from domestic wastes. This includes wastewater from a source other than an industrial plant or facility which introduces toxic pollutants, as defined in 40 CFR 233.1(w), into publicly owned treatment works, including, without limitation: medical offices; dental offices; hospitals; schools, research, education and commercial laboratories; warehouses; shopping centers; car washes; print stores; residential, commercial, and public uses of pesticides and fertilizers; gas stations; and septage collection and disposal.

24) "Infectious Waste": Wastes which contain pathogenic organisms that can invade the tissues of the body and cause disease.

25) "Institutional Facilities": Any publicly or privately-owned school, publicly-owned building from which Federal, State, County, City or Special District activities are conducted or offered for public consumption. Such facilities shall include schools, hospitals, jails, libraries, offices, equipment yards and maintenance buildings, laboratories, parks, rubbish stations, detention homes and fire stations.

26) "Interference": "Interference" means any discharge which, alone or in conjunction with a discharge or discharges from other sources, both: 1) Inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and 2) Therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water

Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

27) "Manager": The General Manager of the District or his designated representative acting within the scope of the policy directives of the Governing Board of the District.

28) "Mass Emission Rate": 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.

29) "National Categorical Pretreatment Standard": Any regulation containing pollutant discharge limits applying to a specific category of industrial users which is promulgated by the Environmental Protection Agency in accordance with 40 CFR, Chapter 1, Subchapter N, Parts 401-471 and, specifically, in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. 1349).

30) "National Pollutant Discharge Elimination System" (NPDES): The program for issuing, conditioning, and denying permits for the discharge of pollutants from point sources into the navigable waters, the contiguous zone, and the oceans pursuant to Section 402 of the Act.

31) "Natural Outlet": A channel, pond, ditch, lake, or other body of surface or ground water.

32) "New Source": Any building, structure, facility or installation from which there is a discharge of pollutants, the construction of which is commenced after the publication of

Pretreatment Standards adopted by the Governing Board of the Goleta Sanitary District or after publication of proposed Pretreatment Standards under Section 307(c) of the Act and as further defined in 40 CFR 403.3(k)(1).

33) "NPDES Permit": A National Pollutant Discharge Elimination System permit is the Regulatory agency document designed to control all discharges of pollutants from point sources into U.S. waterways. NPDES permits regulate discharges into navigable waters from all point sources of pollution, including industries, municipal treatment plants, large agricultural feed lots, and return irrigation flows. A NPDES permit may be issued to a POTW pursuant to section 402 of the Act.

34) "Nuisance": Anything which 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 comfort or enjoyment of life or property or which 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.

35) "Pass Through": Any discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).

36) "Pathogenic Organisms": Bacteria and viruses which cause disease and which may be contained in specimens.

37) "Person": Any individual, partnership, firm, association, corporation, or public agency including the State of California and the United States of America.

38) "P.C.B.": Polychlorinated biphenols, a group of synthetic organic compounds.

39) "Ph": The logarithm of the reciprocal of the concentration of hydrogen ions in grams per liter of solution.

40) "Pollution": An alteration of the quality of the waters of the state by waste to a degree which unreasonably affects such waters for beneficial use or facilities which serve such beneficial uses. Pollution may include contamination.

41) "POTW": A Publicly Owned 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 other conveyances only if they convey wastewater to a POTW Treatment Plant. The term also means the municipality as defined in section 502(4) of the Act, which has jurisdiction over the Indirect Discharges to and the discharges from such a treatment works.

42) "POTW Treatment Plant": The term "POTW Treatment Plant" means that portion of the POTW which is designed to provide treatment (including recycling and reclamation) of municipal sewage and industrial waste.

43) "Premises": A parcel of real estate including any improvements thereon which is determined by the District to be a single user for purposes of receiving, using, and paying for service.

44) "Pretreatment": 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 or in lieu of discharging or otherwise introducing such pollutants into the District's

wastewater treatment plant. The reduction or alteration can be obtained by physical, chemical or biological processes, or by process changes, except as prohibited by 40 CFR 403.6(d).

45) "Pretreatment Requirements": Any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard, imposed on an industrial discharger.

46) "Pretreatment Standard": Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) et. seq. of the Act which applies to industrial users. These include "categorical standards" which establish specific concentration limits for certain pollutants and total prohibitions of other pollutants as specified in 40 CFR 403 et. seq., as well as local limits adopted by the Goleta Sanitary District including, but not limited to, those discharge limitations contained in Chapter IV of this Ordinance.

47) "Public Sewer": A sewer in a public right-of-way or easement held by the District or any sewer constructed by the District.

48) "Residential Users": Persons only contributing domestic wastewater to the District's wastewater system.

49) "Sanitary Wastewater": 1) Domestic wastewater with storm and surface water excluded. 2) Wastewater discharging from the sanitary conveniences of dwellings (including apartment houses and hotels), office buildings, industrial plant, or institutions. 3) The water supply of a community after it has been used and discharged into a sewer.

50) "Sewer": "Sewer" shall mean a pipe or conduit for transporting wastewater.

51) "Sewerage System": "Sewerage System" shall mean the collection, pumping, treatment, and disposal facilities of the District.

52) "Significant Industrial User": Any industrial user of the District's wastewater

treatment system: (a) whose flow exceeds 25,000 gallons per day; or (b) whose flow exceeds five (5) percent of the daily capacity of the treatment system; or (c) which has in its waste a toxic pollutant in toxic amounts as defined in standards issued under 307(a) of the Federal Water Pollution Control Act and the Toxic Substances Control Act; or (d) which is determined to be classified as a categorical industry as regulated under federal categorical standards; or (e) whose flow, as found by the District, the Regional Water Quality Control Board of State Water Resources Control Board has a significant impact, either singly or in combination with other contributing industries, on the treatment works or upon the quality of the effluent from the treatment works, which may cause the District to violate its NPDES permit.

53) "Standard Industrial Classification" (SIC): The compilation of industries and their discharges of pollutants, which is printed by the U.S. Office of Management and Budget in its Standard Industrial Classification Manual.

54) "Storm Water": Any flow occurring during or immediately following any form of natural precipitation and resulting therefrom.

55) "Suspended Solids": The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquids, and which is removable by laboratory filtering.

56) "Total Identifiable Chlorinated Hydrocarbons" (TICH): Those organic compounds listed under 40 CFR 136.1 which include certain organochlorine pesticides and PCB's (Polychlorinated biphenols).

57) "Toxic Substances": Any toxic substances in amounts exceeding standards promulgated by the Administrator of the United States Environmental Protection Agency pursuant to Section 307(a) of the Act, and the "Toxic Substances Control Act" (P.L. 94-469), and

chemical elements or compounds, phenols or other taste or odor-producing substances, or any other substances which are not susceptible to treatment of which may interfere with the biological processes or efficiency of the treatment system, or that will pass through the system.

58) "Unpolluted Water": Water not containing any pollutants limited or prohibited by the effluent standards in effect, or water whose discharge will not cause any violation of receiving water quality standards.

59) "User": Any person who discharges, causes, or permits the discharge of wastewater into the District's wastewater treatment system.

60) "User Classification": A classification of user based on the 1972 (or subsequent) edition of the Standard Industrial Classification (SIC) Manual prepared by the Office of Management and Budget.

61) "Waste": Includes sewage and any and all other water substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation of whatever nature, including such waste placed within containers of whatever nature prior to, and for purposes of, disposal.

62) "Wastewater": Waste and water, whether treated or untreated, discharged into or permitted to enter a community sewer.

63) "Wastewater Constituents and Characteristics": The individual chemical, physical, bacteriological, and radiological parameters, including volume and flowrate and such other parameters that serve to define, classify, or measure the contents, quality, quantity, and strength of wastewater.

64) "Wastewater Treatment System": Any devices, facilities, structures, equipment, or

works owned or used by the District for the purpose of the transmission, storage, treatment, recycling, and reclamation of industrial and domestic wastes, or necessary to recycle or reuse water at the most economical cost over the estimated life of the system, including intercepting sewers, outfall sewers, sewage collection systems, pumping, power, and other equipment, and their appurtenances; extensions, improvements, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment.

65) "Watercourse": A channel in which a flow of water occurs either continuously or intermittently.

66) "Waters of the State": Any water, surface or underground including saline waters within the boundaries of the State.

CHAPTER II

PUBLIC SEWERS REQUIRED

Section 2.01 Introduction. This chapter is applicable only to areas within the boundaries of the Goleta Sanitary District.

Section 2.02 Sanitation. No person shall place, deposit, or discharge or permit to be placed, deposited, or discharged in an unsanitary manner upon public or private property within the District, any human or animal excrement, garbage, or other objectionable waste.

Section 2.03 Wastewater. No person shall discharge or permit to be discharged any sewage to any natural outlet within the District.

Section 2.04 Buildings. The owners of all houses, buildings, or properties used for human occupancy, employment, recreation, or other purposes and located within two hundred (200) feet of a public street, alley, or right-of-way where a public sewer exists or is installed in the future shall within ninety (90) days after date of written notice to do so, at such owner's expense install suitable toilets and sanitary facilities in said houses, buildings, or properties situated within the District and connect such facilities to the public sewer, except where said houses, building, or properties are separated from the public sewer by U.S. Highway 101, a railway right-of-way, watercourse, lagoon, or other natural barrier.

Section 2.05 Compliance with Notice. It shall be unlawful for any person to maintain within the District any privy, cesspool, septic tank, or other facility for disposal of sewage ninety (90) days after date of written notice provided for in Section 2.03 of this Article.

Section 2.06 Private System. It shall be unlawful for any person to construct within the District any privy, cesspool, septic tank, or other facility for disposal of sewage within two hundred (200) feet of a public street, alley, or right-of-way where a public sewer exists at the time of such construction, except where said houses, building, or properties are separated from the public sewer by U.S. Highway 101, a railway right-of-way, watercourse, lagoon, or other natural barrier.

Section 2.07 Exemption. Where public sewers are not available within two hundred (200) feet of a house, building, or property situated within the District, the owner may install facilities for disposal of sewage temporarily until public sewers are extended to within two hundred (200) feet of said house, building, or property; provided that any such facilities shall meet the standards of and be approved by the Health Departments of the County of Santa Barbara and the State of California.

Section 2.08 Private System Failures. In the event any owner of any house, building, property used for human occupancy, employment, recreation, or other purpose situated within the District, receives notice from the District or the Health Department of the County of Santa Barbara that any privy, cesspool, septic tank, or other facility for disposal of sewage is not

operating to the satisfaction of the District or said Health Department, then, and in that event such owner shall, if public sewers are not available within two hundred (200) feet of said house, building, or property immediately repair said privy, cesspool, septic tank, or other facility for disposal of sewage to the satisfaction of the District and the Health Department of the County of Santa Barbara. If not so repaired, any use of said facilities shall be unlawful.

Section 2.09 Waiver of 200-foot Requirement. The Governing Board may at its sole discretion, by minute order of said Board, approve an exemption given to any facility meeting the conditions of Section 2.07 of this Ordinance even after a public sewer is installed within the 200-foot zone.

CHAPTER III

BUILDING SEWERS AND CONNECTIONS

Section 3.01 Introduction. This chapter is applicable only to areas within the boundaries of the Goleta Sanitary District.

Section 3.02 Connection Permission. No unauthorized person shall uncover, make any connections with or openings into, use, alter, or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Manager.

Section 3.03 Connection to Main. All connections to the public sewer shall be made at the WYE branch where possible, and by workmen experienced and competent in making such connections. In the event it is not possible to make a connection at a WYE branch, then the connection shall be made in the manner prescribed by the Manager.

Section 3.04 Costs. All costs and expenses incident to the installation, connection, and maintenance thereof, of the building sewer shall be borne by the owner. The owner shall indemnify the District from any loss or damage that may directly or indirectly arise from the installation or maintenance of the building sewer.

Section 3.05 Separate Laterals. A separate and independent building sewer shall be provided for every building; except where one building stands at the rear of another on the same lot and is under the same ownership, the building sewer from the front building may be extended to the rear building and the whole considered as one building sewer, as in the case of a guest cottage or apartment.

Section 3.06 Use of Existing Lateral by New Building. Old building sewers may be used in connection with new buildings only when they are found on examination and test by the Manager, to meet all requirements of this Ordinance.

Section 3.07 Specifications. The building sewer shall be cast iron soil pipe, ASTM Specification (A74-42) or equal; vitrified clay sewer pipe, ASTM Specification (C1344T) or equal; or other suitable material permitted in the GSD General Provisions and Standard Specifications for Construction of Sanitary Sewers. 1970 et al. Joints shall be tight and waterproof. Any part of the building sewer that is located within ten (10) feet of a water service pipe shall be constructed of cast iron soil pipe with coupling joints. Plastic or cast iron pipe may be required by the Manager where the building sewer is exposed to tree roots. If installed in filled or unstable ground, the building sewer shall be of cast iron soil pipe, except that non-metallic material may be accepted if laid on a suitable concrete or gravel stabilizer approved by the Manager.

Section 3.08 Compliance with Standards. In every building hereafter erected within the limits of the Goleta Sanitary District, all plumbing fixtures shall conform to the provisions of the ordinances and codes of the County of Santa Barbara, State of California, now applying thereto.

Section 3.09 Classes of Service. There shall be four (4) classes of building sewer connection permits: (1) residential, (2) commercial establishments, (3) establishments producing industrial wastes, and (4) institutional facilities. In all cases, the owner or his agent shall make application on a special form furnished by the District. The permit application shall be supplemented by plans, specifications, and other information considered pertinent in the judgment of the Manager. A permit and inspection fee for each connection to the sewer lines of the District shall be paid to the District at the time the application is filed.

CHAPTER IV
PROHIBITIONS AND LIMITATIONS ON
WASTEWATER DISCHARGES TO PUBLIC SEWERS

Section 4.01 Introduction. This chapter is applicable to areas within the boundaries of the Goleta Sanitary District and to all other areas and entities which by contract are bound to comply with all reasonable ordinances, rules and regulations of the District.

Section 4.02 Prohibitions on Wastewater Discharge. No person shall discharge or deposit or cause or allow to be discharged or deposited into the wastewater treatment system any wastewater which contain the following:

Section 4.02.01 Oils and Grease.

(A) Oil and grease concentrations or amounts from industrial facilities violating federal pretreatment standards, or local standards, whichever is more stringent.

(B) Wastewater from industrial facilities containing floatable fats, wax, grease, or oils.

(C) Wax, grease, non-biodegradable cutting oil, or oil concentration of mineral or petroleum origin (non-living sources) or more than 100 mg/l whether emulsified or not, or containing substances which may solidify or become viscous at temperatures between 32° and 150°F (0° and 65°C) at the point of discharge into the system or in amounts that will cause interference or pass through.

(D) Total fat, wax, grease, or oil concentration of animal or vegetable origin (living

sources) of more than 100 mg/l, whether emulsified or not, or containing substances which may solidify or become viscous at temperatures between 32° and 150°F (0° and 65°C) at the point of discharge into the system or in amounts that will cause interference or pass through.

Section 4.02.02 Explosive Mixtures. Liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the sewerage facilities or to the operation of the system, in accordance with 40 CFR 403.5 (b)(1). Pollutants which create a fire or explosion hazard in the POTW, including, but not limited to, waste streams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test methods specified in 40 CFR 261.21. Prohibited materials include, but are not limited to: gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, sulfides or any other substances which the District, the State or EPA has notified the user is a fire hazard or a hazard to the system.

Section 4.02.03 Noxious Material. Noxious or malodorous solids, liquids, or gases, which either singly or by interaction with other wastes, are capable of creating a public nuisance or hazard to life, or are or may be sufficient to prevent entry into a sewer for its maintenance and repair.

Section 4.02.04 Improperly Shredded Garbage. Garbage that has not been ground or comminuted to such a degree that all particles will be carried freely in suspension under flow

conditions normally prevailing in the public sewers, with no particle greater than one-half (1/2) inch in any dimension.

Section 4.02.05 Radioactive Wastes. Radioactive wastes or isotopes of such half-life or concentration that they do not comply with regulations or orders issued by the appropriate authority having control over their use and which will or may cause damage or hazards to the sewerage facilities or personnel operating the system. Radioactive wastes are not to exceed limits specified in Sections 30285 and 30287 of the California Administrative Code.

Section 4.02.06 Solid or Viscous Wastes. Solid or viscous wastes which will or may cause obstruction to the flow in a sewer, or otherwise interfere with the proper operation of the wastewater treatment system. Prohibited materials include, but are not limited to, grease, uncomminuted garbage, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, sand, spent lime, stone or marble dust, polishing compounds, resin beads, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastic, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, and similar substances.

Section 4.02.07 Excessive Discharge Rate.

(A) Hydraulic: That rate of flow which shall result from the averaging of the flow rates over a period of 15 consecutive minutes and which shall be greater than five (5) times the twenty-four (24) hour total volume expressed in million gallons per day (MGD) shall be considered excessive.

(B) Loadings: Those concentrations of pollutants such as toxics, BOD's, suspended solids, grease and oil, and other constituents, which in a grab sample are greater by a factor of five (5) than the average 24-hour concentration allowed in the Industrial Wastewater Discharge Permit or that concentration permitted in the effluent of the plant to the ocean. Any greater concentration will be considered as excessive.

(C) Interference: Under no conditions shall any pollutant, including oxygen demanding pollutants (BOD, etc.) be released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW.

Section 4.02.08 Toxic Substances. Any toxic substances in amounts exceeding standards promulgated by the Administrator of the United States Environmental Protection Agency pursuant to Section 307(a) of the Act, and chemical elements or compounds, phenols or other taste or odor-producing substances, or any other substances which are not susceptible to treatment or which may interfere with the biological processes or efficiency of the treatment system or that will pass through the system or which may cause abnormal increase in the operation costs of the treatment system. Any pollutants which result in the

presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems.

Section 4.02.09 Unpolluted Waters. Any unpolluted water including, but not limited to, water from cooling systems or of storm water origin, which will increase the hydraulic load on the treatment system.

Section 4.02.10 Discolored Materials. Wastes with objectionable color not removable by the treatment process. Such color shall be objectionable if it causes the plant effluent to fail to meet State or EPA standards for turbidity or light transmittance, or if it causes aesthetically undesirable discoloration of the ocean surface.

Section 4.02.11 Corrosive Wastes. Any waste which will cause corrosion or deterioration of the treatment system. All wastes discharged to the public sewer system must have a Ph value in the range of six (6) to nine (9) standard units. Prohibited materials include, but are not limited to, acids, caustics, sulfides, concentrated chloride and fluoride compounds, and substances which will react with water to form acidic products.

Section 4.02.12 Reclamation or Reuse. Any waste which will cause, threaten to cause, or is capable of causing either alone or by interaction with other substances the District's effluent or any other product of the treatment process, residues, sludges, or scum, to be unsuitable for reclamation and reuse or to interfere with the reclamation process.

Section 4.02.13 Nuisance. Any waste which will cause, threaten to cause, or is capable of causing either alone or by interaction with other substances a detrimental environmental impact or a nuisance in the waters of the state or a condition unacceptable to any public agency having regulatory jurisdiction over the District.

Section 4.02.14 Trucked or Hauled Pollutants. Any trucked or hauled pollutants are prohibited, except at discharge points designated by the District.

Section 4.02.15 Heat. The Industrial user shall not contribute any heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW Treatment Plant exceeds 40°C (104°F), unless the Approval Authority, upon request of the POTW, approves alternate temperature limits.

Section 4.03 Limitations on Wastewater Discharges. Maximum concentrations of pollutants allowable in wastewater discharges to the wastewater treatment system are established by the manager and adopted by the Governing Board by Resolution or Ordinance. Dilution of any wastewater discharge for the purpose of satisfying any pretreatment standards including categorical pretreatment standards shall be considered a violation of this Ordinance.

Limitations and prohibitions on wastewater strength contained in this Ordinance, including those of the following Tables 4.03-1, 4.03-2, and 4.03-3, may be supplemented with more stringent limitations and prohibitions pursuant to Section 7.05.

- a) If the District determines that the limitations and prohibitions in this Ordinance or

other District ordinances or resolutions may not be sufficient to protect the operation of the District's treatment works, or

b) If the District determines that the limitations and prohibitions in this Ordinance or other District ordinances or resolutions, may not be sufficient to enable the District's treatment works to comply with water quality standards or effluent limitations specified in the District's National Pollutant Discharge Elimination System (NPDES) permit:

TABLE 4.03-1

Specific concentration limitations for the following constituents or additional constituents may be established or amended by ordinance or resolution upon adoption by the Governing Board.

Constituent

BOD (Biochemical Oxygen Demand)

COD (Chemical Oxygen Demand)

G & O (Grease and Oil)

TDS (Total Dissolved Solids)

TSS (Total Suspended Solids)

Ammonia (as Nitrogen)

Arsenic

Beryllium

Boron

Cadmium

Chromium

Copper

Cyanide

Lead

Mercury

Nickel

Selenium

Silver

Zinc

Chlorinated Phenols

Non-chlorinated Phenols

Pesticides

Total Toxic Organics (Organic Compounds listed in Table 4.03-2)

Total Identifiable Chlorinated Hydrocarbons

Total Chlorine Residual

pH

TABEL 4.03-2
TOTAL TOXIC ORGANIC COMPOUNDS

Acenaphthene	Diphenylamine
Acenaphthylene	Diphenyl ether
Acetone	1,2-Diphenylhydrazine
Acrolein	n-Docosane
Acrylonitrile	n-Dodecane
Anthracene	n-Eicosane
Benzene	Epichlorohydrin
Benzidine	Ethylbenzene
Benzo(a)anthracene	Fluoranthene
Benzoic Acid	Fluorene
Benzo(a)pyrene	Hexachlorobenzene
Benzo(b)fluoranthene	Hexachlorobutadiene
Benzo(ghi)perylene	Hexachlorocyclopentadiene
Benzo(k)fluoranthene	Hexachloroethane
Benzyl Chloride	n-Hexacosane
Benzyl Butyl Phthalate	n-Hexadecane
Biphenyl	Hexanoic acid
Bis(2-chloroethoxy) methane	Ideno(1,2,3-cd)pyrene
Bis(2-chloroethyl) ether	Isophorone
Bis(2-ethylhexyl) phthalate	Methylene Chloride
Bromodichloromethane	2-Methyl-4,6-Dinitrophenol
Bromoethane	Methyl ethyl ketone
Bromoform	Naphthalene
4-Bromophenylphenyl ether	B-Naphthylamine
Carbazole	Nitrobenzene
Carbon tetrachloride	2-Nitrophenol
Chloroethane	4-Nitrophenol
4-Chloro-3-methylphenol	N-Nitrosodimethylamine
Chlorobenzene	N-Nitrosodi-n-propylamine
2-Chloroethylvinyl ether	N-Nitrosodiphenylamine
Chloroform	n-Octacosane
Chloromethane	n-Octadecane
2-Chloronaphthalene	2,2-oxybis(1-chloropropane)
2-Chlorophenol	PCB-1016
4-Chlorophenylphenyl ether	PCB-1221
Chrysene	PCB-1232
p-Cymene	PCB-1242
n-Decane	PCB-1248
Dibenzo(a,h)anthracene	PCB-1254
Dibenzofuran	PCB-1260
Dibenzothiophene	Pentachlorophenol

Table 4.03-2 (Continued)

Dibromochlorobenzene	Phenanthrene
1,2-Dichlorobenzene	Phenol
1,3-Dichlorobenzene	a-Picoline
1,4-Dichlorobenzene	Pyrene
3,3'-Dichlorobenzidine	Styrene
Dichlorodifluoromethane	a-Terpineol
1,1-Dichloroethane	2,3,7,8-Tetrachloro-dibenzo-p-dioxin (2,3,7,8-TCDD)
1,2-Dichloroethane	1,1,2,2-Tetrachloroethane
1,1-Dichloroethene	Tetrachloroethene
trans-1,2-Dichloroethene	n-tetracosane
2,4-Dichlorophenol	n-Tetradecane
1,2-Dichloropropane	Toluene
cis-1,3-Dichloropropene	n-Triacontane
trans-1,3-Dichloropropene	1,2,3-Trichlorobenzene
Diethyl ether	1,2,4-Trichlorobenzene
Diethyl phthalate	1,1,1-Trichloroethane
2,4-Dimethylphenol	1,1,2-Trichloroethane
Dimethyl phthalate	Trichloroethene
Di-n-butyl phthalate	Trichlorofluoromethane
Di-n-octyl phthalate	2,3,6-Trichlorophenol
2,4-Dinitrophenol	2,4,5-Trichlorophenol
2,4-Dinitrotoluene	2,4,6-Trichlorophenol
2,6-Dinitrotoluene	Vinyl Chloride
p-Dioxane	

TABLE 4.03-3

Concentration limitations for the following constituents shall be imposed by the Manager upon adoption by the Governing Board as may be found necessary to insure compliance with the District's NPDES requirements or more restrictive pretreatment standards prescribed by the California Regional Water Quality Control Board or the Environmental Protection Agency (EPA).

Acenaphthene	Edosulfan
Acrolein	Fluorides
Acrylonitrile	Fluoranthene
Aldrin/Dieldrin	Formaldehydes
Aluminum	Guthion
Antimony	Halomethanes
Asbestos	Haloethers
Barium	Heptachlor
Benzene	Hexachlorobutadiene
Benzidine	Hexachlorocyclohexane
Beryllium	Hexachlorocyclopentadiene
Bromine	Iron
Carbon Tetrachloride	Isophorone
Chlordane	Malathion
Chloroform	Manganese
Chlorophenoxy Herbicides	Mirex
Chlorinated Benzenes	Methoxychlor
Chlorinated Ethanes	Naphthalene
Chlorinated Naphthalene	Nitrobenzene
Chloroalkyl Ethers	Nitrophenols
2-Chlorophenols	Nitrosamines
Chlorophenols	Parathion
Cobalt	PCB's
DDT	Phthalate Esters
Demeton	P-Dioxin
Dichlorobenzidine	Pentachlorophenol
Dichloroethylenes	Polynuclear Aromatic Hydrocarbons

Table 4.03-2 (Continued)

Dinitrotoluene	Selenium
Diphenylhydrazine	Surfactants
Dichloropropane & Dichloropropene	Tetrachloroethylene
2, 4-Dichlorophenol	Thallium
2, 4-Dimethylphenol	Toluene
Dichlorobenzenes	Toxaphene
Endrin	Toxicity Concentration
Enorin	Trichloroethylene
Ethylbenzene	Vinyl Chloride

Section 4.03.01 Federal Limitations. Any user who does not comply with the federal pretreatment standards as required by Section 307(b) and (c) of the Act and any applicable regulations thereunder, including those called for by 40 CFR 403.12, violates this Ordinance. The most stringent standards will apply whenever local, state, and federal standards overlap. The user must comply with all applicable Pretreatment Standards and Requirements, including those promulgated after the Ordinance adoption date.

Section 4.04 Limitations on Point of Discharge. No person shall discharge any substances directly into a manhole or other opening in a community sewer other than through an approved building sewer unless, upon written application by the user and payment of the applicable user charges and fees, the District issues a permit for such direct discharges.

Section 4.05 Holding Tank Waste. A user proposing to discharge holding tank waste into a community sewer must secure a permit. Unless allowed by the District under the terms

and conditions of the permit, a separate permit must be secured for each separate discharge. This permit will state the specific location of discharge, the time of day the discharge is to occur, the volume of the discharge, and the wastewater constituents and characteristics. If a permit is granted for discharge of such waste into a community sewer, the user shall pay the applicable user charges and fees and shall meet such other conditions as required by the Goleta Sanitary District.

Section 4.06 Infectious Wastes.

- (A) Infectious wastes from hospitals, clinics, and mortuaries may not be disposed of to the sanitary sewer system.
- (B) Pathologic specimens may not be disposed of to the sanitary sewer system.
- (C) Ground organic kitchen waste from hospital food preparation and disposal facilities excluding all paper and plastic items may be discharged into the sanitary sewer system.
- (D) Disposable hypodermic needles, syringes, and associated articles following their use in hospitals, out-patient clinics, medical and dental offices, etc., may not be ground and/or discharged to the sanitary sewer system.
- (E) The following shall not be discharged to the sanitary sewer system by any means:
 - 1) Solid wastes generated in the rooms of patients who are isolated because of a suspected or diagnosed communicable disease.
 - 2) Recognizable portions of the human anatomy.
 - 3) Wastes excluded by other provisions of this title except as specifically permitted in this section.

(F) All hospitals within the limits of the Goleta Sanitary District desiring to discharge any waste into facilities of the District shall first have a valid District Industrial Wastewater Discharge Permit. All applicants for such permits shall fill out completely the application form, pay the appropriate fee, receive a copy of the District regulations governing discharge of wastes, and shall agree in writing to abide by the regulations. The Industrial Wastewater Discharge Permit shall be valid for one year from date of issuance.

(G) Nothing in this section shall be construed to limit the authority of the Health Office of Santa Barbara County to define wastes as being infectious.

Section 4.07 Special Agreements. Nothing in this section shall be construed as preventing any special agreement or arrangement between the District and any user of the wastewater treatment system whereby wastewater of unusual strength or character is accepted into the system and specially treated subject to any payments or user charges as may be applicable. However, no special agreement between the District and any user shall be allowed to contravene State or Federal Standards or the District's technically based local standards.

Section 4.08 Non-industrial Users. Hospitals, clinics, schools, commercial facilities, public agency facilities, and any other class of discharger may require treatment as industrial users for purposes of applying this Ordinance. The applicability may be extended to residential users at the sole discretion of the District in special instances.

CHAPTER V
CONTROL OF PROHIBITED WASTES

Section 5.01 Regulatory Actions. If wastewaters containing any substance described in Chapter IV of this Ordinance are discharged or proposed to be discharged into the sewer system of the District or to any sewer system tributary thereto, the Manager and the District's counsel may take any action necessary to:

- a) Prohibit the discharge of such wastewater.
- b) Require a discharger to demonstrate that in-plant modifications will reduce or eliminate the discharge of such substances in conformity with this Ordinance.
- c) Require pretreatment, including storage facilities, or flow equalization necessary to reduce or eliminate the objectionable characteristics or substances so that the discharge will not violate these rules and regulations.
- d) Require the person making, causing, or allowing the discharge to pay any additional cost or expense incurred by the District for handling and treating excess loads imposed on the treatment system.
- e) Take such other remedial action as may be deemed to be desirable or necessary to achieve the purpose of this Ordinance.

Section 5.02 Submission of Plans. Where pretreatment or equalization of wastewater flows prior to discharge into any part of the wastewater treatment system is required, plans, specifications, and other pertinent data or information relating to such pretreatment or flow-

control facilities shall first be submitted to the District for review and approval. Such approval shall not exempt the discharge or such facilities from compliance with any applicable code, ordinance, rule, regulation, or order of any governmental authority. Any subsequent alterations or additions to such pretreatment or flow-control facilities shall not be made without due notice to and prior approval of the Manager.

Section 5.03 Pretreatment

Section 5.03.01 General. Users shall make wastewater acceptable under the limitations established herein before discharging to the District's community sewer. Any facilities required to pretreat wastewater to a level acceptable to the District shall be provided and maintained at the user's expense. Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the District for review, and shall be acceptable to the District before construction of the facility. The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the District under the provisions of this Ordinance. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the District.

Section 5.03.02 Interceptors. Grease, oil, and sand interceptors shall be provided when, in the opinion of the Manager, they are necessary for the proper handling of the liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, and other harmful

ingredients. All interceptors shall be of a capacity sufficient to provide the appropriate quality of effluent, and shall be in an easily accessible location for purposes of cleaning and inspection.

Section 5.03.03 Commercial Garbage Grinders. No owner of a commercial garbage grinder shall maintain or operate or permit to be maintained or operated any such grinder which may discharge any waters, wastes, or other substances into the District sewer without first providing, at such person's expense, such preliminary treatment as may be necessary to reduce the suspended solids, daily flow, or objectionable characteristics or constituents to within the maximum limits contained in Chapter IV.

Section 5.03.04 Water Softening Units. In order to minimize salts discharge into the system, water softening units must be well maintained and efficient.

Section 5.04 Pretreatment Facilities Operations. If pretreatment or control of waste flows is required, such facilities shall be maintained in good working order and operated as efficiently as possible by the owner or operator at his own cost and expense, subject to the requirements of these rules and regulations and all other applicable codes, ordinances, and laws.

Section 5.05 Admission to Property. Whenever it shall be necessary for the purposes of these rules and regulations, the Manager, upon the presentation of credentials, may enter upon any property or premises at reasonable time for the purpose of (1) copying any records required to be kept under the provisions of this Ordinance, (2) inspecting any monitoring equipment or method, and (3) sampling any discharge or wastewater to the treatment works. The Manager

may enter upon the property at any hour under emergency circumstances.

Section 5.06 Protection from Accidental Discharge. Each industrial user shall provide protection from accidental discharge of prohibited materials or other wastes regulated by this Ordinance. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the owner or operator's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the District for review, and shall be approved by the Manager before construction of the facility. Review and approval of such plans and operating procedures shall not relieve the industrial user from the responsibility to modify his facility as necessary to meet the requirements of this Ordinance.

Section 5.07 Reporting of Accidental Discharge. All industrial users shall notify the POTW immediately of all discharges that could cause problems to the POTW, including any slug loadings or accidental discharges. If, for any reason, a user does not comply with or will be unable to comply with any prohibition or limitation in this Ordinance, the user responsible for such discharge shall immediately notify the District so that corrective action may be taken to protect the treatment system. In addition, a written report addressed to the Manager detailing the date, time, and cause of the accidental discharge, the quantity and characteristics of the discharge and corrective action taken to prevent future discharges, shall be filed by the responsible industrial user within five (5) days of the occurrence of the noncomplying discharge.

Such notification will not relieve users of liability for any expense, loss, or damage to the sewer system, treatment plant, or treatment process, or for any fines imposed on the District on

account thereof under Section 13350 of the California Water Code or for violations of Section 5650 of the California Fish and Game Code.

Section 5.08 Preventative Measures. Any direct or indirect connection or entry point for deleterious wastes to the user's plumbing or drainage system shall be eliminated. Where such action is impractical or unreasonable the user shall appropriately label such entry points to warn against discharge of such wastes in violation of this Ordinance.

CHAPTER VI
INDUSTRIAL WASTEWATER MONITORING AND REPORTING

Section 6.01 Discharge Reports.

(a) Every significant industrial user shall file a periodic Discharge Report at such intervals as are designated by the Manager. The Manager may require any other users discharging or proposing to discharge into the treatment system to file such periodic reports.

(b) The Discharge Report shall include, but, at the discretion of the Manager, shall not be limited to, nature of process, volume, estimated average and maximum daily flows, mass emission rate, production quantities, hours of operation, concentrations of controlled pollutants or other information which relates to the generation of waste. Such reports may also include the chemical constituents and quantity of liquid materials stored on site even though they are not normally discharged. Specific reporting requirements and their required contents shall be set forth in the user's permit. In addition to Discharge Reports, the Manager may require information in the form of Industrial Wastewater Discharge Permit Applications, self-monitoring reports, and other reporting requirements as stipulated in 40 CFR 403.12 and any additional addendums promulgated after adoption of this Ordinance.

(c) Signatory/Certification Requirements: All Baseline Monitoring Reports, compliance reports and periodic reports on continued compliance 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 who manage the system, or those persons 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." and shall be signed by a responsible official as stipulated in 40 CFR 403.12(1).

Section 6.02 Records and Monitoring.

(a) All industrial users who discharge or propose to discharge wastewater to the wastewater treatment system shall maintain such records of production and related factors, effluent flows, and pollutant amounts or concentrations as are necessary to demonstrate compliance with the requirements of this Ordinance and any applicable state or federal pretreatment standards or requirements.

The Industrial User shall retain and preserve for no less than three (3) years, any records, books, documents, memoranda, reports, correspondence, and any and all summaries thereof, relating to monitoring, sampling and chemical analyses made by or on behalf of the User in connection with its discharge. All records that pertain to matters that are the subject of special order or any other enforcement or litigation activities brought by the District shall be retained and preserved by the Industrial User until all enforcement activities have concluded and all the periods of limitation with respect to any and all appeals have expired.

(b) Such records shall be made available upon request by the Manager. All such records relating to compliance with pretreatment standards shall be made available to officials of the U.S. Environmental Protection Agency upon demand. A summary of such data indicating the

industrial user's compliance with this Ordinance shall be prepared according to Section 7.05 and submitted to the District.

(c) The owner or operator of any premises or facility discharging industrial wastes into the system shall install at his own cost and expense suitable monitoring equipment to facilitate the accurate observation, sampling, and measuring of wastes. Such equipment shall be maintained in proper working order and kept safe and accessible at all times.

(d) The monitoring equipment shall be located and maintained on the industrial user's premises outside of the building. When such a location would be impractical or cause undue hardship on the user, the Manager may allow such facility to be constructed in the public street or sidewalk area, with the approval of the public agency having jurisdiction over such street or sidewalk, and located so that it will not be obstructed by public utilities, landscaping, or parked vehicles.

(e) When more than one user can discharge into a common sewer, the Manager may require installation of separate monitoring equipment for each user. When there is a significant difference in wastewater constituents and characteristics produced by different operations of a single user, the Manager may require that separate monitoring facilities be installed for each separate discharge.

(f) Whether constructed on public or private property, the monitoring facilities shall be constructed in accordance with District requirements and all applicable construction standards and specifications.

(g) If the monitoring facility is inside the user's fence, there shall be accommodations to allow access for District personnel, such as a gate secured with a District lock. There shall be

ample room in or near such sampling manhole to allow accurate sampling and compositing of samples for analysis. The manhole, sampling, and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the user.

Section 6.03 Confidential Information. All information and data on a user obtained from reports, questionnaires, permit application, permits and monitoring programs and from inspections shall be available to the public or other governmental agencies; provided, however, that such portions of a report shall be available for use by the State or any state agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information. Any information provided to the District (not determined to be confidential) regarding industrial user effluent data shall be available to the public without restriction.

Information accepted by the District as confidential in accordance with the provisions of 40 CFR Part 2 entitled, "Confidentiality of Business Information," shall not be transmitted to the general public by the District until and unless prior and adequate notification is given to the user. Governmental agencies such as the EPA and State shall have immediate access to all information collected by the District under its pretreatment program.

Section 6.04 Inspection, Sampling, and Analysis -- General. The District may inspect the facilities of any user to ascertain whether the purpose of this Ordinance is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the District or its representative ready access at all reasonable

times to all parts of the premises for the purpose of inspection or sampling or in the performance of any of their duties. The District shall have the right to set up on the user's property such devices as are necessary to conduct sampling or metering operations. Where a user has security measures in force which would require proper identification and clearance before entry into their premises, the user shall make necessary arrangements with their security guards so that upon presentation of suitable identification, personnel from the District will be permitted to enter without delay for the purposes of performing their specific responsibilities.

Section 6.04.01 Compliance Determination. Compliance determinations with respect to Chapter IV prohibitions and limitations may be made on the basis of either instantaneous grab samples or composite samples of wastewater. Composite samples may be taken over a 24-hour period, or over a longer or shorter time span, as determined necessary by the Manager to meet the needs of specific circumstances.

Section 6.04.02 Analysis of Industrial Wastewaters. Laboratory analysis of industrial wastewater samples shall be performed in accordance with 40 CFR 136. Analysis of those pollutants not covered by 40 CFR 136 shall be performed in accordance with procedures established by the State Department of Health.

Section 6.04.03 Sampling Frequency. Sampling of industrial wastewater for the purpose of compliance determination with respect to Chapter IV prohibitions and limitations will be done at random intervals as the Manager may determine necessary to the program goals.

CHAPTER VII

INDUSTRIAL WASTEWATER DISCHARGE PERMIT SYSTEM

Section 7.01 Industrial Wastewater Discharge Permits Required. All significant industrial users proposing to connect to or discharge into any part of the wastewater treatment system must first obtain an Industrial Wastewater Discharge Permit therefor. Other Industrial Users may be required to obtain an Industrial Wastewater Discharge Permit as determined by the Manager.

Industrial Wastewater Discharge Permits shall be classified as follows:

Class I: No Hazard - This class includes industrial users who do not handle, store, or dispose of toxic wastes on the premises; and who do not discharge toxic wastes into the sewer. These users include those with discharges that contain non-toxic pollutants which may cause interference with the operation of the wastewater treatment plant.

Class II: Low Hazard - This group of industrial users handles or stores toxic wastes on their premises, but does not discharge these wastes to the sewer. Such users have all toxic wastes hauled off site, but have floor drains or other plumbing fixtures through which toxic waste can be conveyed to the sewer during normal washdown operations or spillage.

Class III: Hazardous - This classification is for industrial users with intermittent

discharges to the sewer which contain toxic pollutants.

Class IV: Serious Hazard - This classification is for Significant Industrial Users, those industries that are regulated under National Categorical Pretreatment Standards, or users that have continuous discharge to the sewer which contain toxic pollutants.

Section 7.02 Optional Permits. Any non-residential users may be required to apply for discharge permits. The Manager may issue an Industrial Wastewater Discharge Permit to any user, upon application, in accordance with the terms of this Section in the following categories:

- (a) A user who requires the user charges and fees to be based on an estimation of wastewater flow.
- (b) Any user whose wastewater strength is less than the normal range for the user classification to which he is assigned because of pretreatment, process changes, or other reasons.

Section 7.03 Permit Application. Users seeking an Industrial Wastewater Discharge Permit shall complete and file with the District an application on the form prescribed by the Manager, and accompanied by the applicable fee. In support of this application, the user shall submit all information requested by District including, but not limited to, the following information:

- (a) Name, address, and SIC number of applicant.
- (b) Volume of wastewater to be discharged.
- (c) Wastewater constituents and characteristics including, but not limited to, those set

forth in Chapter IV of this Ordinance as determined by a State-approved analytical laboratory.

(d) Time and duration of discharge.

(e) Average and (30) minute peak wastewater flow rates, including daily, monthly, and seasonal variations, if any.

(f) Site plans, floor plans, mechanical and plumbing plans and details to show all sewers and appurtenances by size, location, and elevation.

(g) Description of activities, facilities, and plant processes on the premises including all materials and types of materials which are, or could be, discharged.

(h) Each product produced by type, amount, and rate of production.

(i) Number and type of employees, and hours of work.

(j) Any other information as may be deemed by the Manager to be necessary to evaluate the permit application.

The Manager will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the Manager may issue an Industrial Wastewater Discharge Permit subject to terms and conditions provided herein.

Section 7.04 Permit Fees and Costs. Industrial Wastewater Discharge Permits shall be issued for a specified time period, not to exceed five (5) years by payment of a fee established by the Governing Board. A Permit may be issued for a period less than five (5) years, at the discretion of the Manager. Each permit will indicate a specific date upon which it will expire. To equitably distribute the costs resulting from the pretreatment program established herein and to recover costs from Users of the Wastewater System, the District may adopt charges and fees

for Users by resolution or ordinance approved by the Governing Board. The costs of required laboratory analysis to establish User's compliance with its discharge limits may be billed to the User sampled.

Section 7.05 Permit Conditions. Industrial Wastewater Discharge Permits shall be expressly subject to all provisions of this Ordinance, including Section 7.08, and all other regulations, user charges, and fees established by the District. The conditions of an Industrial Wastewater Discharge Permit shall be uniformly enforced in accordance with this Ordinance, and applicable state and federal regulations. Permit conditions will include the following:

- (a) The unit charge or schedule of user charges and fees for the wastewater to be discharged to the system.
- (b) The average and maximum wastewater constituents and characteristics.
- (c) Limits on rate and time of discharge or requirements for flow regulations and equalization.
- (d) Requirements for installation of inspection and sampling facilities, and specifications for monitoring programs.
- (e) Requirements for maintaining and submitting technical reports and plant records relating to wastewater discharges. The user shall retain and preserve required reports and records for no less than three (3) years or until all enforcement activities resulting from litigation have concluded and all the periods of limitation with respect to any and all appeals have expired.
- (f) Daily average and daily maximum discharge rates, or other appropriate conditions when pollutants subject to limitations and prohibitions are proposed or present in the user's

wastewater discharge.

(g) Compliance schedules.

(h) Wastewater analyses by state-approved lab as part of the user's compliance effort.

The user shall pay for the cost of such analyses.

(i) An amended application must be filed within ten (10) working days if conditions noted in the original application change.

(j) Other conditions to ensure compliance with this Ordinance.

(k) The industrial user shall submit an Accidental Spill Prevention Plan to the District within ninety (90) days of issuance of the permit if such a plan has not previously been submitted.

Section 7.06 Notices to Employees. In order that employees of users be informed of District requirements, users shall make available to their employees copies of this Ordinance and together with such other wastewater information and notices which may be furnished by the District from time to time directed toward more effective water pollution control. A notice shall be furnished and permanently posted on the user's bulletin board advising employees whom to call in case of an accidental discharge in violation of this Ordinance.

Section 7.07 Duration of Permits. Industrial Wastewater Discharge Permits shall be issued for a specified time period, not to exceed five (5) years. A permit may be issued for a period of less than five years, or may be stated to expire on a specific date. If the user is not notified by the District thirty (30) days prior to the expiration of the permit, the permit shall automatically be extended for one (1) month. The terms and conditions of the permit may be

subject to modification and change by the District during the life of the permit, as limitations or requirements as identified in Chapter IV are modified and changed. The user shall be informed of any proposed changes in his permit at least thirty (30) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

Section 7.08 Transfer of a Permit. Industrial Wastewater Discharge Permits are issued to a specific user for a specific operation. An Industrial Wastewater Discharge Permit shall not be reassigned or transferred or sold to a new owner, new user, different premises, or a new or changed operation.

Section 7.09 Revocation of Permit. Any user who violates the following conditions of his permit or of this Ordinance, or of applicable state and federal regulations, is subject to having his permit revoked. Violations subjecting a user to possible revocation of his permit include, but are not limited to, the following:

(a) Failure of a user to accurately report the wastewater constituents and characteristics of his discharge.

(b) Failure of the user to report significant changes in operations, or wastewater constituents and characteristics. Furthermore, a user must submit notification prior to a new or significant change or increase in discharge. This District shall have the authority to deny or condition these changes in discharge.

(c) Refusal of reasonable access to the user's premises for the purpose of inspection or

monitoring.

(d) Violation of conditions of the permit or this Ordinance.

Section 7.10 Special Agreements. Special agreements and arrangements between the District and any persons or agencies may be established when in the opinion of the District, unusual or extraordinary circumstances compel special terms and conditions. However, no special agreement or arrangement between the District and any person or agency shall be allowed to contravene State or Federal standards or the District's local limits on discharge as described in Chapter IV of this Ordinance.

Section 7.11 Users Outside District. The provisions of this Ordinance shall apply to all Users who discharge wastewater to, on, or into any District sewer or the POTW from premises located outside the District.

CHAPTER VIII

ENFORCEMENT PROCEDURES

Section 8.01 Notification of Violation. Whenever the Manager finds that any person has violated, is violating or is threatening to violate this Ordinance, or any prohibition, limitation or

requirement contained herein, he may serve upon such person a Notice of Violation stating the nature of the violation and providing a reasonable time, not to exceed thirty (30) days, for the satisfactory correction thereof and the submission of an explanation of the circumstances giving rise to such violation. The Notice of Violation may set forth a compliance schedule with specific actions the user shall take in order to prevent or correct the violation. In addition, the Notice of Violation may require inspections or sampling and may impose other requirements deemed necessary. The Notice of Violation may also contain a statement that additional enforcement action may be pursued if corrective actions are not accomplished as scheduled.

Section 8.02 Administrative Order. In lieu of issuing a Notice of Violation under Section 8.01 above, or if a person does not take appropriate corrective action in response to a Notice of Violation issued under Section 8.01, the Manager may issue an Administrative Order requiring immediate compliance with the terms of this Ordinance, or setting forth a compliance schedule with specific actions the user shall take in order to prevent or correct the violation. In addition, the Administrative Order may require inspections or sampling and may impose other requirements deemed necessary. Prior to issuing such an Administrative Order, the Manager may, but shall not be required to, issue an order to show cause. Said order to show cause shall present the user with the facts demonstrating non-compliance and shall ask that the user show cause why the District should not initiate formal enforcement action or discontinue sewer service.

Section 8.03 Appeals. Any user, permit applicant, permit holder or other person affected

by a decision, action or determination, including a Notice of Violation or Administrative Order made, taken or issued by the Manager interpreting or implementing the provisions of this Ordinance or any permit issued hereunder, may file with the Manager a written request for reconsideration within fifteen (15) days of such decision, action, determination or issuance, setting forth in detail the facts supporting the request for reconsideration. If the ruling made by the Manager on the request for reconsideration is unsatisfactory to the person requesting such reconsideration, the person may, within fifteen (15) days after notification of the Manager's ruling, file a written appeal with the District's Governing Board. The appeal shall be considered by the Governing Board at a regular or special meeting within fifteen (15) days after the appeal is filed and at least ten (10) days notice of such meeting shall be given to the person filing the appeal. The Governing Board shall make a final ruling upon the appeal within fifteen (15) days of the close of the meeting at which the appeal is considered and shall thereafter promptly notify the person filing the appeal of such ruling. The Manager's decision, action or determination, and any Notice of Violation or Administrative Order issued by the Manager, shall remain in effect pending the final ruling by the Governing Board.

Section 8.04 Civil Penalties. Any person who discharges pollutants, except in compliance with waste discharge requirements, or who violates any Administrative Order, prohibition, waste discharge requirement, effluent standard, water quality related effluent standard, federal standard or performance, pretreatment or toxicity standard or requirement, or who refuses to comply with the requirements adopted to control the disposal of pollutants into wells, or who fails to comply with the conditions of their permit, compliance schedule or any standard, condition or requirement set forth in this Ordinance, shall be subject to a civil penalty

not to exceed Six Thousand Dollars (\$6,000) for each day such discharge, violation, refusal or failure to comply occurs. The District may collect said penalty in any manner permitted by law.

Section 8.05 Criminal Penalties. Any person who willfully or negligently discharges pollutants, except in compliance with waste discharge requirements, or who willfully or negligently violates any Administrative Order, prohibition, waste discharge requirement, effluent standard, water quality related effluent standard, federal standard or performance, pretreatment or toxicity standard or requirement, or who refuses to comply with the requirements adopted to control the disposal of pollutants into wells, or who fails to comply with the conditions of their permit, compliance schedule or any standard, condition or requirement set forth in this Ordinance, shall be punished by a fine of not more than One Thousand Dollars (\$1,000) for each day such violation occurs, or by imprisonment for not more than thirty (30) days, or both.

Any person who knowingly makes any false statement, representation, record, report, plan or other document filed with a Regional Water Quality control Board or the State Water Resources Control Board, or who falsifies, tampers with or knowingly renders inaccurate any monitoring device or method required by the laws of the State of California, shall be punished by a fine of not more than Ten Thousand Dollars (\$10,000), or by imprisonment for not more than six (6) months, or both.

If the District believes a criminal offense has been committed hereunder, it may refer the matter to the District Attorney for prosecution.

Section 8.06 Termination of Service. The District may revoke any connection permit or any Industrial Wastewater Discharge Permit, or terminate or cause to be terminated waste service to any premises if a violation of any provision of this Ordinance is found to exist or if a discharge of wastewater causes or threatens to cause a condition of contamination, pollution or

nuisance as defined in this Ordinance, or for any condition which presents, or reasonably appears to present, an imminent danger to the environment or the health or welfare of persons, or which threatens to interfere with the operation of the POTW. This provision is in addition to other statutes, rules or regulations authorizing termination of service for delinquency in payment.

Section 8.07 Correction of Violations. In order to enforce the provisions of this Ordinance, the District may correct any violation hereof. The cost of such correction (including, but not limited to, any fines or other costs imposed on the District by any federal or state agency or court) shall be payable by the person violating this Ordinance or by the owner or tenant of the property upon which the violation occurred, and such cost may be added to any sewer service charge payable in connection with the property. The District shall have such remedies for the collection of such costs as it has for the collection of sewer charges, in addition to any other remedies provided for herein or by law.

Section 8.08 Injunction. Whenever a discharge of wastewater is in violation of the provisions of this Ordinance or otherwise causes or threatens to cause a condition of contamination, pollution, or nuisance, or in the case of non-discharge violations or other such non-compliance with the rules and regulations set forth herein, the District may petition the Superior Court for the issuance of a restraining order or a preliminary or permanent injunction, or any or all of these, as may be appropriate.

Section 8.09 Nuisance. Any discharge in violation of the substantive provisions of this Ordinance, or in violation of an order of the Governing Board of the District, shall be considered

a public nuisance. Any person creating a public nuisance is guilty of a misdemeanor. In the event of a public nuisance, the Governing Board may direct the District's counsel to commence an action for appropriate legal and/or equitable relief in the Superior Court, or may refer the matter to the District Attorney for prosecution.

Section 8.10 Damage to Facilities. When a discharge of wastes causes an obstruction, damage or any other impairment to the District's facilities, the District may assess a charge against the responsible person for the work required to clean or repair the facility. Such charge may be added to the person's charges and fees, or may be collected in any manner authorized herein or by law.

Section 8.11 Hearing. Prior to seeking a civil penalty under Section 8.04, terminating service under Section 8.06, correcting a violation under Section 8.07, seeking a temporary restraining order or injunction under Section 8.08, taking action to abate a public nuisance under Section 8.09 or referring a violation for criminal prosecution under Section 8.05 or Section 8.09, the Governing Board of the District shall conduct a hearing to consider the proposed action. The person or persons affected by the proposed action shall be given at least ten (10) days notice of the hearing and shall be given the opportunity to provide evidence and testimony relating to the matter. Such affected person or persons shall also be notified of the decision made by the Governing Board and such decision shall be final. Notwithstanding the foregoing, unless otherwise required by law, neither a hearing nor prior notice to affected persons shall be required in cases where immediate action must be taken to prevent injury to persons or serious damage to

property as a result of a violation hereunder.

Section 8.12 Additional Enforcement Procedures. The enforcement procedures set forth herein are in addition to and not in limitation of the enforcement procedures otherwise provided for by law. The District may utilize any available local, state or federal enforcement procedures in addition to or in lieu of the procedures provided for hereunder.

Section 8.13 Published Notices of Non-compliance. Public notification will be made at least annually in the largest daily local newspaper, listing all persons who, during the previous twelve (12) months, were significantly violating applicable Federal Pretreatment Standards or other pretreatment requirements. For the purposes of this provision, a significant violation is a violation which remained uncorrected forty-five (45) days after notification of the violation, which was part of a pattern of non-compliance over a twelve (12) month period, which involved a failure to accurately report non-compliance or which resulted in the District exercising its emergency authority.

CHAPTER IX

SAVINGS CLAUSE & CONFLICT

Section 9.01. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be unconstitutional, ineffective or in any manner in conflict with the laws of the United States, or the State of California, such decision shall not affect the validity of the remaining portions of this Ordinance. The Governing Board of the District hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more section, subsection, sentence, clause or phrase be declared unconstitutional, ineffective, or in any manner in conflict with the laws of the United States or the State of California.

CHAPTER X

PUBLICATION AND ADOPTION

Section 10.01. The Secretary of the District is hereby directed to cause this Ordinance to be published once in the Santa Barbara News-Press, a newspaper of general circulation in the District. Pursuant to Governing Code section 65962, this Ordinance shall take effect and be in force upon the expiration of sixty (60) days from the date hereof.

PASSED AND ADOPTED this 25th day of April, 1991, by the following vote:

AYES:

NOES:

ABSENT:

OLETA SANITARY DISTRICT

y

John S. Carter, President of
Governing Board

Countersigned:

y

Felix R. Martinez, Secretary of
the Governing Board