

AGENDA

REMOTE MEETING NOTICE

Due to health concerns related to the COVID-19 pandemic, members of the public are encouraged to attend this meeting remotely via zoom as set forth below.

INSTRUCTIONS FOR USING ZOOM

- Join the meeting using the link below.
- You must have audio and microphone capabilities on the device you are using to join the meeting.
- When you join the meeting make sure that you join the meeting with audio and follow the prompts to test your speaker & microphone prior to joining the meeting.

TO SPEAK ON AN ITEM USING ZOOM

- The Board President will call the item and staff will begin the staff report.
- Click on the Raise Hand icon if you would like to speak on the item.
- Your name will be called on when it's your turn to speak.
- When your name is called, you will be prompted to unmute yourself.
- When your time is up, you will be muted.
- You will repeat this process for each item you want to speak on.

FOR OPEN SESSION PARTICIPATION

Join Meeting Electronically at:

<https://us02web.zoom.us/j/85871124308?pwd=c25RRk8xWk9SajBJVHQ5bHpRak9SQT09>

Meeting ID: **858 7112 4308**

Passcode: **363058**

A G E N D A
REGULAR MEETING OF THE GOVERNING BOARD
OF THE GOLETA SANITARY DISTRICT
A PUBLIC AGENCY

One William Moffett Place
Goleta, California 93117

January 3, 2022

CALL TO ORDER: 6:30 p.m.

ROLL CALL OF MEMBERS

BOARD MEMBERS: Jerry D. Smith
Steven T. Majoewsky
George W. Emerson
Sharon Rose
Edward Fuller

CONSIDERATION OF THE MINUTES OF THE BOARD MEETING

The Board will consider approval of the Minutes of the Regular Meeting of December 20, 2021.

PUBLIC COMMENTS - Members of the public may address the Board on items within the jurisdiction of the Board.

POSTING OF AGENDA – The agenda notice for this meeting was posted at the main gate of the Goleta Sanitary District and on the District’s web site 72 hours in advance of the meeting.

BUSINESS:

1. CONSIDERATION OF APPOINTMENT OF BOARD PRESIDENT AND PRESIDENT PRO TEM FOR CALENDAR YEAR 2022
(Board may take action on this item.)
2. REVIEW AND CONSIDERATION OF RECENT CHANGES TO DISTRICT’S ADMINISTRATIVE CODE
(Board may take action on this item.)
3. STATUS REPORT ON ANNUAL WINTER STORM EMERGENCY PREPAREDNESS ACTIVITIES.

4. GENERAL MANAGER'S REPORT
5. LEGAL COUNSEL'S REPORT
6. COMMITTEE/DIRECTOR'S REPORTS AND APPROVAL/RATIFICATION OF DIRECTOR'S ACTIVITIES
7. PRESIDENT'S REPORT
8. ITEMS FOR FUTURE MEETINGS
9. CORRESPONDENCE
(The Board will consider correspondence received by and sent by the District since the last Board Meeting.)

ADJOURNMENT

Any public records which are distributed less than 72 hours prior to this meeting to all, or a majority of all, of the District's Board members in connection with any agenda item (other than closed sessions) will be available for public inspection at the time of such distribution at the District's office located at One William Moffett Place, Goleta, California 93117.

MINUTES

MINUTES
REGULAR MEETING OF THE GOVERNING BOARD
GOLETA SANITARY DISTRICT
A PUBLIC AGENCY
DISTRICT OFFICE CONFERENCE ROOM
ONE WILLIAM MOFFETT PLACE
GOLETA, CALIFORNIA 93117

December 20, 2021

CALL TO ORDER: President Smith called the meeting to order at 6:31 p.m.

BOARD MEMBERS PRESENT: Jerry D. Smith, George W. Emerson, Sharon Rose, Edward Fuller

BOARD MEMBERS ABSENT: Steven T. Majoewsky

STAFF MEMBERS PRESENT: Steve Wagner, General Manager/District Engineer, Rob Mangus, Finance and Human Resources Manager/Board Secretary and Richard Battles, Legal Counsel from Howell Moore & Gough LLP.

OTHERS PRESENT: Tom Evans, Director, Goleta Water District

APPROVAL OF MINUTES: Director Emerson made a motion, seconded by Director Rose, to approve the minutes of the Regular Board meeting of 12/06/21. The motion carried by the following vote:

(21/12/2265)

AYES:	4	Smith, Emerson, Rose, Fuller
NOES:		None
ABSENT:	1	Majoewsky
ABSTAIN:		None

POSTING OF AGENDA: The agenda notice for this meeting was posted at the main gate of the Goleta Sanitary District and on the District's website 72 hours in advance of the meeting.

PUBLIC COMMENTS: None

BUSINESS:

1. **CONSIDERATION OF AWARD OF CONSTRUCTION CONTRACT AND CONSTRUCTION MANAGEMENT SERVICES AGREEMENT FOR THE INFLUENT PUMP STATION REHABILITATION PROJECT**

Mr. Wagner gave the staff report.

Director Emerson made a motion, seconded by Director Fuller to accept the bid and authorize the General Manager to execute a construction contract with GSE

Construction Company, Inc. for the GSD Wastewater Treatment Plant (WWTP) Influent Pump Station Rehabilitation Project in an amount not to exceed \$3,607,300.

The motion carried by the following vote:

(21/12/2266)

AYES:	4	Smith, Emerson, Rose, Fuller
NOES:		None
ABSENT:	1	Majoewsky
ABSTAIN:		None

Director Rose made a motion, seconded by Director Emerson to authorize the General Manager to approve GSE contract change orders, as needed, up to an amount not to exceed 5% of the contract amount or \$180,365.

The motion carried by the following vote:

(21/12/2267)

AYES:	4	Smith, Emerson, Rose, Fuller
NOES:		None
ABSENT:	1	Majoewsky
ABSTAIN:		None

Director Fuller made a motion, seconded by Director Rose to approve and authorize the General Manager to execute a Construction Management agreement with MNS Engineering Inc. in the form of an addendum to proposal in an amount not-to-exceed \$456,072 for the GSD Wastewater Treatment Plant (WWTP) Influent Pump Station Rehabilitation Project.

The motion carried by the following vote:

(21/12/2268)

AYES:	4	Smith, Emerson, Rose, Fuller
NOES:		None
ABSENT:	1	Majoewsky
ABSTAIN:		None

Director Smith made a motion, seconded by Director Rose to direct staff to include an additional budget appropriation in the FY 2022-23 budget for the GSD Wastewater Treatment Plant (WWTP) Influent Pump Station Rehabilitation Project in the amount of \$700,000

The motion carried by the following vote:

(21/12/2269)

AYES:	4	Smith, Emerson, Rose, Fuller
NOES:		None
ABSENT:	1	Majoewsky
ABSTAIN:		None

2. REVIEW AND CONSIDERATION OF AMENDMENT TO ENGINEERING DESIGN SERVICES CONTRACT WITH HAZEN AND SAWYER FOR THE BIOSOLIDS AND ENERGY STRATEGIC PLAN PHASE 1 IMPROVEMENT PROJECT

Mr. Wagner gave the staff report.

Director Rose made a motion, seconded by Director Fuller to approve and authorize the General Manager to execute Addendum No. 1 to the BESP Phase 1 Design and Engineering Services Agreement with Hazen and Sawyer in an amount not to exceed \$285,400 and to approve an additional budget appropriation from the Capital Reserve Fund #4650 in the amount of \$285,400 for the BESP Phase 1 Improvement Project.

The motion carried by the following vote:

(21/12/2270)

AYES:	4	Smith, Emerson, Rose, Fuller
NOES:		None
ABSENT:	1	Majoewsky
ABSTAIN:		None

3. DISCUSSION AND ACTION RELATED TO DIRECTOR PARTICIPATION ON THE SANTA BARBARA COUNTY LOCAL FORMATION COMMISSION

Mr. Wagner gave the staff report.

Director Emerson made a motion, seconded by Director Rose to authorize participation and nominate Director Edward Fuller to the Santa Barbara County Local Formation Commission.

The motion carried by the following vote:

(21/12/2271)

AYES:	3	Smith, Emerson, Rose
NOES:		None
ABSENT:	1	Majoewsky
ABSTAIN:		Fuller

4. CONSIDERATION AND ADOPTION OF RESOLUTION CONTINUING THE CONDUCT OF MEETINGS UNDER MODIFIED BROWN ACT REQUIREMENTS

Mr. Wagner gave the staff report.

Director Rose made a motion, seconded by Director Emerson to approve and adopt Resolution No. 21-674 to continue to conduct meetings under modified Brown Act requirements.

The motion carried by the following vote:

(21/12/2272)

AYES:	4	Smith, Emerson, Rose, Fuller
NOES:		None
ABSENT:	1	Majoewsky
ABSTAIN:		None

5. GENERAL MANAGER'S REPORT

Mr. Wagner gave the report.

6. LEGAL COUNSEL'S REPORT

Mr. Battles reported on recent state-wide mandates regarding COVID-19.

7. COMMITTEE/DIRECTORS' REPORTS AND APPROVAL/RATIFICATION OF DIRECTORS' ACTIVITIES

Director Rose – Advised the Board she has resigned as President of the Santa Barbara County Local Chapter CSDA.

Director Emerson – No report.

Director Fuller – Reported on the Goleta Water District meeting he attended.

8. PRESIDENT'S REPORT

President Smith – Reported on the Engineering Committee meeting he attended.

9. ITEMS FOR FUTURE MEETINGS

No Board action was taken to return with an item.

10. CORRESPONDENCE

The Board reviewed and discussed the list of correspondence to and from the District in the agenda.

11. APPROVAL OF BOARD COMPENSATION AND EXPENSES AND RATIFICATION OF CLAIMS PAID BY THE DISTRICT

Director Emerson made a motion, seconded by Director Fuller, to ratify and approve the claims, for the period 12/07/21 to 12/20/21 as follows:

Running Expense Fund #4640	\$ 331,065.71
Depreciation Replacement Reserve Fund #4655	\$ 23,286.26

The motion carried by the following vote:

(21/12/2273)

AYES:	4	Smith, Emerson, Rose, Fuller
NOES:		None
ABSENT:	1	Majoewsky
ABSTAIN:		None

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:56 p.m.

Jerry D. Smith
Governing Board President

Robert O. Mangus, Jr.
Governing Board Secretary

Steven T. Majoewsky

George W. Emerson

Sharon Rose

Edward Fuller

AGENDA ITEM #1

AGENDA ITEM: 1

MEETING DATE: January 3, 2022

I. NATURE OF ITEM

Consideration of Appointment of Board President and President Pro Tem for Calendar Year 2022

II. BACKGROUND INFORMATION

In accordance with Resolution No. 15-593, adopted by the Board on August 17, 2015, the office of President shall rotate on an annual basis among the five members of the Board. Such rotation was initially established in the order of seniority based on the number of years continuously served on the Board by the then current Board members. When a new member is elected to the Board, such new member shall be placed at the end of the rotation as of the second meeting in January following such election, immediately after the new President assumes office.

The President rotation for Calendar Year 2022 pursuant to Resolution No. 15-593 is shown below:

1. Director Majoewsky - President
2. Director Emerson – President Pro Tem
3. Director Rose
4. Director Fuller
5. Director Smith

III. COMMENTS AND RECOMMENDATIONS

In accordance with Resolution No. 15-593 described above, the next in line for the office of President is Director Majoewsky, and the next in line for President Pro Tem is Director Emerson. Staff recommends the Board consider and vote on the position of Board President and President Pro Tem in accordance with Resolution No. 15-593.

IV. REFERENCE MATERIAL

Resolution No. 15-593

RESOLUTION NO. 15-593

**RESOLUTION OF THE GOVERNING BOARD OF THE GOLETA
SANITARY DISTRICT REPEALING RESOLUTION NO. 08-480 AND
ESTABLISHING REVISED PROCEDURES FOR APPOINTMENT
OF BOARD PRESIDENT AND PRESIDENT PRO TEM**

WHEREAS, Health and Safety Code Section 6486 requires the Governing Board of the Goleta Sanitary District (the "District") to choose a President from among its members. Health and Safety Code Section 6488 provides that, in case of the absence or inability of the President to act, the Board shall choose a President Pro Tem.

WHEREAS, the District's Governing Board adopted Resolution No. 08-480 on November 17, 2008 setting forth procedures for the appointment of the Governing Board President and President Pro Tem.

WHEREAS, the Governing Board deems it to be in the District's best interests to revise its procedures relating to the appointment of the President to clarify the manner in which a newly elected or appointed Board member will be placed in the annual rotation to serve as Board President.

NOW, THEREFORE, be it resolved by the Governing Board of the Goleta Sanitary District as follows:

1. **Repeal of Resolution No. 08-480.** Resolution No. 08-480 adopted on November 17, 2008 is hereby repealed in its entirety and is replaced by the procedures set forth herein.

2. **Rotation of Presidency.** The office of President shall rotate on an annual basis among the five members of the Board. Such rotation was initially established in the order of seniority based on the number of years continuously served on the Board by the then current Board members. When a new member is elected to the Board, such new member shall be placed at the end of the rotation as of the second meeting in January following such election, immediately after the new President assumes office. When a new member is appointed to the Board, the Board shall determine by a majority vote of a quorum as soon as reasonably feasible, but prior to January of the upcoming year, the timing for the placement of such new member at the end of the rotation. In making said determination, the Board shall take into consideration (i) the date of the new member's appointment, (ii) the time that is expected to elapse before the new member is eligible to serve as President, and (iii)

such other factors as the Board deems appropriate. A former Board member shall be considered a new member if he or she is elected or appointed to the Board after a break in service due to the fact that such member previously resigned or was not reelected. In the event two or more new members of the Board are elected or appointed at the same time, their placement relative to each other at the end of the rotation as provided above shall be determined by random selection.

The intent of the Board in adopting the forgoing procedures is that a new member will not serve as President until all existing members who desire to serve as President shall have served an annual term as President following the election or appointment of the new member. Exceptions to the procedures set forth above may be made on a case by case basis in the sole discretion of the Board to address unique circumstances and to achieve said intent.

3. **Date for Assuming Office.** Each year the new President shall be confirmed by a majority vote of a quorum of the Board at its first meeting in January and said new President shall assume office as of the second meeting in January. No Board member shall be required to serve as President against his or her wishes.

4. **President Pro Tem.** In case of the absence or inability of the President to act, the President Pro Tem shall be the Board member who is scheduled to serve as the President during the next annual rotation.

5. **Vacancy in Presidency.** In the event the position of Board President becomes vacant due to resignation, death, removal or other circumstances, the President Pro Tem, as determined under Section 4 above, shall become the new President (the "Successor President") as of the effective date of the vacancy. In such event, the Board shall determine by a majority vote of a quorum as soon as reasonably feasible, but prior to January of the upcoming year, whether (i) the Successor President shall continue as the President for the next annual term commencing on the second meeting in January of the upcoming year, or (ii) the Board member who is scheduled to serve next in the annual rotation after the Successor President shall become the President for the upcoming year. In making said determination, the Board shall take into consideration (a) the number of Board meetings at which the Successor President presided as President Pro Tem prior to the vacancy in the Presidency, (b) the number of Board meetings at which the Successor President will preside after filling the vacancy, and (c) such other factors as the Board deems appropriate.

PASSED AND ADOPTED this 17th day of August, 2015, by the following vote of the Governing Board of the Goleta Sanitary District:

AYES: Emerson, Rose, Smith, Fox

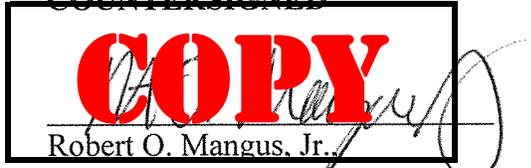
NOES: None

ABSTENTIONS: None

ABSENT: Majoewsky

COPY

George W. Emerson,
President of the Governing Board

COUNTERSIGNED
COPY

Robert O. Mangus, Jr.
Secretary of the Governing Board

AGENDA ITEM #2

AGENDA ITEM: 2

MEETING DATE: January 3, 2022

I. NATURE OF ITEM

Review and Consideration of Recent Changes to District's Administrative Code

II. BACKGROUND INFORMATION

The Goleta Sanitary District's Governing Board adopted an Administrative Code on July 21, 2008. The Administrative Code sets forth the statutes, ordinances, regulations, resolutions, policies, procedures and administrative provisions applicable to and/or promulgated by the District, and provides the District's Board and staff with instructions and policies to implement the Sanitary District Act of 1923 as set forth in California Health and Safety Code Section 6400 et seq.

The Administrative Code is updated from time to time, as necessary to reflect changes in the law and actions taken by the Board. At such time as the Administrative Code is updated, the revisions are reviewed by the Board, and the Board is provided with replacement pages and/or a new version of the entire Administrative Code reflecting the updates.

The last time an updated Administrative Code was reviewed by the Board as a specific agenda item was at its meeting on July 2, 2018. The revisions reflected in that updated Administrative Code related to the following ordinances and resolutions:

- Ordinance No. 86 (Sewer service charges)
- Resolution No. 17-619 (Director compensation policies)
- Resolution No. 17-620 (Director expense reimbursement policies)
- Resolution No. 17-621 (Reimbursement agreement policy)
- Ordinance No. 87 (Sewer capacity fees)
- Resolution No. 18-624 (Investments in LAIF and designated signatories)
- Ordinance No. 88 (Annexation fees)
- Ordinance No. 89 (Sewer capacity fees)
- Resolution No. 18-626 (Capital reserve fund)
- Resolution No. 18-627 (Financial reserves policy)

At its meeting on July 2, 2018, the Board took formal action to confirm that it had reviewed the revised Administrative Code and that the changes set forth therein reflected the prior actions of the Board and/or represented appropriate edits or corrections. Bound copies of the entire revised Administrative Code were thereafter distributed to the Board members.

The Administrative Code was subsequently updated on July 1, 2019. The revisions reflected in that updated Administrative Code related to the following ordinance and resolution:

- Ordinance No. 90 (CPI increases for sewer service charges)
- Resolution No. 18-636 (Amendments to the Conflict of Interest Code)

A digital version of the updated Administrative Code was sent to the Board members by email on July 22, 2019, and replacement pages were distributed to Board members at the Board meeting held on August 5, 2019.

The Administrative Code was again updated on February 17, 2021. The revisions reflected in that updated Administrative Code related to the following ordinance and resolution:

- Ordinance No. 92 (Sewer use ordinance)
- Resolution No. 19-647 (Legislative advocacy policy)

A copy of the Administrative Code with the above-referenced revisions were posted on the District's website on February 20, 2021.

The Administrative Code has again been updated as of January 3, 2022 to reflect the adoption of the following ordinance and resolution:

- Ordinance No. 93 (Revised fees for industrial waste control permits)
- Resolution No. 21-661 (Authorized signatories)

The attached pages from the Administrative Code have been redlined to show these revisions.

III. COMMENTS AND RECOMMENDATIONS

It is recommended that the Board take action to confirm that (i) it had reviewed the most recent revisions to the Administrative Code as shown on the attached pages, and (ii) the changes correctly reflect the adoption of Ordinance No. 93 and Resolution No. 21-661. Thereafter, staff will send a digital version of the updated Administrative Code by email and distribute replacement pages to the Board members.

IV. REFERENCE MATERIAL

Redlined pages showing proposed changes to Administrative Code



GOLETA SANITARY
Water Resource Recovery District

Protecting Public Health and the Environment

GOLETA SANITARY DISTRICT
ADMINISTRATIVE CODE

Adopted by Ordinance No. 70 on July 21, 2008

Last updated on ~~July 1, 2019~~ February 17, 2021

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TITLE 5 - SEWAGE REGULATIONS

Chapter 1. Use of Sewerage System

Article 1. General Provisions

SECTION 5-1.1.1. PURPOSE AND POLICY

This Chapter sets forth uniform requirements for Users of the Publicly Owned Treatment Works of the Goleta Sanitary District (the District) and enables the District to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code section 1251 et seq.) and the General Pretreatment Regulations (Title 40 of the Code of Federal Regulations Part 403).

The objectives of this Chapter are:

- A. To prevent the introduction of pollutants into the Publicly Owned Treatment Works, POTW, that will interfere with its operation;
- B. To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will pass through the Publicly Owned Treatment Works, inadequately treated, into receiving waters, or otherwise be incompatible with the Publicly Owned Treatment Works;
- C. To protect both (i) Publicly Owned Treatment Works personnel who may be affected by wastewater and sludge in the course of their employment and (ii) the general public;
- D. To promote reuse and recycling of ~~industrial~~ wastewater and sludge from the Publicly Owned Treatment Works; and
- E. To enable the District to comply with its National Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other Federal or State laws to which the Publicly Owned Treatment Works is subject.

This Chapter (i) shall apply to all Users of the Publicly Owned Treatment Works; (ii) authorizes the issuance of individual wastewater discharge permits; (iii) provides for monitoring, compliance, and enforcement activities; (iv) establishes administrative review procedures; and (v) requires User reporting.

SECTION 5-1.1.2. ADMINISTRATION

Except as otherwise provided herein, the Manager shall administer, implement, and enforce the provisions of this Chapter. Any powers granted to or duties imposed upon the Manager may be delegated by the Manager to ~~the District's Environmental Compliance Program Officer or to~~ other duly authorized District employees.

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SECTION 5-1.1.3. ABBREVIATIONS

The following abbreviations, when used in this Chapter, District permits, reports and/or correspondence shall have the designated meanings:

BOD – Biochemical Oxygen Demand	mg/L – milligrams per liter
BMP – Best Management Practice	NOV – Notice of Violation
BMR – Baseline Monitoring Report	NPDES – National Pollutant Discharge Elimination System
CFR – Code of Federal Regulations	POTW – Publicly Owned Treatment Works
CIU – Categorical Industrial User	RCRA – Resource Conservation and Recovery Act
EPA – U.S. Environmental Protection Agency	SIU – Significant Industrial User
ERP – Enforcement Response Plan	SNC – Significant Non-compliance
FOG – Fats, Oil & Grease	TDS – Total Dissolved Solids
FSE – Food Service Establishment	TSS – Total Suspended Solids
GPD – gallons per day	ug/L – micrograms per liter
IU – Industrial User	U.S.C. – United States Code
<u>MAHL – Maximum Allowable Headworks Loading</u>	

SECTION 5-1.1.4. DEFINITIONS

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this Chapter, District permits, reports and/or correspondence shall have the meanings hereinafter designated.

- A. **Act or the Act.** The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. section 1251 et seq.
- B. **Administrative Penalty.** A civil penalty (monies) for violating any portion(s) of this ordinance or the User's permit.
- C. **Approval Authority.** The California Regional Water Quality Control Board Central Coast Region.
- D. **Authorized or Duly Authorized Representative of the User.**
- (1) If the User is a corporation:
- (a) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
- (b) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive

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L. **Daily Maximum Limit.** The maximum allowable discharge limit of a pollutant during a calendar day. Where Daily Maximum Limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

M. **District.** The Goleta Sanitary District or the Governing Board of the Goleta Sanitary District.

N. **Enforcement Response Plan.** A plan including detailed procedures indicating how the District will investigate and respond to instances of noncompliant discharge.

O. **Environmental Protection Agency or EPA.** The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, the Regional Administrator, or other duly authorized official of said agency.

P. **Equivalent Residential Unit.** ~~An~~ The annual wastewater treatment plant WWTP capacity allocation for one single family residence ~~equal to 74,095 gallons~~ used to calculate sewer use fees based on the industrial user category.

Q. **Existing Source.** Any source of discharge that is not a “New Source.”

R. **Grab Sample.** A sample that is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen (15) minutes.

S. **Gravity Separation Interceptor.** A tank or basin in which ~~w~~Wastewater is held for a period of time during which the heavier solids settle to the bottom and the lighter materials float to the water surface. Gravity Separation Interceptor shall also mean a settling tank or sedimentation basin that is designed to treat the Pollutant(s) of concern.

T. **Grease Interceptor.** A plumbing device designed to separate and retain most fats, oils, grease and solids, excluding sanitary wastes, before entering the public sewer collection system.

U. **Hazardous Waste.** A waste that meets any of the criteria for identification of a Hazardous Waste adopted by any Federal or State agency, whichever criteria is most stringent.

V. **Hexane Extractable Material (HEM).** Material extracted by hexane using EPA procedure 1664 or as modified by EPA or found by EPA to be equivalent. The HEM represents polar and non-polar organic oil and grease compounds, often referred to as oil and grease.

W. **Indirect Discharge or Discharge.** The introduction of pollutants into the POTW from any nondomestic source.

X. **Infectious Waste.** Wastes which contain pathogenic organisms that can invade the tissues of the body and cause disease.

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

(2) Construction on a site at which an Existing Source is located results in a modification rather than a New Source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (1)(b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.

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

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

HH. **NPDES Permit.** A National Pollutant Discharge Elimination System Permit, which is the regulatory document issued by the State of California as authorized by the EPA.

II. **Noncontact Cooling Water.** Water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

JJ. **Outside Contributor.** Another municipality, governmental agency or User located outside the District's direct jurisdiction that contributes wastewater to the District's treatment facility and/or POTW.

KK. **Pass Through.** A 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

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other sources, is a cause of a violation of any requirement of the District's NPDES permit, including an increase in the magnitude or duration of a violation.

LL. **Person.** Any individual, partnership, copartnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all Federal, State, and local governmental entities.

MM. **pH.** A measure of the acidity or alkalinity of a solution, expressed in standard units.

NN. **Pollutant.** Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, Medical Wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TDS, TSS, turbidity, color, BOD, chemical oxygen demand toxicity, chlorides or odor).

OO. **Pretreatment.** The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes, except bacterial enzymes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable Pretreatment Standard.

PP. **Pretreatment Requirements.** Any substantive or procedural requirement related to pretreatment imposed on a User, other than a Pretreatment Standard.

QQ. **Pretreatment Standards or Standards.** Pretreatment Standards shall mean prohibited discharge standards, categorical Pretreatment Standards, Local Limits and 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 this Chapter.

RR. **Prohibited Discharge Standards or Prohibited Discharges.** Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 5-1.4.1 of this Chapter.

SS. **Publicly Owned Treatment Works or POTW.** A treatment works, as defined by section 212 of the Act (33 U.S.C. section 1292), which is owned by the District. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances, which convey wastewater to a treatment plant.

TT. **RCRA.** Resource Conservation and Recovery Act which is defined in 42 U.S.C. 6901 et seq.

UU. **Sampling Manhole.** A structure provided at the user's expense for the District or user to measure and record wastewater constituent mass, concentrations, collect a representative sample, or provide access to plug or terminate the discharge.

VV. **Secondary Containment.** A second barrier or an outer wall of a double enclosure, which is designed to contain any leak or spill from a storage container.

WW. **Septic Tank Waste.** Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.

XX. **Sewage.** Human excrement and gray water (household showers, dishwashing operations, etc.).

YY. **Significant Industrial User (SIU).** ~~Except as provided in paragraphs (3) and (4) of this Section VV, a~~ Significant Industrial User is:

(1) An Industrial User subject to Categorical Pretreatment Standards; or

(2) An Industrial User that:

(a) Discharges an average of twenty-five thousand (25,000) gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);

(b) Contributes a process wastestream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or

(c) Is designated as such by the District on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.

~~(3) The District may determine that an Industrial User subject to categorical Pretreatment Standards is a Non-Significant Categorical Industrial User rather than a Significant Industrial User on a finding that the Industrial User never discharges more than 100 gallons per day of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met:~~

~~(a) The Industrial User, prior to District's finding, has consistently complied with all applicable categorical Pretreatment Standards and Requirements;~~

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~~(b) The Industrial User annually submits the certification statement required in Section 5-1.8.14 A of this Chapter [see 40 CFR 403.12(q)], together with any additional information necessary to support the certification statement; and~~

~~(c) The Industrial User never discharges any untreated concentrated wastewater.~~

~~(4) Upon a finding that a User meeting the criteria in Subsection (2) of this Section VV has no reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement, the District may at any time, on its own initiative or in response to a petition received from an Industrial User, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such User should not be considered a Significant Industrial User.~~

ZZ. **Slug Load or Slug Discharge.** Any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Section 5-1.4.1 of this Chapter. A Slug Discharge is any Discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch Discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations, Local Limits or Permit conditions.

AAA. **Slug Discharge Control Plan.** A plan designed to prevent the uncontrolled discharge of raw pollutants into the POTW.

BBB. **Storm Water.** Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.

CCC. **Total Suspended Solids or Suspended Solids.** The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and that is removable by laboratory filtering.

DDD. **Toxic Pollutant.** Pollutants or combination of Pollutants, including disease-causing agents, which after discharge and upon exposure, ingestion, inhalation, or assimilation into any organism either directly from the environment or indirectly by ingestion through the food chain, will, on the basis of information available to the Administrator of the EPA, cause death, disease, behavioral abnormalities, cancer, genetic mutations, physiological malfunctions, or malfunctions in reproduction or physical deformations in such organisms or their offspring. Such Pollutants that have been identified as toxic are listed in 40 CFR 122, Appendix D.

EEE. **Twenty-five percent (25%) Rule.** Requirement for grease interceptors to be maintained such that the combined FOG and solids accumulation does not exceed 25% of the design hydraulic depth of the grease interceptor. This is to ensure that the minimum hydraulic retention time and required available hydraulic volume is maintained to effectively intercept and retain FOG so it is not discharged to the public sewer collection system.

FFF. **User or Industrial User.** A source of indirect discharge.

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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. The property owner is responsible for maintaining the building sewer from the building up to and including the WYE connection.

SECTION 5-1.3.4. 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 5-1.3.5. 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. Prior to the approval of a subdivision or lot split, the owner of the property shall make provision for the installation of a separate building sewer for each lot. Each lot shall be separately and independently connected to the District sewer facilities.

SECTION 5-1.3.6. USE OF EXISTING LATERAL BY NEW BUILDING

~~Old-Existing~~ 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 Section 5-1.3.

SECTION 5-1.3.7. 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 current edition of the District's Standard Specifications for Design and Construction of Sanitary Sewers. 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 or as allowed by the California Plumbing Code, current edition. All sewers shall be constructed in accordance to and in compliance with the current edition of the District's Specifications for Design and Construction of Sanitary Sewers.

SECTION 5-1.3.8. BACK WATER VALVE – BACK FLOW PREVENTOR

In every building where the floor elevation is lower than the manhole rim elevation of the upstream manhole to the connection for the building, the property owner shall be responsible for, and shall make provision for the installation, maintenance and repair of a back-water valve to prevent the flow of sewage from the main line into the building through the lateral

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~~Section 5-1.3.8.~~ **SECTION 5-1.3.9. COMPLIANCE WITH STANDARDS**

In every building hereafter erected within the limits of the District, all plumbing fixtures shall conform to the provisions of the ordinances and codes of the City of Goleta, County of Santa Barbara, State of California, applying thereto.

~~Section 5-1.3.9.~~ **SECTION 5-1.3.10. 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.

~~Section 5-1.3.10.~~ **SECTION 5-1.3.11. CAPACITY FEE**

A wastewater capacity fee shall be paid by each User as established from time to time by the District to cover the cost of providing capacity in the POTW. The wastewater capacity fee shall be payable prior to the time a new User commences a use of the POTW. The District will calculate the wastewater capacity fee in accordance with Capacity Ordinance(s), as said ordinances may be amended, replaced or superseded in the future.

Article 4. General Sewer Use Requirements

SECTION 5-1.4.1. PROHIBITED DISCHARGE STANDARDS

A. **General Prohibitions.** No User shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes Pass Through or Interference. These general prohibitions apply to all Users of the POTW whether or not they are subject to categorical Pretreatment Standards or any other National, State, or local Pretreatment Standards or Requirements.

B. **Specific Prohibitions.** No User shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:

- (1) **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); and Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, wastestreams with a closed-cup flashpoint of less than 140 degrees F (60 degrees C) using the test methods specified in 40 CFR 261.21. Prohibited materials may 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

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other substances which the District, the State or EPA has notified the user is a fire hazard or a hazard to the system;

(2) **Corrosive Wastes.** Wastewater having a pH less than 6.0 or more than ~~9.5~~11, or otherwise causing corrosive structural damage to the POTW or equipment. 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.

(3) **Solid or Viscous Wastes.** Solid or viscous substances which will or may cause obstruction to the flow in a sewer, or otherwise interfere with the proper operation of the wastewater treatment system, but in no case solids greater than one-half (1/2) inch in any dimension. Prohibited materials may 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;

(4) **Excessive Discharge Rate.**

a. **Hydraulic:** A rate of flow which results from the averaging of the flow rates over a period of 15 consecutive minutes and which is 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 treatment 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, either singly or by interaction with other pollutants, will cause Interference with the POTW.

d. **Unpolluted waters:** Any unpolluted waters including, but not limited to storm water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, noncontact (once through) cooling water, and unpolluted wastewater which will increase the hydraulic load on the POTW, unless specifically authorized by the Manager.

(5) **Heat.** Wastewater having a temperature greater than ~~104-120~~ degrees F (~~40-49~~ degrees C), or which will inhibit biological activity in the treatment plant resulting in Interference, but in no case heat in wastewater quantities which causes the temperature at the introduction into the treatment plant to exceed 104 degrees F (40 degrees C);

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(6) **Fats, 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) 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 degrees 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 degrees F (0 and 65 C) at the point of discharge into the system or in amounts that will cause interference or pass through.
- e. No additives may be introduced into a wastewater system for the purpose of emulsifying FOG or biologically/chemically treating FOG for remediation or as a supplement to interceptor maintenance, unless specific written authorization from the District is obtained. To ensure that the minimum hydraulic retention time and required available hydraulic volume is maintained to effectively intercept and retain FOG so it is not discharged to the District's wastewater collection system, pretreatment interceptors shall be maintained such that the combined FOG and solids accumulation does not exceed 25% of the design hydraulic depth of the interceptor. All FOG pretreatment interceptors shall be maintained in accordance with the Twenty-five percent (25%) Rule;

(7) **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 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;

(8) **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;

(9) **Trucked or Hauled Waste.** Any trucked or hauled pollutants are prohibited, except at discharge points designated by the District;

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(10) **Noxious Material.** Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;

(11) **Discolored Materials.** Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently causes ~~the plant effluent to fail to meet State or EPA standards for turbidity or light transmittance, causes aesthetically undesirable discoloration of the ocean surface and/or causes,~~ or threatens to cause a violation of the District's NPDES permit;

(12) **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 the public sewers, with no particle greater than one-half (1/2) inch in any dimension;

(13) **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;

(14) **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;

(15) **Industrial ResiduesSuspended Solids.** Sludges, screenings, or other residues from the pretreatment of industrial wastes;

(16) **Medical/Infectious Wastes,** except as specifically authorized by the Manager in an individual wastewater discharge permit;

~~(17) **Pass-through.** Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail toxicity test;~~

(17) **Foaming AgentsInterference.** Detergents, surface-active agents, or other substances which that might cause excessive foaming in the POTW;

(18) **Perchloroethylene.** Perchloroethylene and its derivatives and like compounds (collectively, "PCE"), including, but not limited to, chemicals and/or solvents used in the dry cleaning process, by automobile and mechanical repair facilities and other industries, where such chemicals and/or solvents contain PCE. Any discharge containing PCE shall be subject to the same concentration limitations that apply to drinking water within the jurisdiction where the User is located;

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(19) **Volatile Organic Compounds.** Volatile organic compounds found in petroleum derivatives such as gasoline and diesel fuel, including, but not limited to, benzene, toluene, ethylbenzene and xylenes (collectively “VOCs”). Any discharge containing VOCs shall be subject to the same concentration limitations that apply to drinking water within the jurisdiction where the User is located.

C. **Prohibition on Hydrolysate.** No person shall discharge hydrolysate wastes or wastewater resulting from alkaline hydrolysis/resomation either directly or indirectly to the sanitary sewer except as specifically authorized by the Manager in an individual wastewater discharge permit.

D. **Storage of Prohibited Waste.** Pollutants, substances, or wastewater prohibited by this Section 5-1.4.1 shall not be processed or stored in such a manner that they could be discharged to the POTW.

SECTION 5-1.4.2. NATIONAL CATEGORICAL PRETREATMENT STANDARDS

Users must comply with the categorical Pretreatment Standards found at 40 CFR Chapter I, Subchapter N, Parts 405–471. When wastewater subject to a categorical Pretreatment Standard is mixed with wastewater not regulated by the same Standard, the Manager shall impose the combined wastestream formula to calculate an alternate or adjusted categorical limit in accordance with 40 CFR 403.6(e).

SECTION 5-1.4.3. STATE PRETREATMENT STANDARDS

The EPA has delegated the responsibility to oversee Federal pretreatment programs to the California State Water Resources Control Board (SWRCB) and Regional Water Quality Control Boards (RWQCB). The SWRCB and RWQCB are responsible for the review and approval of the District’s pretreatment program. Users must comply with California pretreatment requirements as set forth in the District’s NPDES Permit.

SECTION 5-1.4.4. LOCAL LIMITS

A. The District is authorized to establish Local Limits pursuant to 40 CFR 403.5(c). The following Pollutant limits are established to protect against Pass Through and Interference. No person shall discharge wastewater containing in excess of the following Maximum Limits; provided, however, that where more restrictive limitations are imposed by Permit or Federal Pretreatment Standards, the more restrictive standards shall apply:

<u>Constituent</u>	<u>Concentration, mg/L</u>	<u>Instantaneous Maximum, mg/L</u>
<u>Conventional Pollutants:</u>		
Ammonia (N)	662	n/a
Biochemical Oxygen	1,880*	n/a

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Demand		
Total Suspended Solids	2,031	<u>n/a</u>
Oil & Grease	100	<u>200</u>
<u>Priority Pollutant Metals:</u>		
Arsenic	0.11	<u>0.20</u>
Cadmium	0.13	<u>0.28</u>
Chromium	5.3	<u>21</u>
Copper	2.4	<u>6.9</u>
Lead	1.5	<u>4.2</u>
Mercury	0.071	<u>0.24</u>
<u>Molybdenum</u>	<u>1.5</u>	<u>1.5</u>
Nickel	2.3	<u>2.3</u>
Selenium	0.31	<u>0.31</u>
Silver	1.0	<u>4.9</u>
Zinc	3.2	<u>8.6</u>
<u>Other Trace Elements/Minerals:</u>		
<u>Molybdenum TDS</u>	<u>To be determined</u>	<u>n/a</u> *
<u>Chloride</u>	<u>300*</u>	<u>n/a</u>
<u>Other Toxics:</u>		
Cyanide	1.1	<u>4.4</u>
pH	6- 9.5 <u>11</u> units	<u>6-11</u> units

*Possible allocation of mass limit for user's discharging >1% of MAHL

B. The above Local limits apply at the point where the wastewater is discharged to the POTW, also known as the end-of-pipe. All concentrations for metallic substances are for total metal unless indicated otherwise. The District may impose mass limitations in addition to concentration-based limitations.

C. The Manager may develop Best Management Practices (BMP's) by ordinance or in individual wastewater discharge permits to implement Local Limits and the requirements of Section 5-1.4.1 of this Chapter.

SECTION 5-1.4.5. DISTRICT'S RIGHT OF REVISION

The District reserves the right to establish, by ordinance or in individual wastewater discharge permits, more stringent Standards or Requirements on discharges to the POTW consistent with the purpose of this Chapter.

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interception units shall be of a type and capacity approved by the Manager, shall comply with the District ordinances, and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired in accordance with District requirements by the User at their expense.

D. Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

E. The Manager may require any persons discharging into the POTW to install and maintain, on their property and at their expense a flow meter ~~capable of totalizing a minimum of ten million (10,000,000) gallons to authenticate the amount of effluent discharge for determination of compliance with permit limits (daily and/or peak flow, mass, etc.) and/or~~ for District billing purposes.

SECTION 5-1.5.3. ACCIDENTAL DISCHARGE/SLUG DISCHARGE CONTROL PLANS

The Manager shall evaluate whether each SIU needs an accidental discharge/slug discharge control plan or other action to control Slug Discharges. The Manager may require any User to develop, submit for approval, and implement such a plan or take such other action that may be necessary to control Slug Discharges. Alternatively, the Manager may develop such a plan for any User. An accidental discharge/slug discharge control plan shall address, at a minimum, the following:

- A. Description of discharge practices, including nonroutine batch discharges;
- B. Description of stored chemicals;
- C. Procedures for immediately notifying the Manager of any accidental or Slug Discharge, as required by Section 5-1.8.6 of this Chapter; and
- D. Procedures to prevent adverse impact from any accidental or Slug Discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

~~Section 5-1.5.4. TRUCKED OR HAULED WASTEWATER~~

~~Any trucked or hauled pollutants are prohibited, except at discharge points designated by the District.~~

~~Section 5-1.5.6.~~ **SECTION 5-1.5.4. POLLUTION PREVENTION, WASTE MINIMIZATION, RECYCLING, AND TREATMENT**

All Users ~~must~~ implement a program of waste minimization to reduce the generation of Hazardous Wastes in accordance with Federal, State, and local policies. This program, at a

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Federal and State Pretreatment Standards or Requirements or with any other requirements of Federal, State, and local law.

SECTION 5-1.6.3. INDIVIDUAL WASTEWATER DISCHARGE PERMITTING: EXISTING CONNECTIONS

Any User required to obtain an individual wastewater discharge permit who was discharging wastewater into the POTW prior to the effective date of this Chapter and who wishes to continue such discharges in the future, shall, within ~~ten-twenty~~ (~~1020~~) days after said date, apply to the Manager for an individual wastewater discharge permit in accordance with Section 5-1.6.5 of this Chapter, and shall not cause or allow discharges to the POTW to continue after ~~thirty-sixty~~ (~~3060~~) days of the effective date of this Chapter except in accordance with an individual wastewater discharge permit issued by the Manager.

SECTION 5-1.6.4. INDIVIDUAL WASTEWATER DISCHARGE PERMITTING: NEW CONNECTIONS

Any User required to obtain an individual wastewater discharge permit who proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such discharge. An application for this individual wastewater discharge permit, in accordance with Section 5-1.6.5 of this Chapter, must be filed at least ~~ten~~ ~~sixty~~ (~~6010~~) days prior to the date upon which any discharge will begin or recommence.

SECTION 5-1.6.5. INDIVIDUAL WASTEWATER DISCHARGE PERMIT APPLICATION CONTENTS

A. All Users required to obtain an individual wastewater discharge permit must submit a permit application. The Manager may require Users to submit all or some of the following information as part of a permit application:

1. Identifying Information.
 - a. The name and address of the facility, including the name of the operator and owner.
 - b. Contact information, description of activities, facilities, and plant production processes on the premises;
2. Environmental Permits. A list of any environmental control permits held by or for the facility.
3. Description of Operations.
 - a. A brief description of the nature, average rate of production (including each product produced by type, amount, processes, and rate of production), and standard industrial classifications of the operation(s) carried out by such User. This description should include a schematic process diagram, which indicates points of discharge to the POTW from the regulated processes;

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B. Incomplete or inaccurate applications will not be processed and will be returned to the User for revision.

SECTION 5-1.6.6. APPLICATION SIGNATORIES AND CERTIFICATIONS

A. All wastewater discharge permit applications, User reports and certification statements must be signed by an Authorized Representative of the User and contain the certification statement in Section 5-1-8.14 A of this Chapter.

B. If the designation of an Authorized Representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements of Section 5-1.1.4 C of this Chapter must be submitted to the Manager prior to or together with any reports to be signed by an Authorized Representative.

SECTION 5-1.6.7. INDIVIDUAL WASTEWATER DISCHARGE PERMIT DECISIONS

The Manager will evaluate the data furnished by the User and may require additional information. Within ~~twenty-three~~ (2030) days of receipt of a complete permit application, the Manager will determine whether to issue an individual wastewater discharge permit. The Manager may deny any application for an individual wastewater discharge permit.

SECTION 5-1.6.8. INDUSTRIAL WASTEWATER DISCHARGE PERMIT CLASSIFICATION

Industrial Wastewater Discharge Permits shall be classified as follows:

~~**Class A:** 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 POTW.~~

~~**Class B:** 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 operation or spillage. Zero Discharge Certification Form can be used in lieu of monitoring.~~

~~**Class C:** Hazardous—This classification is for industrial users with intermittent discharges to the sewer which contain toxic pollutants. **Class HHR:** Groundwater Remediation—This classification is for industrial users pumping contaminated groundwater through treatment then discharging to the sewer. **Class IV:** Serious Hazard— This classification is for Significant Industrial Users, SIUs, defined in Section 1.4 of this ordinance, and those industries that are industrial users regulated under National Categorical Pretreatment Standards, and/or have a reasonable potential for adversely affecting the POTW's operation or for violating any~~

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Pretreatment Standard or Requirement for users that have continuous discharge to the sewer which contain toxic pollutants.

Class B: This classification is for Industrial Users that are not classified as an SIU, but may require a permit to communicate and formalize industrial wastewater discharge rules and obligations i.e. implementation of Best Management Practice(s), District inspection/compliance monitoring, equipment installation, self-monitoring/reporting, etc. and will involve verification of ongoing compliance with this ordinance and pretreatment standards or requirements.

Class C: This classification is for:

- (1) non-residential users that handle and store toxic or hazardous wastes on site but can demonstrate and certify that they do not directly or indirectly discharge these wastes to the sewer which contain toxic pollutants.
- (2) Users who require discharge approval for a temporary and/or short-term duration.
- (3) Users that have the same or substantially similar types of operations, discharge same types of waste, require similar compliance monitoring and/or best management practices, require the same standard treatment equipment and are more appropriately controlled under this type of document.

These non-residential users may be required to submit (a) an application for a Class C permit setting forth requirements for self-monitoring, reporting, and/or equipment installation, or (b) a certified zero industrial wastewater discharge statement setting forth such survey or other information as the District may require to establish that such user will not directly or indirectly discharge toxic or hazardous wastes to the sewer.

Article 7. Individual Wastewater Discharge Permit Issuance

SECTION 5-1.7.1. INDIVIDUAL WASTEWATER DISCHARGE PERMIT DURATION

An individual wastewater discharge permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. An individual wastewater discharge permit may be issued for a period less than five (5) years, at the discretion of the Manager. Each individual wastewater discharge permit will indicate a specific date upon which it will expire.

SECTION 5-1.7.2. INDIVIDUAL WASTEWATER DISCHARGE PERMIT CONTENTS

An individual wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the Manager to prevent Pass Through or Interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, protect the wastewater reclamation facility and protect against damage to the POTW.

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A. Individual wastewater discharge permits must contain:

- (1) A statement that indicates the wastewater discharge permits issuance date, expiration date and effective date.;
- (2) A statement that the wastewater discharge permit is nontransferable without prior notification to the District in accordance with Section 5-1.7.4 of this Chapter, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit.;
- (3) Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards.;
- (4) Self--monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants (or best management practice) to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law.
- (5) A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law.
- (6) Requirements to control Slug Discharge, ~~if determined by~~ unless the Manager ~~bedetermines that such requirements are not to be~~ necessary.

B. Individual wastewater discharge permits may contain, but need not be limited to, the following conditions:

- (1) Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization.;
- (2) Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works.;
- (3) Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or nonroutine discharges.;
- (4) Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW.;
- (5) The unit charge or schedule of User charges and fees for the management of the wastewater discharged to the POTW.;

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(6) Requirements for installation and maintenance of inspection and sampling facilities and equipment, including flow measurement devices;

(7) A statement that compliance with the individual wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State Pretreatment Standards, including those which become effective during the term of the individual wastewater discharge permit; and

(8) Other conditions as deemed appropriate by the Manager to ensure compliance with this Chapter, and State and Federal laws, rules, and regulations.

SECTION 5-1.7.3. PERMIT MODIFICATION

A. The Manager may modify an individual wastewater discharge permit for good cause, including, but not limited to, the following reasons:

(1) To incorporate any new or revised Federal, State, or local Pretreatment Standards or Requirements;

(2) To address significant alterations or additions to the User's operation, processes, or wastewater volume or character since the time of the individual wastewater discharge permit issuance;

(3) A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;

(4) Information indicating that the permitted discharge poses a threat to the District's POTW, District personnel, the POTW's beneficial sludge and/or reclaimed water use, or the receiving waters;

(5) Violation of any terms or conditions of the individual wastewater discharge permit;

(6) Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;

(7) Revision of or a grant of variance from categorical Pretreatment Standards pursuant to 40 CFR 403.13;

(8) To correct typographical or other errors in the individual wastewater discharge permit; or

(9) To reflect a transfer of the facility ownership or operation to a new owner or operator where requested in accordance with Section 5-1.7.4 of this Chapter.

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SECTION 5-1.7.4. INDIVIDUAL WASTEWATER DISCHARGE PERMIT TRANSFER

Individual wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least ~~twenty-sixty~~ (60~~20~~) days advance notice to the Manager and the Manager approves the individual wastewater discharge permit transfer. The notice to the Manager must include a written certification by the new owner or operator which:

- A. States that the new owner and/or operator has no immediate intent to change the facility's operations and processes.;
- B. Identifies the specific date on which the transfer is to occur; and
- C. Acknowledges full responsibility for complying with the existing individual wastewater discharge permit.

Failure to provide advance notice of a transfer renders the individual wastewater discharge permit void as of the date of facility transfer.

SECTION 5-1.7.5. INDIVIDUAL WASTEWATER DISCHARGE PERMIT REVOCATION

The Manager may revoke an individual wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- A. Failure to notify the Manager of significant changes to the wastewater prior to the changed discharge.;
- B. Failure to provide prior notification to the Manager of changed conditions pursuant to Section 5-1.8.5 of this Chapter.;
- C. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application.;
- D. Falsifying self-monitoring reports and certification statements.;
- E. Tampering with monitoring equipment.;
- F. Refusing to allow the Manager timely access to the facility premises and records.;
- G. Failure to meet effluent limitations.;
- H. Failure to pay fines.;
- I. Failure to pay sewer charges.;
- J. Failure to meet compliance schedules.;

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K. Failure to complete a wastewater survey or the wastewater discharge permit application~~;~~.

L. Failure to provide advance notice of the transfer of business ownership of a permitted facility~~;~~~~or~~.

M. Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or this Chapter.

Individual wastewater discharge permits shall be voidable upon cessation of operations or transfer of business ownership. All individual wastewater discharge permits issued to a User are void upon the issuance of a new individual wastewater discharge permit to that User.

SECTION 5-1.7.6. INDIVIDUAL WASTEWATER DISCHARGE PERMIT REISSUANCE

A User with an expiring individual wastewater discharge permit shall apply for individual wastewater discharge permit reissuance by submitting a complete permit application, in accordance with Section 5-1.6.5 of this Chapter, a minimum of ~~thirty-sixty~~ (3060) days prior to the expiration of the User's existing individual wastewater discharge permit.

SECTION 5-1.7.7. REGULATION OF WASTE RECEIVED FROM OTHER JURISDICTIONS

A. If ~~another municipality, a governmental agency or a User located outside the District's jurisdiction~~ (an "Outside Contributor") contributes wastewater to the District's POTW, the District shall enter into an agreement with the Outside Contributor.

B. An agreement, as required by paragraph A, above, shall contain the following conditions:

(1) A requirement for the Outside Contributor to adopt sewer use requirements which (i) are at least as stringent as this Chapter, (ii) contain Local Limits, which are at least as stringent as those set out in Section 5-1.4.4 of this Chapter, and (iii) includes requirements for Baseline Monitoring Reports ~~(BMRs)~~. The sewer use requirements shall specify that such requirements and limits must be revised as necessary to reflect changes made to the District's ordinance or Local Limits~~;~~.

(2) A provision specifying which pretreatment implementation activities, including individual wastewater discharge permit issuance, inspection and sampling, and enforcement, will be conducted by the Outside Contributor; which of these activities will be conducted by the Manager; and which of these activities will be conducted jointly by the Outside Contributor and the Manager~~;~~.

(3) A requirement for the Outside Contributor to provide the Manager with access to all information that the Outside Contributor obtains as part of its pretreatment activities~~;~~.

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(4) Limits on the nature, quality, and volume of the Outside Contributor's wastewater at the point where it discharges to the POTW.

(5) Requirements for monitoring the Outside Contributor's discharge.

(6) A provision ensuring the Manager access to the facilities of users located within the Outside Contributor's jurisdictional boundaries for the purpose of inspection, sampling and any other duties deemed necessary by the Manager.

(7) A provision specifying remedies available for breach of the terms of the agreement.

(8) A provision specifying that, where the Outside Contributor has primary responsibility for permitting, compliance monitoring, or enforcement, the District has the right to take action to enforce the terms of the Outside Contributor's sewer use requirements or to impose and enforce Pretreatment Standards and Requirements directly against dischargers in the event the Outside Contributor is unable or unwilling to take such action.

Article 8. Reporting Requirements

SECTION 5-1.8.1. BASELINE MONITORING REPORTS

A. Within either one hundred eighty (180) days after the effective date of a categorical Pretreatment Standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing Categorical Industrial Users currently discharging to or scheduled to discharge to the POTW shall submit to the Manager a report which contains the information listed in paragraph B, below. At least ninety (90) days prior to commencement of their discharge, New Sources, and sources that become Categorical Industrial Users subsequent to the promulgation of an applicable categorical Standard, shall submit to the Manager a report which contains the information listed in paragraph B, below. A New Source shall report the method of pretreatment it intends to use to meet applicable categorical Standards. A New Source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.

B. Users described above shall submit the information set forth below.

(1) All information required in Section 5-1.6.5A (1) a, Section 5-1.6.5A (2), Section 5-1.6.5A (3) a, and Section 5-1.6.5A (6) of this Chapter.

(2) Measurement of pollutants.

- a. The User shall provide the information required in Section 5-1.6.5A (7) a through d of this Chapter.
- b. The User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph.

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- c. Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment the User should measure the flows and concentrations necessary to allow use of the combined waste stream formula in 40 CFR 403.6(e) to evaluate compliance with the Pretreatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e) this adjusted limit along with supporting data shall be submitted to the Control Authority.
- d. Sampling and analysis shall be performed in accordance with Section 5-1.8.10 of this Chapter.
- e. The Manager may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures.
- f. The baseline report shall indicate the time, date and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant Discharges to the POTW.

(3) Compliance Certification. A statement, reviewed by the User's Authorized Representative as defined in Section 5-1.1.4 C of this Chapter and certified by a qualified professional, indicating whether Pretreatment Standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the Pretreatment Standards and Requirements.

(4) Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the Pretreatment Standards, the shortest schedule by which the User will provide such additional pretreatment and/or O&M must be provided. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard. A compliance schedule pursuant to this Section must meet the requirements set out in Section 5-1.8.2 of this Chapter.

(5) Signature and Report Certification. All baseline monitoring reports must be certified in accordance with Section 5-1.8.14 A of this Chapter and signed by an Authorized Representative as defined in Section 5-1.1.4 C of this Chapter.

SECTION 5-1.8.2. COMPLIANCE SCHEDULE PROGRESS REPORTS

The following conditions shall apply to the compliance schedule required by Section 5-1.8.1(B)(4) of this Chapter:

- A. The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional

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pretreatment required for the User to meet the applicable Pretreatment Standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation).⁵

B. No increment referred to above shall exceed nine (9) months.⁵

C. The User shall submit a progress report to the Manager no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the User to return to the established schedule; and

D. In no event shall more than nine (9) months elapse between such progress reports to the Manager.

SECTION 5-1.8.3. REPORTS ON COMPLIANCE WITH CATEGORICAL PRETREATMENT STANDARD DEADLINE

Within ninety (90) days following the date for final compliance with applicable categorical Pretreatment Standards, or in the case of a New Source following commencement of the introduction of wastewater into the POTW, any User subject to such Pretreatment Standards and Requirements shall submit to the Manager a report containing the information described in Section 5-1.6.5A(6) and (7) and 5-1.8.1B(2) of this Chapter. For all users subject to categorical Pretreatment Standards expressed in terms of allowable pollutant discharge per unit of production (or other measures of operation), this report shall include the User's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 5-1.8.14 A of this Chapter. All sampling will be done in conformance with Section 5-1.8.11 of this Chapter.

SECTION 5-1.8.4. PERIODIC COMPLIANCE REPORTS

A. All Significant Industrial Users must, at a frequency determined by the District, submit no less than twice per year (by January 31st ~~June~~ and July 31st for the six-month periods ending December 31st and June 30th) reports indicating the nature, concentration of pollutants in the discharge which are limited by Pretreatment Standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the Pretreatment Standard requires compliance with a Best Management Practice (BMP) or pollution prevention alternative, the User must submit documentation required by the District or the Pretreatment Standard necessary to determine the compliance status of the User.

B. All periodic compliance reports must be signed and certified in accordance with Section 5-1.8.14 A of this Chapter.

C. All wastewater samples must be representative of the User's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring

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facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its discharge.

D. If a User subject to the reporting requirement in this Section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the Manager, using the procedures prescribed in Section 5-1.8.11 of this Chapter, the results of this monitoring shall be included in the report.

SECTION 5-1.8.5. REPORTS OF CHANGED CONDITIONS

Each User must notify the District of any significant changes to the User's operations or system which might alter the nature, quality, or volume of its wastewater at least ~~ten-thirty~~ (30+0) days before the change.

A. The District may require the User to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under Section 5-1.6.5 of this Chapter.

B. The District may issue an individual wastewater discharge permit under Section 5-1.7.6 of this Chapter or modify an existing wastewater discharge permit under Section 5-1.7.3 of this Chapter in response to changed conditions or anticipated changed conditions.

SECTION 5-1.8.6. REPORTS OF POTENTIAL PROBLEMS

A. In the case of any discharge, including, but not limited to, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, a Slug Discharge or Slug Load, that might cause potential problems for the POTW, the User shall immediately telephone and notify the Manager of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the User.

B. Within five (5) days following such discharge, the User shall, unless waived by the District, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability which might be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the User of any fines, penalties, or other liability which may be imposed pursuant to this Chapter.

C. A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees who to call in the event of a discharge described in paragraph A, above. Employers shall ensure that all employees, who could cause such a discharge to occur, are advised of the emergency notification procedure.

D. Significant Industrial Users are required to notify the Manager immediately of any changes at its facility affecting the potential for a Slug Discharge.

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SECTION 5-1.8.7. REPORTS FROM UNPERMITTED USERS

All Users not required to obtain an individual wastewater discharge permit shall provide appropriate reports to the Manager as the Manager may require.

SECTION 5-1.8.8. NOTICE OF VIOLATION/REPEAT SAMPLING AND REPORTING

If sampling performed by a User indicates a violation, the User must notify the Manager within twenty-four (24) hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Manager within thirty (30) days after becoming aware of the violation. Resampling by the Industrial User is not required if the District performs sampling at the User's facility at least once a month, or if the District performs sampling at the User between the time when the initial sampling was conducted and the time when the User or the District receives the results of this sampling, or if the District has performed the sampling and analysis in lieu of the Industrial User.

SECTION 5-1.8.9. DISCHARGE OF HAZARDOUS WASTE - NOTIFICATION OF UNINTENTIONAL DISCHARGE

Discharge of hazardous wastes, except as specified in this Chapter, is prohibited. Notification of any unintentional discharge of hazardous waste shall be reported in accordance with Section 8.6 of this Chapter.

SECTION 5-1.8.10. ANALYTICAL REQUIREMENTS

All pollutant analyses, including sampling techniques to collect and preserve, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable categorical Pretreatment Standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the Manager or other parties approved by EPA.

SECTION 5-1.8.11. SAMPLE COLLECTION

Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period. A Chain-of-Custody form is required to be submitted with all monitoring data.

A. Except as indicated in Section B and C below, the User must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized by the Manager. Where time-proportional

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The following certification statement is required to be signed and submitted by Users submitting permit applications in accordance with Section 5-1.6.6 of this Chapter; Users submitting baseline monitoring reports under Section 5-1.8.1 B (5) of this Chapter; Users submitting reports on compliance with the categorical Pretreatment Standard deadlines under Section 5-1.8.3; and Users submitting periodic compliance reports required by Section 5-1.8.4 A–D of this Chapter, The following certification statement must be signed by an Authorized Representative as defined in Section 5-1.1.4 C of this Chapter:

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

Article 9. Compliance Monitoring

SECTION 5-1.9.1. RIGHT OF ENTRY: INSPECTION AND SAMPLING

The District shall have the right to enter the premises of any User to determine whether the User is complying with all requirements of this Chapter and any individual wastewater discharge permit or order issued hereunder. Users shall allow the District ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

A. Where a User has security measures in force which require proper identification and clearance before entry into its premises, the User shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the District shall be permitted to enter without delay for the purposes of performing specific responsibilities.

B. The District shall have the right to set up on the User's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the User's operations.

C. The District may require the User to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the User at its own expense. All devices used to measure wastewater flow and quality shall be calibrated according to manufacturer's specifications to ensure their accuracy.

D. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the User at the written or verbal request

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of the District and shall not be replaced. The costs of clearing such access shall be borne by the User.

E. Unreasonable delays in allowing the District access to the User's premises shall be a violation of this Chapter.

F. The monitoring facility shall (i) provide ample room in or near the monitoring facility to allow accurate sampling and preparation of samples and analysis, (ii) comply with all District requirements, (iii) comply with all applicable local construction standards and specifications, and (iv) be constructed and maintained in such manner so as to enable the District to perform independent monitoring activities.

SECTION 5-1.9.2. INSPECTION WARRANTS

If the District has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this Chapter, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the District designed to verify compliance with this Chapter or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, they may seek issuance of an inspection warrant from the Santa Barbara Superior Court pursuant to California Code of Civil Procedure Section 1822.50 et seq.

Article 10. Confidential Information

Information and data on a User obtained from reports, surveys, wastewater discharge permit applications, individual wastewater discharge permits, and monitoring programs, and from the District's inspection and sampling activities, shall be available to the public without restriction, unless the User specifically requests, and is able to demonstrate to the satisfaction of the District, that (i) the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State law, and (ii) such information is exempt from disclosure under the California Public Records Act (California Government Code Section 6250 et seq.). Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the User furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other effluent data, as defined at 40 CFR 2.302, shall not be recognized as confidential information and shall be available to the public without restriction.

Article 11. Publication of Users in Significant Noncompliance

The District shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the POTW, a list of the Users which, at any time during the previous twelve (12) months, were in Significant Noncompliance with

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applicable Pretreatment Standards and Requirements. The term Significant Noncompliance shall be applicable to all Significant Industrial Users (or any other Industrial User that violates paragraphs (C), (D) or (H) of this Article 11) and shall mean:

A. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six- (6-) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined in Article 1 of this Chapter;

B. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six- (6-) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by Section 5-1.1 of this Chapter multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);

C. Any other violation of a Pretreatment Standard or Requirement as defined by Section 5-1.1 of this Chapter (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the District determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;

D. Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the District's exercise of its emergency authority to halt or prevent such a discharge;

E. Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;

F. Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;

G. Failure to accurately report noncompliance;

H. Any other violation(s), which may include a violation of Best Management Practices, which the District determines will adversely affect the operation or implementation of the local pretreatment program.

Article 12. Administrative Enforcement Remedies

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SECTION 5-1.12.1. NOTIFICATION OF VIOLATION

When the Manager finds that a User has violated, or continues to violate, any provision of this Chapter, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the Manager may serve upon that User a written Notice of Violation. Within thirty (30) days of the receipt of such Notice of Violation, the User shall submit to the Manager an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions. Submission of such a plan in no way relieves the User of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this Article 12 shall limit the authority of the Manager to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

SECTION 5-1.12.2. CONSENT ORDERS

The Manager may, on behalf of the District, ~~may~~ enter into Consent Orders, assurances of compliance, or other similar documents establishing an agreement with any User responsible for noncompliance. Such documents shall include specific action to be taken by the User to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to Sections 5-1.12.4 and 5-1.12.5 of this Chapter and shall be judicially enforceable.

SECTION 5-1.12.3. SHOW CAUSE HEARING

The Manager may order a User which has violated, or continues to violate, any provision of this Chapter, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, to appear before the Manager and show cause why the proposed enforcement action should not be taken. Notice shall be served on the User specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the User show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least thirty (30) days prior to the hearing. Such notice may be served on any Authorized Representative of the User as defined in Section 5-1.1.4 C and required by Section 5-1.6.6 A of this Chapter. A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the User.

SECTION 5-1.12.4. COMPLIANCE ORDERS

When the Manager finds that a User has violated, or continues to violate, any provision of this Chapter, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the Manager may issue an order to the User responsible for the discharge directing that the User come into compliance within a specified time. If the User does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may

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(1) In an amount which shall not exceed two thousand dollars (\$2,000) for each day for failing or refusing to furnish technical or monitoring reports.

(2) In an amount which shall not exceed three thousand dollars (\$3,000) for each day for failing or refusing to timely comply with any compliance schedule established by the local agency.

(3) In an amount which shall not exceed five thousand dollars (\$5,000) per violation for each day for discharges in violation of any waste discharge limitation, permit condition, or requirement issued, reissued, or adopted by the local agency.

(4) In an amount which does not exceed ten dollars (\$10) per gallon for discharges in violation of any suspension, cease and desist order or other orders, or prohibition issued, reissued, or adopted by a local agency.

(5) The amount of any civil penalties imposed under this section which have remained delinquent for a period of sixty (60) days shall constitute a lien against the real property of the discharger from which the discharge originated resulting in the imposition of the civil penalty. The lien provided herein shall have no force and effect until recorded with the Santa Barbara County Recorder and, when recorded, shall have the force and effect and priority of a judgment lien and continue for ten (10) years from the time of recording unless sooner released, and shall be renewable in accordance with the provisions of Sections 683.110 to 683.220, inclusive, of the California Code of Civil Procedure.

E. All moneys collected under this Article 12 shall be deposited in a special account of the District and shall be made available for the monitoring, treatment, and control of discharges into the local agency's sanitation or sewer system or for other mitigation measures.

F. Unless appealed, orders setting administrative civil penalties shall become effective and final upon issuance thereof, and payment shall be made within thirty (30) days. Copies of these orders shall be served by personal service or by registered mail return receipt requested, upon the party served with the administrative complaint and upon other persons who appeared at the hearing and requested a copy.

G. The District may, at its option, elect to petition the Superior Court to confirm any order establishing civil penalties and enter judgment in conformity therewith in accordance with the provisions of Sections 1285 to 1287.6, inclusive, of the California Code of Civil Procedure.

H. No penalties shall be recoverable under this Article 12 for any violation for which civil liability is recovered under Government Code Section 54740.

I. Any party aggrieved by a final order issued by the Governing Board of the District under this Section 5-1.12.6 after granting review of the order of a hearing officer, may obtain review of the order of the Governing Board in the Superior Court by filing in the court a petition for writ of mandate within thirty (30) days following the service of a copy of a decision and order issued by

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SECTION 5-1.12.8. TERMINATION OF DISCHARGE

In addition to the provisions in Section 5-1.7.5 of this Chapter, any User who violates the following conditions is subject to discharge termination:

- A. Violation of individual wastewater discharge permit conditions;
- B. Failure to accurately report the wastewater constituents and characteristics of its discharge;
- C. Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;
- D. Refusal of reasonable access to the User's premises for the purpose of inspection, monitoring, or sampling;
- E. Violation of the Pretreatment Standards in Article 4 of this Chapter.

Such User will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Section 5-1.12.3 of this Chapter why the proposed action should not be taken. Exercise of this option by the Manager shall not be a bar to, or a prerequisite for, taking any other action against the User.

Article 13. Judicial Enforcement Remedies

SECTION 5-1.13.1. INJUNCTIVE RELIEF

When the Manager finds that a User has violated, or continues to violate, any provision of this Chapter, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the Manager may petition the Superior Court through the District's attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the individual wastewater discharge permit, order, or other requirement imposed by this Chapter on activities of the User. The Manager may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the User to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a User.

SECTION 5-1.13.2. CIVIL PENALTIES

A. Pursuant to California Government Code Sections 54739 and 54740 and the Clean Water Act, a User who has violated, or continues to violate, any provision of this Chapter, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement may be civilly liable in a sum of not to exceed twenty-five thousand dollars (\$25,000) a day for each violation.

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Article 14. Supplemental Enforcement Action

SECTION 5-1.14.1. PAYMENT OF OUTSTANDING FEES AND PENALTIES

The Manager may decline to issue or reissue an individual wastewater discharge permit to any User who has failed to pay any outstanding fees, fines or penalties incurred as a result of any provision of this Chapter, a previous individual wastewater discharge permit, or order issued hereunder.

SECTION 5-1.14.2. PUBLIC NUISANCES

A violation of any provision of this Chapter, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement is hereby declared a public nuisance and shall be corrected or abated as directed by the Manager. Any person(s) creating a public nuisance shall be subject to the provisions of California law governing such nuisances.

SECTION 5-1.14.3. PERFORMANCE BONDS

The Manager may decline to issue or reissue an individual wastewater discharge permit to any User who has failed to comply in any material respect with any provisions of this ordinance, a previous individual wastewater discharge permit or order issued hereunder, or any other Pretreatment Standard or requirement, unless such User first files a bond in a form satisfactory to the Manager, payable to the District in a sum not to exceed a value determined by the Manager to be necessary to achieve consistent compliance.

Article 15. Affirmative Defenses To Discharge Violations

A User shall have such affirmative defenses to an enforcement action brought against it for noncompliance with this Chapter as may be provided by State and Federal law.

Article 16. Miscellaneous Provisions

SECTION 5-1.16.1. PRETREATMENT CHARGES AND FEES

The District may adopt reasonable fees for reimbursement of costs of setting up and operating the District's Pretreatment Program, which may include:

A. Fees for wastewater discharge permit applications including the cost of processing such applications;

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B. Fees for monitoring, inspection, and surveillance procedures including the cost of collection and analyzing a User's discharge, and reviewing monitoring reports and certification statements submitted by Users;

C. Fees for reviewing and responding to accidental discharge procedures and construction;

D. Fees for filing appeals;

E. Fees to recover administrative and legal costs associated with the enforcement activity taken by the Manager to address User noncompliance; ~~and~~

F. Other fees as the District may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this Chapter and are separate from all other fees, fines, and penalties chargeable by the District.

SECTION 5-1.16.2. SEVERABILITY

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

[Adopted as Ordinance No. ~~77-92~~ on ~~April 16, 2012~~December 7, 2020]

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TITLE 11 - LEGISLATIVE ADVOCACY

Chapter 1. Legislative Advocacy and Priorities Policy

Article 1. Policy Provisions

SECTION 11-1.1.1. PURPOSE

The purpose of this policy is to guide the District officials and staff in considering legislative proposals that are likely to have an impact on the District, and to allow for a timely response to important legislative issues. Although the expenditure of public funds for the purpose of supporting or opposing a ballot measure or candidate is prohibited (Cal. Gov. Code 54964), the expenditure of public funds is allowed to advocate for or against proposed legislation which will affect the public agency expending the funds (Cal. Gov. Code 53060.5; Stanson v. Mott (1976) 17 Cal. 3d 206). For purposes of this policy, legislation and the legislative process shall be deemed to include proposals to enact, promulgate, adopt or approve legislation, regulations, ordinances, rules, policies, or procedures at the local, state or federal level.

SECTION 11-1.1.2. POLICY GOALS

- (a) Advocate for the District's interests in the legislative process.
- (b) Provide information to the District's Board and District staff on the legislative process and key issues and legislation that could have a potential impact on the District.
- (c) Serve as an active participant with other local governmental agencies, the California Association of Sanitation Agencies (CASA), the California Special Districts Association (CSDA), and other local government associations on legislative issues that are important to the District and the region.
- (d) Seek grant and other funding assistance for the District's projects, services, and programs to enhance services for the community.

SECTION 11-1.1.3. POLICY PRINCIPLES

The Board recognizes the need to protect the District's interests and local control, and to identify various avenues to implement its strategic and long-term goals. It is the policy of the District to proactively monitor and advocate for legislation as directed by the Advocacy Priorities and by the specific direction of the Board.

This policy provides the District's General Manager, or his/her designee, with the authority to adopt positions on legislation in a timely manner, while allowing the Board to set Advocacy Priorities to provide policy guidance. The Board has established various Advocacy Priorities and, so long as the position fits within the Advocacy Priorities, the District's General Manager, or his/her designee, is authorized to take a position without Board approval.

Whenever an applicable Advocacy Priority does not exist pertaining to proposed legislation affecting the District, the matter shall be brought before the Board at a Board meeting for formal direction from the Board.

Generally, the District will not address matters that are not pertinent to the District's local government services, such as social issues or international relations issues.

SECTION 11-1.1.4. LEGISLATIVE ADVOCACY PROCEDURES

It is the policy of the District to proactively monitor and advocate for legislation as directed by the Advocacy Priorities identified below and by the specific direction of the Board. This process involves interaction with local, state, and federal government entities both in regard to specific items of legislation and to promote positive intergovernmental relationships. Accordingly, involvement and participation in regional, state, and national organizations is encouraged and supported by the District.

Monitoring legislation is a shared function of the Board and General Manager or designated staff. These Legislative Advocacy Procedures are the process by which staff will track and respond to legislative issues in a timely and consistent manner. The General Manager, or his/her designee, will act on legislation utilizing the following procedures:

(a) The General Manager or his/her designee shall review requests that the District take a position on legislative issues to determine if the legislation relates to the Advocacy Priorities identified below.

(b) The General Manager, or his/her designee will conduct a review of positions and analysis completed by CASA, CSDA and other local government associations when formulating positions.

(c) If the matter relates to the Advocacy Priorities, the District's response may be in the form of a letter to the legislative body reviewing the bill or measure. Advocacy methods utilized on behalf of the District, including, but not limited to letters, phone calls, emails, and prepared forms, will be communicated through the General Manager, or his/her designee. The General Manager, or his/her designee, shall advise staff to implement the form of advocacy, typically via letters signed by the General Manager, or his/her designee, on behalf of the Board.

(d) All draft legislative position letters initiated by the General Manager, or his/her designee, shall state whether the District is requesting "support", "support if amended", "oppose", or "oppose unless amended" action on the issue, and shall include adequate justification for the recommended action. If possible, the letter should include examples of how a legislative proposal would specifically affect the District, e.g., "the funding the District would lose in this bill could pay for X capital improvements."

(i) Support: Legislation in this area advances the District's goals and priorities.

(ii) Oppose: Legislation in this area could potentially harm, negatively impact or undo positive momentum for the District, or does not advance the District’s goals and priorities.

(e) The General Manager may also provide a letter of concern or interest regarding a legislative issue without taking a formal position on the issue. Letters of concern are to be administered through the General Manager, or his/her designee.

(f) When a letter is sent to a state or federal legislative body, the appropriate federal or state legislators representing the District shall be sent a copy and shall be included as a “cc” on the letter. The appropriate contacts at CASA, CSDA, or other local government associations, if applicable, shall also be included as “cc’s” on legislative letters.

(g) A position may be adopted by the General Manager, or his/her designee if any of the following criteria are met:

(i) The position is consistent with the Advocacy Priorities;

(ii) The position is consistent with that of organizations in which the District is a member, such as CASA or CSDA; or

(iii) The position is approved by the Board.

(h) All legislative positions adopted via a process outside of a Board meeting shall be communicated to the Board at the next Board meeting. When appropriate, the General Manager, or his/her designee, will submit a report (either written or verbal) summarizing activity on legislative measures to the Board.

~~Section 10-2.2.6.~~ SECTION 11-1.1.5. ADVOCACY PRIORITIES

The District’s advocacy priorities include:

(a) Revenue, Finance, and Taxation

(i) To ensure adequate funding for the District’s safe and reliable core local service delivery.

(ii) To protect the District’s resources from the shift or diversion of revenues without the consent of the Board.

(iii) To promote the financial independence of the District and afford it access to revenue opportunities equal to that of other types of local agencies.

(iv) To protect and preserve special districts’ property tax allocations and local flexibility with revenue and to diversify local revenue sources.

(v) To support opportunities that allow the District to compete for its fair share of regional, state, and federal funding and that maintain funding streams. Opportunities

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may include competitive grant and funding programs. Opportunities may also include dedicated funding streams at the regional, state, or federal levels that allow the District to maximize local revenues, offset and leverage capital expenditures, maintain standards, and achieve goals.

(a)(b) Governance and Accountability

(i) To enhance special districts' ability to govern as independent, local government bodies in an open and accessible manner.

(ii) To encourage best practices that avoid burdensome, costly, redundant, or one-size-fits-all approaches.

(iii) To protect meaningful public participation in local agency formations, dissolutions, and reorganizations, and ensure local services meet the unique needs, priorities, and preferences of each community.

(iv) To oppose additional public meeting and records requirements which unnecessarily increase the burden on public resources without effectively fostering public engagement and enhancing accountability of government agencies.

(v) To promote local level solutions, decision-making, and management concerning service delivery and governance structures while upholding voter control and maintaining LAFCO authority over local governmental jurisdictional reorganizations and/or consolidations.

(b)(c) Human Resources and Personnel

(i) To promote policies related to hiring, management, and benefits and retirement that afford flexibility, contain costs, and enhance ability to recruit highly qualified, career-minded employees to public service.

(ii) As public agency employers, to support policies that foster productive relationships between management and employees.

(iii) To maintain special districts' ability to exercise local flexibility by minimizing state mandated contract requirements.

(iv) To oppose any measure that would hinder the ability of the District to maximize local resources and efficiencies through the use of contracted services.

(c)(d) Infrastructure, Innovation, and Investment

(i) To encourage prudent planning for investment and maintenance of innovative long-term infrastructure.

(ii) To support the contracting flexibility and fiscal tools and incentives needed to help special districts meet California's changing demands.

(iii) To promote the efficient, effective, and sustainable delivery of core local services.

(iv) To prevent restrictive one-size-fits-all public works requirements that increase costs to ratepayers and reduce local flexibility.

AGENDA ITEM #3

AGENDA ITEM: 3

MEETING DATE: January 3, 2022

I. NATURE OF ITEM

Status Report on Annual Winter Storm Emergency Preparedness Activities.

II. BACKGROUND INFORMATION

In fall 2021 staff reviewed and updated the list of pre-winter storm emergency preparation activities to lessen the potential for damages to District facilities due to emergency storm events. Since this has been an ongoing process for the last several years, most of the capital improvements and acquisition of emergency equipment has been completed. As such, the remaining activities focus on personnel training, facility inspections and testing of critical equipment. A copy of the current list of emergency preparation activities is attached to this report. All of the activities identified in the attached list have either been completed or are in process.

III. COMMENTS AND RECOMMENDATIONS

This item is for Board information only. No Board action is required at this time.

IV. REFERENCE MATERIAL

2021-22 Winter Storm Emergency Preparation Activity List

**Goleta Sanitary District
2021-22 Winter Storm Emergency Preparation
Activity List**

	Status
Collections System	
Complete pre-winter creek crossing facility inspections reports	Complete
Inspect and confirm rain stoppers installed where required	Complete
Inspect and confirm MH lids bolted down where required	Complete
Complete Firestone List Station pre-storm inspection report	Complete
Confirm portable pump and sandbags staged at Firestone Liftstation	Complete
Confirm Firestone Liftstation bypass Connections in Working Order	Complete
Confirm and update mutual aid contact list as needed	In process
Complete visual inspections of all manholes in off-tract areas	In process
Plant	
Review and Update High Flow Treatment Procedures as Needed	Complete
Complete pre-winter creekbank inspection report	Complete
Complete pre-winter WRRF inspection report	Complete
Review of diesel tank refueling protocol for winter storm season	Complete
Efluent Diversion Pump Test	Complete
Prestage Interstage Pump Station Hi Flow Bypass as Needed	Complete
Inspect and confirm Outfall MH lids are bolted down	Complete
Outreach to GWSD and SBA on Inflow/Infiltration Mitigation Measures	Complete
Administration	
Review and Update Emergency Response Plan as required	In process
Coordinate Emergency Response Training of all staff as required	In process
Confirmation of Mutual Aid Support with local Agencies	Complete
Update Prequalified Emergency Response Contractor List	In process

GENERAL MANAGER'S REPORT

GOLETA SANITARY DISTRICT GENERAL MANAGER'S REPORT

The following summary report describes the District's activities from December 21, 2021 through January 3, 2022. It provides updated information on significant activities under three major categories: Collection System, Treatment/Reclamation and Disposal Facilities, and General and Administration Items.

1. COLLECTION SYSTEM REPORT

LINES CLEANING

Staff is working on routine lines cleaning in the areas of N. Patterson at University and Parejo Drives.

CCTV INSPECTION

Staff is conducting routine Closed-Circuit Television (CCTV) inspections in the same area as routine lines cleaning operations. Please see Repair and Maintenance for an update on the status of the CCTV Inspection truck. Staff completed an inspection of the line that was recently repaired with Rausch's QuickLock stainless/rubber repair sleeve during the demo with Rausch USA and Municipal Maintenance Equipment staff. The inspection was done after cleaning and the repair sleeve looked to be in good condition. The truck-mounted camera and transporter had no issue fitting through the repair.

GREASE AND OIL INSPECTIONS

Staff continues with the annual Grease and Oil inspections.

REPAIR AND MAINTENANCE

The CCTV Inspection truck was at Cummins Cal Pacific, LLC (Cummins) in Ventura for a generator repair from December 6 to December 16, 2021 for the ongoing issue of the generator's intermittent shut off. Our staff traced it to the fuel pump not receiving power. The generator never shut off for the service technicians at Cummins. They did not provide much information, other than confirming what staff believed, that it might be an issue with the computer control board. A new control board ordered through Cummins would not be available until the end of January at the earliest. Staff ordered and received an aftermarket control board that is expected to address the known issues with the Cummins control board. Staff will soon be installing the control board.

The 2021-2022 emergency winter storm preparation activities are near completion. Staff's last item is working on updating the mutual aid contact list. Staff will continue to update contractors' submittals as received for the District's California Uniform Public Construction Cost Accounting Act (CUPCCAA) list of qualified contractors.

2021 CCTVI PROJECT REVIEW

Staff continues work with Hazen and Sawyer on the update of the District's Asset Management Program (AMP).

2. TREATMENT, RECLAMATION AND DISPOSAL FACILITIES REPORT

Plant flows have decreased to an average of 4.2 million gallons per day (MGD) as U.C.S.B. is on winter vacation. The demand for reclaimed water has decreased to less

than 0.5 MGD due to lower temperatures and shorter days. Flow concentrations and loadings during the weekends continue to cause intermittent challenges and various levels of plant interference. The Reclamation Disinfection Study by Hazen and Sawyer has kicked off; an initial sampling was completed on December 12, 2021 to quantify the inhibition to the treatment process and its effect on total coliform samples at various locations throughout the process. We are currently awaiting the lab results. This project will help identify ways in which we may be able to augment our existing disinfection system and/or to make informed decisions to move to a different technology, such as ultra violet light (UV).

Biofilter #2 has been modified to run as a mixed reactor, having both an aerobic (with oxygen) process and a submerged anaerobic (without oxygen) process. This modification will reduce the biological loading on the activated sludge process and hopefully will reduce the inhibitory impact of cleaning chemicals entering the plant. Approximately 25% of the plant flow will be diverted through this process. We have begun to see a reduction in loading to the aeration basin resulting in less air demand.

Centrifuge and dredging operations continue in lagoon #2. Lack of commercial drivers for both our sludge hauler and chemical providers is continuing to cause disruptions to deliveries and hauling. Staff is monitoring this issue and will update the Board as needed.

The Lystek Thickened Waste Activated Sludge (TWAS) pre-treatment pilot project has been configured and initially tested. Samples have been taken and will be analyzed in the coming weeks to determine the optimal recipe of heat and alkali that will give the demonstration period the greatest benefit with the lowest cost. The demonstration testing period will begin in January, 2022 when flows and loadings have normalized after the holidays.

The Biosolids and Energy Strategic Plan (BESP) Phase 1 Project has reached the 90% design level. While a significant amount of additional design effort was required due to Air Pollution Control District (APCD) permitting issues, a revised scope of work has been developed that will result in significant savings to the overall project cost. District staff and Hazen and Sawyer continue to work with APCD to complete an Authority to Construct for this project.

Winter storm preparations have been completed as planned. We have now had our fourth storm of the season.

3. GENERAL AND ADMINISTRATIVE ITEMS

Financial Report

Due to holiday, sick and vacation leaves since the last Board meeting, the Claims and Financial report will be presented at the second Board meeting in January.

Local Agency Investment Fund (LAIF)

LAIF Monthly Statement – Previously submitted.

LAIF Quarterly Report – Previously submitted.

PMIA/LAIF Performance – Previously submitted.
PMIA Effective Yield– Previously submitted.

Community West Bank (CWB)

CWB Money Market Account – Previously submitted.

Deferred Compensation Accounts

CalPERS 457 Deferred Compensation Plan – Previously submitted.
Lincoln 457 Deferred Compensation Plan – Previously submitted.

Personnel Update

A verbal update will be provided at the meeting.

COVID-19 Response Plan Update

A verbal update will be provided at the meeting.

**DISTRICT
CORRESPONDENCE**
Board Meeting of January 3, 2022



Date: **Correspondence Sent To:**

1. 12/17/2021 Christian Enns
Subject: Sewer Service Availability
Private Lift Station and Connection to Existing Private Force Main
A.P.N. 057-090-005 at 701 N. Hope Ave., Santa Barbara, CA

2. 12/17/2021 The Honorable Monique Limon
The Honorable Steve Bennett
Subject: Goleta Sanitary District Access to COVID-19 Relief Funding

3. 12/21/2021 Dennis Gutierrez
GSE Construction Company, Inc.
Subject: Notice of Award Goleta Sanitary District WWTP Influent Pump
Station Rehabilitation Project

4. 12/29/2021 Kipp Young
Subject: Sewer Service Availability
Proposed Sewer Service Connection for 3 New Single-Family Residences
and 2 Junior Accessory Dwelling Units

Date: **Correspondence Received From:**

1. 12/22/2021 Yorke Engineering, LLC
James Yorke, Engineer
Subject: Response to SBCAPCD ATC No. 15822
Incompleteness Item List

Hard Copies of the Correspondence are available at the District's Office for review