

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT**

**PRETREATMENT ORDINANCE**

**1994-1**



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SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
ORDINANCE NO. 1994-1

AN ORDINANCE OF THE BOARD OF DIRECTORS  
OF THE SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT  
ESTABLISHING PRETREATMENT REGULATIONS  
FOR THE USE OF DISTRICT FACILITIES

The Governing Board of South San Luis Obispo County Sanitation District ordains as follows:

ARTICLE I

GENERAL PROVISIONS

1. PURPOSE AND SCOPE:

A. This ordinance is enacted pursuant to Government Code Section 54739 and sets forth standards and regulations governing discharges into the publicly owned treatment works (POTW) for the District. The standards and regulations enable the District to comply with all applicable state and federal laws including the Clean Water Act (Act 33 U.S.C. 1251 et. seq.) and the General Pretreatment Regulations (40 CFR, Part 403).

B. The objectives of this ordinance are:

(1) To prevent the introduction of pollutants into the POTW which will interfere with the operation of the POTW, including interference with the use or reclamation of biosolids;

(2) To prevent the introduction of pollutants into the POTW which will pass through the system, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the system;

(3) To improve opportunities to recycle and reclaim wastewaters and biosolids from the system;

(4) To protect POTW personnel from exposure to hazardous chemicals;

C. The ordinance provides for the regulation of direct and indirect discharges to the POTW through the issuance of permits to industrial users, pretreatment and reporting requirements, monitoring and enforcement of noncompliance with the provisions of this ordinance.

D. This ordinance applies to the areas within the boundaries of the District and all other areas and entities which, by contract, are bound to comply with all reasonable ordinances, rules and regulations of the District.

## 2. DEFINITIONS:

The following words shall have the following meanings:

A. "Administrator" means the District Administrator of SSLOCSD or his/her duly authorized representative. Any notice required to be given to the Administrator shall be mailed to the Administrator at P.O. Box 339, Oceano, CA 93445, or delivered to the District at 1600 Aloha Place, Oceano, CA 93445 or as otherwise directed.

B. "Authorized Representative" means any of the following:

(1) a principal executive officer of at least the level of vice president if the Industrial User submitting the reports is a corporation;

(2) a general partner or proprietor if the Industrial User submitting the reports is a partnership or sole proprietorship respectively;

(3) a duly authorized representative of the individual designated in (1) or (2) if such representative is responsible for the overall operation of the facility from which the discharge originates.

C. "Biochemical Oxygen Demand (BOD)" means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure and expressed in milligrams per liter (mg/l).

D. "Categorical Pretreatment Standard (COD)" means the national pretreatment standards specifying quantities or concentrations of pollutants or pollutant properties which may be discharged to a POTW by existing or new Industrial Users in specific industrial subcategories.

E. "Chemical Oxygen Demand" means the quantity of oxygen required for the chemical oxidation of carbonaceous material under standard laboratory procedure and expressed in milligrams per liter (mg/l).

F. "Class I Industrial User" means any industrial user, not defined as a significant industrial user, that has materials and/or wastes on site that if discharged to the sewer may impact the POTW in a negative manner. These materials and wastes include, but are not limited to any and all prohibited discharges described in

Articles 1 and 3 of this ordinance.

G. "Class II Industrial User" means any industrial user, not defined as a significant industrial user, that may discharge conventional pollutants to the POTW which may cause interference or pass-through. These wastes include, but are not limited to: laundry discharges, non-hazardous solids and oil and grease of animal or vegetable origin.

H. "District" means the South San Luis Obispo County Sanitation District (SSLOCSD).

I. "Domestic Wastewater" means water bearing only those wastes derived from the ordinary living processes and of such character as to permit satisfactory disposal to, and treatment in, the POTW.

J. "Grease" means all fat, grease, oil, wax or other trichlorotrifluoroethane soluble matter of animal, vegetable, petroleum or mineral origin.

K. "Industrial User" means a person who discharges nondomestic wastewater into the POTW.

L. "Industrial User's Survey" means a questionnaire (and related process) used by the District to identify and categorize industrial users and the characteristics of their wastewater discharge.

M. "Infectious Waste" means any waste material or article which harbors or may reasonably be considered to harbor any type of microorganism, helminth or virus which causes or significantly contributes to increased morbidity or mortality in human beings. Infectious waste includes hospital waste such as isolation wastes, infectious agents, human blood and blood byproducts, pathological wastes, sharps, body parts, fomites, etiologic agents, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes and dialysis wastes.

N. "Interference" means an inhibition or disruption of the processes, use, disposal or reclamation of effluent and biosolids.

O. "NPDES" means National Pollutant Discharge Elimination System permit issued to the POTW.

P. "Natural outlet" means any outlet into a water course, pond, lake or other body of surface or ground water.

Q. "New Source" means any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed Pretreatment Standards under Section 307(c) of the

Clean Water Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:

(1) the building, structure, facility or installation is constructed at a site at which no other source is located; or

(2) the building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or

(3) the production of wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site.

R. "Pass Through" means the discharge of pollutants to the POTW in quantities or concentrations which are a cause of or significantly contribute to a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).

S. "Person" means any individual, firm, company, association, society, corporation, group, governmental agency or educational institution.

T. "Plant Superintendent" means the Superintendent of the SSLOCSD Water Pollution Control Facility located at 1600 Aloha Place, Oceano, CA 93445.

U. "Pollutant" means any dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, industrial wastes, biological materials, radioactive materials, heat, wrecked or discharged equipment, rock, sand, cellar dirt, agricultural and industrial wastes, or other discharges prohibited by Article I Section 3 of this ordinance.

V. "Pretreatment Standard and Requirements" means any substantive or procedural requirement related to pretreatment, including National Categorical Pretreatment Standards and prohibitive discharge standards imposed on an industrial user.

W. "Publicly Owned Treatment Works (POTW)" means District owned sewer treatment system, including sewer pipes within the communities that convey wastewater to the treatment plant, the wastewater treatment plant (WWTP), sewer pipes that convey wastewater to the treatment plant from persons outside the District who contract with the District to use the sewer system, and related facilities.

X. "Significant Industrial User (SIU)" means any industrial discharger subject to federal categorical pretreatment standards or

any industrial discharger that:

(1) discharges 10,000 gal per day or more of process wastewater;

(2) contributes 2 percent or more of the average dry weather hydraulic capacity of the treatment plant;

(3) discharges either continuously or intermittently to the POTW, process wastewaters containing priority pollutants as determined through analytical procedures or reasonable technical judgement; or

(4) has a reasonable potential, in the opinion of the Administrator, to adversely affect the POTW treatment plant.

Y. "Stormdrain" means a sewer which is designed to carry storm and surface waters and drainage rather than sewage or industrial wastes.

Z. "Toxic or Poisonous" means any solid, liquid or gas in such quantity that alone or in combination with other waste substances, may create a hazard for humans, animals or the local environment, interfere with sewage treatment processes, cause a public nuisance, or cause any hazardous condition to occur in the sewerage system.

AA. "User" means a person who discharges to the POTW.

BB. "Wastewater Treatment Plant (WWTP)" means District owned and operated sewage treatment plant located at 1600 Aloha Place, Oceano, CA 93445 and all related facilities.

### 3. PROHIBITED DISCHARGES:

A. It shall be unlawful for an industrial user to discharge pollutants into the POTW:

(1) Without a permit;

(2) When such pollutants are not covered by a properly issued permit;

(3) Where the pollutants may cause the POTW to violate its NPDES permit.

B. In addition to the prohibitions contained in paragraph 3A above and except as hereinafter provided, no person shall discharge or cause to be discharged any of the following to the POTW:

(1) Any liquid or vapor having a temperature higher than one hundred fifty degrees Fahrenheit and, in no case, higher than one



hundred and four degrees Fahrenheit at introduction into the wastewater treatment plant;

(2) Any water or waste material containing a petroleum based oil and/or grease if the discharge could result in a stoppage, plugging, breakage, significant obstruction to flow or any other damage to, or increased maintenance of the POTW;

(3) Any substance which by reason of its chemical nature or quantity is, or may be sufficient, either alone or by interaction with other substances, to cause a fire or explosion or injure the POTW and/or cause acute health and/or safety problems to POTW personnel or the operation of the system. At no time shall any substance be discharged to the POTW that has a closed cup flashpoint of less than one hundred forty degrees Fahrenheit or sixty degrees Centigrade using the test methods specified in 40 CFR 261.21. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, and/or xylene;

(4) Any solid or viscous substance, including but not limited to unground garbage, feathers, ashes, cinders, sand, polishing compounds, resin beads, metal, glass, straw, rags, spent grains or hops, wood, plastic, mud, shavings or manure which may cause obstruction to the flow in sewer system or other interference with the proper operation of the POTW;

(5) Any substance having pH levels less than six or higher than nine, or having any other corrosive property capable of causing damage or hazard to structures, equipment or personnel of the POTW;

(6) Any water added to a wastewater discharge for the sole purpose of dilution as a means to achieve compliance with any pretreatment standard or local discharge limit;

(7) Any substance including oxygen demanding pollutants (BOD, CBOD, or COD, etc.) at a flow rate and/or concentration which may cause interference or pass-through;

(8) Any average daily flow greater than two percent of the WWTP average daily sewage flow shall be subject to the review and approval of the Administrator;

(9) Any wastewater containing in excess of:

15.0	mg/l aluminum
1.0	mg/l arsenic
0.25	mg/l cadmium
0.5	mg/l copper
0.5	mg/l chromium
7.5	mg/l fluoride
30.0	mg/l iron

0.5	mg/l	lead
0.01	mg/l	mercury
0.1	mg/l	selenium
3.0	mg/l	zinc
2.0	mg/l	M.B.A.S. (methyl blue active substances)
1.0	mg/l	phenol
30.0	mg/l	ammonia
300.0	mg/l	sulfate
7.5	mg/l	boron
350.0	mg/l	B.O.D.
195.0	mg/l	C.O.D.
1.0	mg/l	Molybdenum
3.81	mg/l	Nickel
0.02	mg/l	Silver

pH >6 <9  
 Temperature < 140°F

\*\* Concentrations apply at the point where the industrial waste is discharged to the POTW. All concentrations for metallic substances are for "total" metal. The Superintendent may, at his/her discretion, impose mass limitations in addition to or in place of the concentration based limitations above. Compliance with all parameters may be determined from a single grab sample.

(10) Any wastewater, other than residential water-softening regeneration brine, containing in excess of:

1,600.0	mg/l	total dissolved solids
300.0	mg/l	sodium
300.0	mg/l	chloride

\*\* Concentrations apply at the point where the industrial waste is discharged to the POTW. All concentrations for metallic substances are for "total" metal. The Superintendent may, at his/her discretion, impose mass limitations in addition to or in place of the concentration based limitations above. Compliance with all parameters may be determined from a single grab sample.

(11) Any substances containing any radioactive materials or wastes with a half-life or concentration that does not comply with regulations issued by appropriate authorities (Sections 30265 and 30287 of the California Code of Regulations);

(12) Any infectious wastes;

(13) Any substances containing color which is not removed in the ordinary WWTP treatment process;

(14) Any stormwater, surface water, ground water, roof runoff, subsurface drainage, or uncontaminated cooling water.

C. Limitations on wastewater strength established in this ordinance may be supplemented with more stringent limitations if:

(1) The Administrator determines that the limitations listed in this ordinance may not be sufficient to protect the operation of the District's treatment works; or

(2) The Administrator determines that the limitations listed in this ordinance may not be sufficient to enable the District's treatment works to comply with water quality standards or effluent limitations specified in the District's NPDES permit.

D. When the Administrator determines that a user is contributing any of the substances mentioned in paragraph 3 (A), (B) and (C) of this section in such amounts as to interfere with the operation of the POTW, the Administrator shall:

(1) Advise the user of the impact of the contribution on the POTW;

(2) Develop discharge compliance limitations for the user;

(3) Place limits on rate and time of discharge or requirements for flow regulations and equalization;

(4) Require pretreatment of discharge prior to discharge to POTW; or

(5) Take any other action necessary to eliminate the interference.

#### **4. APPLICABILITY OF FEDERAL AND STATE CATEGORICAL PRETREATMENT STANDARDS:**

A. Any user who does not comply with the Federal pretreatment standards as set out in 40 CFR Chapter I, Subchapter N, Parts 405-471 (or any successor statute) or who does not comply with the applicable state pretreatment standards violates this ordinance.

B. The most stringent standards will apply whenever local, state, and federal standards overlap. All users must comply with all applicable pretreatment standards and requirements as they may exist now or as they may be revised in the future.

#### **5. GREASE, OIL AND SAND INTERCEPTORS:**

Grease, oil and sand interceptors shall be provided and maintained by user at user's expense for the proper handling of liquid wastes containing grease, flammable wastes, sand or other harmful constituents; provided, however, that the interceptors shall not be required for private living quarters or dwelling

units. All interceptors shall be approved by the Administrator and the local permitting agency in accordance with the Uniform Plumbing Code, and shall be located for ready and easy access for cleaning and inspection. When installed, all grease, oil and sand interceptors shall be maintained and efficiently operated by the user, at his/her expense. Failure to properly maintain and operate interceptors shall be sufficient cause to disconnect a premises from the POTW and/or apply punitive actions as provided for in this ordinance.

#### **6. PRETREATMENT FACILITIES:**

Where pretreatment of discharge is required by the District, the necessary facilities shall be provided, operated and maintained at the user's expense. Detailed plans showing the facilities and their operating procedures shall be submitted to the Administrator and the local permitting agency for review. The plans must be approved by the District and the local permitting agency before construction begins. Any proposed changes in the pretreatment facilities or method of operation must be reported and approved by the District prior to implementation of the proposed changes. Operational failures of pretreatment facilities shall be immediately reported to the Superintendent. A letter detailing the cause and proposed remedy shall be submitted in writing to District within 24 hours of the failure.

#### **7. CONTROL MANHOLE:**

If required by the Administrator, the owner of any property served by a building sewer carrying industrial wastes shall install at his/her cost, a suitable control manhole in the building sewer to facilitate observation, sampling and flow measurement of the discharge. The manhole shall be reasonably accessible, safely located and shall be constructed in accordance with plans approved by the Administrator and the local permitting agency.

#### **8. MEASUREMENTS AND TESTS:**

All measurements, tests and analyses of the characteristics of discharged substances shall be determined by the testing methods specified in 40 CFR 136 in accordance with 40 CFR 403.12 (b)(5)(vi). If required by the Administrator, the industrial user shall provide safe and secure access to the proper sampling point for the determination of compliance with federal categorical standards and/or local discharge limits. This may require the installation of a control manhole as described above. All testing shall be performed by an approved laboratory and conducted at the expense of the discharger.

9. DRAINAGE BELOW CURB AND BELOW MAIN SEWER LEVEL:

A. Drainage pipe serving fixtures with flood level rims located below the elevation of the curb or property line, at the point where the building sewer crosses under the curb or property line, and above the crown level of the main sewer, shall drain by gravity into the main sewer, and shall be protected from backflow of sewage by installing an approved backwater valve. Each backwater valve shall be installed only in that branch or section of the drainage system which receives the discharge from fixtures located below the elevation of the curb or property line. If the drainage pipe(s) is lower than the next upstream manhole, the property owner may be required to install a backwater valve.

B. If the property owner fails to install and maintain a backwater trap or backwater valve in good working condition, when required under this section, the Administrator may order and require the plumbing fixture to be disconnected and removed and the outlet plugged or capped. In the event that the property owner fails to disconnect and plug or cap the sewer connection within ten days after written notice by the Administrator, the Administrator shall arrange for the disconnection and capping; the cost of which may be charged by the District and collected by court action or may be declared to be a lien by action of the District Board of Directors after public hearing and notice of the property owner and shall be added to and collected as part of the tax roll.

C. As an alternative to the procedure set forth in subsection 9.B, when the property owner fails to install and maintain a backwater trap valve in good working condition when required under this ordinance, the Administrator may order and require termination of water service to the parcel and all structures connected to the sewer outlet. The water service shall not be reinstated until the maintenance or installation of the backwater trap or backwater valve has been approved by the Administrator.

D. All house connection sewers, industrial sewers, private sewage disposal systems and appurtenances thereto, now existing or hereafter connected, shall be maintained by the owner of the property in a safe and sanitary condition and shall be maintained in good working order. If a property owner fails to maintain the wastewater disposal facilities in a safe and sanitary condition, the Administrator may order and require termination of water service to the parcel and all structures connected to the sewer outlet. The water service shall not be reinstated until the maintenance or installation of appropriate wastewater disposal facilities has been approved by the Administrator.

**10. POWERS AND AUTHORITY OF INSPECTORS:**

A. The following persons shall be permitted to enter upon all properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this ordinance at all reasonable times.

(1) The District Administrator;

(2) The District Plant Superintendent;

(3) Any duly authorized officer, agent, employee or representative of the District;

(4) Any duly authorized officer, agent, employee or representative of a District parent agency; or

(5) Any duly authorized officer or employee of the County Health Department.

If an official authorized to conduct inspections has reasonable cause to believe that wastewater discharge conditions on or emanating from a facility are so hazardous, unsafe or dangerous as to require immediate action to safeguard public health or safety or the integrity of the POTW, the official shall have the right to immediately enter and inspect the property and may use any reasonable means required to effect such entry and make such inspection.

Process and product information collected during inspection of premises shall be kept confidential at the request of the business owner or his representative, insofar as confidentiality is allowed pursuant to applicable law. All records compiled pursuant to the pretreatment program shall be accessible at time of inspection.

B. Each discharger shall pay a reasonable inspection fee sufficient to pay for the costs of the inspection. The inspection costs may be incorporated in the Industrial User Wastewater Discharge Permit fee.

C. Nothing in this Section shall be construed to limit the search and inspection activities authorized by other statutes, ordinances, or regulations.

**11. PERMIT-REQUIRED-TERM-TRANSFER-REVOCATION-COMPLETION OF AN INDUSTRIAL USER'S SURVEY REQUIRED:**

All dischargers of nondomestic wastewater into the District sewer system shall complete an industrial user's survey and shall obtain a wastewater discharge permit from the District. It is unlawful to discharge nondomestic wastewater without a permit or to fail to complete an industrial user's survey.

A. Wastewater discharge permits shall be expressly subject to all provisions of this ordinance and all other state and federal regulations, user charges and fees established by the District. The conditions of wastewater discharge permits shall be uniformly enforced by the Administrator in accordance with this ordinance, and applicable state and federal regulations. Permit requirements may include, but are not limited to the following:

- (1) User charges and fees to discharged to the POTW;
- (2) The average and maximum wastewater constituents and characteristics;
- (3) Limits on rate and time of discharge or requirements for flow regulations and equalization;
- (4) Requirements for installation of inspection and sampling facilities;
- (5) Pretreatment requirements;
- (6) Specifications for monitoring programs which may include sampling locations, frequency and method of sampling, number, types and standards for tests and reporting schedule;
- (7) Requirements for submission of technical reports or discharge reports;
- (8) Mean and maximum mass emission rates, or other appropriate limits when incompatible pollutants (as defined by District ordinance) are proposed or present in the user's wastewater discharge;
- (9) Requirements for submission to inspections;
- (10) Other conditions as deemed appropriate by the Administrator to insure compliance with this ordinance.

B. Permits may be issued for any specified time period, not to exceed five years. The terms and conditions of the permit may be modified and changed by the Administrator during the term of the permit to reflect limitations or requirements as they may change from time to time. The permit holder shall be informed in writing of any proposed changes to his/her permit at least thirty days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

C. No wastewater discharge permit shall be assigned, re-assigned, transferred or sold to a new owner, a new user, different premises, or changed operation, without the expressed written consent of the Administrator. Upon application of a user, the

Administrator shall determine if the sale or transfer of an operation results in a change in use and may authorize the re-assignment of a specific permit.

D. Any permit holder who violates any of the provisions of this ordinance, or applicable state and/or federal laws, rules and regulations or any of the following conditions may have the permit revoked:

(1) Failure to accurately report the wastewater constituents and characteristics of discharge;

(2) Failure to promptly report significant changes in operations or wastewater constituents and characteristics; and

(3) Refusal to allow reasonable access to the permit holder's premises for the purposes of inspection or monitoring.

## **12. REPORTING REQUIREMENTS FOR PERMIT HOLDERS:**

A. Any permit holder may be required to submit a report to the Administrator indicating the nature, concentration, and daily flows wastewater constituents. The report shall also state whether the applicable pretreatment standards and requirements are being consistently met.

B. After completing the report required in subsection 12.A, the user shall submit self-monitoring reports, as required by the Administrator, to assess and assure continued compliance with pretreatment standards and requirements including, but not limited to, the reports required in 40 CFR 403.12. These reports shall contain the results of sampling and analysis of the discharge.

C. Reports submitted to the Administrator shall be signed and certified by an authorized representative of the discharging facility.

D. All industrial users shall be required to retain any records and/or reports of monitoring activities or results and for a minimum of three years and shall make such records/reports available for inspection and photocopying by the District.

## **13. CONFIDENTIALITY-PUBLIC DISCLOSURE:**

A. Except when determined to be confidential pursuant to Section 13.C, discharge data shall be available to the public without restriction.

B. Notification of significant violators and significant noncompliance shall be published at least once every twelve months in a major local newspaper.



C. Upon the request of an industrial user, any proprietary information that becomes known incidentally through the inspection and monitoring process will be held confidential.

## ARTICLE II

### CHARGES AND FEES

#### 14. DETERMINATION-USER CLASSIFICATION:

A schedule of charges and fees shall be adopted by the District by resolution, and may be amended from time to time, to enable the District to comply with the revenue requirements of the State Clean Water Grant Program. The schedule of fees and charges shall be in addition to other District charges and fees.

A. All users shall be classified to a user classification category (Significant Industrial User, Class I User or Class II User) according to the activities conducted on the user's premises and appropriate nonindustrial classifications as determined by the District. The purpose of the classification is to facilitate regulation of wastewater discharges based on wastewater constituents and characteristics, to provide an effective means of source control and to establish a system of user charges and industrial user wastewater discharge permit fees which will insure an equitable recovery of the District's cost for operation of the pretreatment program;

B. The charges for each wastewater constituent and characteristic shall be established by the District and set forth in the District's schedule of charges and fees, which may include, but shall not be limited to:

(1) User classification charges;

(2) Fees for surveys, monitoring and inspections;

(3) Charges and fees based on wastewater constituents and characteristics to include industrial cost recovery provisions of the Federal Act (i.e., PL 92-500);

(4) A minimum sewer charge for vacant business or residences until water service is discontinued;

#### C. Payment and Collection.

(1) All charges and fees established by this ordinance shall be payable at the same time as water charges are paid to the respective cities and districts and may be billed in the same water bill;

(2) Any person failing to pay the sewer service charge when due may have water service terminated (disconnected).

**15. USE OF REVENUES:**

Revenue derived by the District under the provisions of this ordinance shall be used for the acquisition, construction, reconstruction, operation and maintenance of the POTW and shall be applied to the retirement of any bonded indebtedness which was incurred to improve the POTW's capacity to handle non-domestic wastewater.

**ARTICLE III**

**REGULATION OF SEPTIC TANK DUMPING**

**16. UNLAWFUL TO DUMP ON LAND:**

It is unlawful for any person to dump or discharge raw or chemically treated sewage from any source onto the surface of any lands within the areas serviced by the District.

**17. UNLAWFUL TO DUMP INTO DISTRICT COLLECTION SYSTEM EXCEPT AS PROVIDED IN THIS ORDINANCE:**

It is unlawful for any person to dump or discharge into the District sewer collection system septic tank cleanings or any raw or chemically treated sewage from septic tanks or any industrial or unidentified liquid waste or any hazardous waste or pollutants except as provided in this Article.

**18. DUMPING REGULATIONS:**

Raw or chemically treated sewage from chemical toilets may be discharged or dumped into the POTW only at places designated in the user's permit pursuant to Article I, Section 11.

**ARTICLE IV**

**ENFORCEMENT**

**19. UNLAWFUL DISCHARGES:**

**A. Notification of Violation:**

(1) Users shall immediately notify the Plant Superintendent upon discharging wastes in violation of this ordinance to enable countermeasures to be taken by the District to minimize damage to

the community sewer, treatment facility, treatment process, treatment personnel and the receiving waters.

(2) No later than five days after the notification a detailed written statement describing the causes of the discharge and the measures being taken to prevent future occurrence shall be provided to the District by an authorized representative of the discharger.

(3) The notification shall not relieve users of any liability for any expense, loss or damage to the POTW for any fines imposed on the District by any public entity on account thereof.

B. Dischargers shall make available to their employees copies of this ordinance, together with such other wastewater information and notices which may be furnished by the District from time to time. A notice shall be furnished and permanently posted on the user's bulletin board advising employees whom to call in case of an accidental discharge in violation of this ordinance.

C. Potential Violation: Any direct or indirect connection that enables the permit holder access or potential to unlawfully discharge pollutants into the POTW should be eliminated. If it has been determined by the Administrator that such connection is impractical or unreasonable to eliminate, the permit holder shall label each such potential connection as approved by the District.

## 20. ISSUANCE OF CEASE AND DESIST ORDERS:

If a violation of this ordinance occurs, or appears imminent, and the violation appears to present an imminent endangerment to the health, safety or welfare of persons, property, or the environment, or which threatens to interfere with the operation of the POTW, the Administrator may, upon informal written notice to the violator, issue an order to cease and desist order and direct the violator to:

A. Comply with this ordinance forthwith;

B. Comply with this ordinance in accordance with a time schedule set forth by the Administrator; or

C. Take appropriate remedial or preventive action in the event of a threatened violation.

## 21. SUBMISSION OF TIME SCHEDULE:

When a discharge of wastewater has taken place, in violation of prohibitions or limitations prescribed in this ordinance, or wastewater source control requirements, effluent limitations or pretreatment standards, or the provisions of a wastewater discharge permit, the Administrator may require the user to submit a report containing methods to eliminate illegal discharges, a time schedule

for the commencement and completion of any equipment installation or maintenance necessary to comply with discharge limitations and methods of assurance of continued compliance.

**22. APPEALS:**

A. Any user, permit applicant, or permit holder affected by any decision, action or determination, including cease and desist orders, made by the Administrator, interpreting or implementing the provisions of this ordinance or in the issuance of any permit, may file with the District Board a written appeal within ten working days of such decision, action, or determination, setting forth in detail the facts supporting the appeal.

B. The written appeal shall be heard by the District Board of Directors within thirty days from the date of filing. The District Board of Directors shall make a final ruling on the appeal within ten working days of the close of the meeting. Pending final determination on the appeal the decision subject to appeal shall remain in full force and effect.

**ARTICLE V**

**ABATEMENT AND PENALTIES**

**23. REMEDIES:**

The actions and remedies available to the District may be utilized separately or in combination by the District as it deems appropriate.

**24. DECLARATION OF PUBLIC NUISANCE:**

Discharges of wastewater in violation of this ordinance or of any order issued by the Administrator as authorized by this ordinance constitutes a misdemeanor and is also declared to be a public nuisance that is subject to abatement.

**25. INJUNCTIVE AND OTHER LEGAL RELIEF:**

Whenever an industrial user has violated or continues to violate the provisions of this ordinance, or permits or orders issued hereunder, or any other pretreatment requirement, the District through its District Legal Counsel is authorized to seek temporary and/or permanent injunctive relief, as may be appropriate, which restrains or compels the specific performance of the wastewater permit, order or other requirement imposed by this ordinance on activities of an industrial user. Such other action as may be appropriate for legal and/or equitable relief may also be sought by the District.

**26. ASSESSMENT OF COST:**

Any person who discharges or causes to be discharged any water or wastewater in violation of this ordinance and such discharge, either singly or by interaction with other discharges, results in damage to or is otherwise detrimental to or adversely affects the POTW, stormdrain system or waters of the state, shall be liable to the District for any and all expenses and costs of whatever kind necessary to correct that damage, detriment or adverse effect. The expenses may include, but are not limited to: costs for labor, material, inspection, administration and overhead. Additionally, the District may recover reasonable attorney's fees, court costs and other expenses associated with enforcement activities. Any expenses resulting from the investigation of unlawful discharges shall be collected from the responsible party. In addition, any monetary penalties imposed against the District shall also be costs for which the violator is liable to the District.

**27. CIVIL REMEDIES/ADMINISTRATIVE COMPLAINT:**

Any person who violates any requirement or order by the District pursuant to this ordinance shall be civilly liable in a sum not to exceed \$25,000.00 a day for each violation.

In addition to any other enforcement procedures referenced in this ordinance, the District may enforce the provisions of this ordinance pursuant to the procedures stated in Sections 54739, et. seq. of the Government Code.

**28. CRIMINAL PENALTIES:**

A. It is a misdemeanor for any person/user to violate any provision of this ordinance. Each day of violation shall constitute a separate offense. The penalty for violation shall include a fine of not less than \$1,000 per violation.

B. Any person who knowingly makes any false statements, representation, record, report, plan or other document filed with the District, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this ordinance, shall be guilty of a misdemeanor. The penalty for violation shall include a fine of not less than \$1,000 per violation.

**29. TERMINATION OF SERVICE:**

The District may revoke any wastewater discharge permit or terminate or cause to be terminated wastewater and/or water service to any premises if a violation of any provision of this ordinance is found to exist and is not corrected or if a discharge of wastewater causes or threatens to cause a condition of contamination, pollution or nuisance as defined in this ordinance.

This provision is in addition to other statutes, rules or regulations, authorizing termination of services for delinquency in payment.

## ARTICLE VI

### MISCELLANEOUS

#### 30. SEVERANCE CLAUSE:

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

#### 31. EFFECT OF HEADINGS IN ORDINANCE.

Title, division, part, chapter, article, and section headings contained herein do not in any manner affect the scope, meaning, or intent of the provisions of this ordinance.

#### 32. ALL INCONSISTENT SECTIONS

All ordinances, sections of ordinances, resolutions, and policies of the District that are inconsistent with this ordinance are hereby repealed including, but not limited to the following: Resolution A No. 22, Article III Sections 10 and 15; Article VII Sections 2, 3, 4, 5, and 6.


#### 33. EFFECTIVE DATE:

This ordinance shall take effect and be in full force and effect thirty (30) days after its passage; and before the expiration of fifteen (15) days after passage of this ordinance, it shall; be published in 3 public places with the names of the members voting for and against the ordinance; and shall remain posted thereafter for a least 1 week, and be published once with the names of the members of the Board of Directors voting for and against the ordinance in the Five Cities Times Press Recorder.


Introduced at a regular meeting of the Board of Directors held on March 16, 1994, and passed and adopted by the Board of Directors of the South San Luis Obispo County Sanitation District on the 6th day of April, 1994 by the following roll call vote, to wit:

AYES: Director Brackett, Director Gallagher, Chairman Senna  
NOES: None  
ABSENT: None  
ABSTAINING: None

SOUTH SAN LUIS OBISPO COUNTY  
SANITATION DISTRICT

By:   
William A. Senna  
Chairman, Board of Directors

ATTEST:

By:   
John L. Wallace  
Secretary, Board of Directors

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