

SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

Post Office Box 339 Oceano, California 93475-0339

1600 Aloha Oceano, California 93445-9735

Telephone (805) 489-6666 FAX (805) 489-2765

<http://sslocsd.org/>

Agenda

Board of Directors Meeting

1655 Front Street

Oceano, California 93445

Wednesday, June 1, 2011 at 6:00 PM

Board Members

Bill Nicolls, Chairman

Lori Angello, Director

Tony Ferrara, Director

Alternates

Karen Bright, Director

Mary Lucey, Director

Jim Guthrie, Director

Agencies

City of Grover Beach

Oceano Community Services District

City of Arroyo Grande

City of Grover Beach

Oceano Community Services District

City of Arroyo Grande

1. CALL TO ORDER AND ROLL CALL

2. PUBLIC COMMENTS ON ITEMS NOT APPEARING ON AGENDA

This public comment period is an invitation to members of the community to present comments, thoughts, or suggestions on matters not scheduled on this agenda. Comments should be limited to those matters that are within the jurisdiction of the District. The Brown Act restricts the Board from taking formal action on matters not published on the agenda. In response to your comments, the Chairman or presiding Board Member may:

- Direct staff to assist or coordinate with you.
- It may be the desire of the Board to place your issue or matter on a future Board agenda.

Please adhere to the following procedures when addressing the Board:

- Comments should be limited to 3 minutes or less.
- Your comments should be directed to the Board as a whole and not directed to individual Board members.
- Slanderous, profane or personal remarks against any Board Member, Staff or member of the audience shall not be permitted.

Any writing or document pertaining to an open session item on this agenda which is distributed to a majority of the Board after the posting of this agenda will be available for public inspection at the time the subject writing or document is distributed. The writing or document will be available for public review in the offices of the Oceano CSD a member agency. 1655 Front Street, Oceano, California. Consistent with the Americans with Disabilities Act and California Government Code §54954.2, requests for disability related modification or accommodation, including auxiliary aids or services may be made by a person with a disability who requires the modification or accommodation in order to participate at the above referenced public meeting by contacting the District Administrator or Administrative Assistant at 805-544-4011.

3. CONSENT AGENDA

The following routine items listed below are scheduled for consideration as a group. Each item is recommended for approval unless noted. Any member of the public who wishes to comment on any Consent Agenda item may do so at this time. Any Board Member may request that any item be withdrawn from the Consent Agenda to permit discussion or change the recommended course of action. The Board may approve the remainder of the Consent Agenda on one motion.

3a. Review and Approval of Minutes of May 18, 2011 Meeting**3b. Review and Approval of Warrants****3c. Plant Superintendent's Report****4. BOARD ACTION ON INDIVIDUAL ITEMS:****A EQUIPMENT SERVICE AGREEMENT, VAREC FLAME, FLAME ARRESTERS, VACUUM RELIEF VALVES AND DRIP TRAPS**

Staff recommends the Board approve an annual service contract with Varec Inc. in the amount of **\$3,702.**

B. NEW CENTRIFUGE 2A, PROGRESS PAYMENT

Staff recommends the Board approve Progress Payment No. 7 for Brough Construction in the amount of \$208,214.40 (\$187,329.96 with retention deducted)

C. INTRODUCTION/FIRST READING OF THE SANITARY SEWER SYSTEM USE ORDINANCE

Staff recommends the Board review and comment on the draft Sanitary Sewer System Use Ordinance previously distributed, determine if any changes are necessary and proceed to introduce the Ordinance as a first reading; agendaize the adoption of the Ordinance at the June 15, 2011 meeting of the Board.

D. FY 2010-11 Q3 BUDGET REVIEW ADJUSTMENTS, RESOLUTION NO. 2011-289

Staff recommends the Board adopt Resolution No. 289 confirming the Budget Amendment Requests for the Fiscal Year 2010-11 Budget.

E. FY 2011-12 PRELIMINARY OPERATING BUDGET

Staff recommends the Board receive and provide comments on the preliminary FY 2011-12 Operating Budget

5. MISCELLANEOUS ITEMS

- a. Miscellaneous Oral Communications
Update on Inflow and Infiltration
- b. Miscellaneous Written Communications
Status Update (miscellaneous items)
Inspection of California Fine Wire (letter)

6. PUBLIC COMMENT ON CLOSED SESSION**7. CLOSED SESSION**

- Conference with labor negotiators
Pursuant to Government Code Section 54957.6:
Agency designated representatives: John Wallace/Tom Zehnder
Unrepresented employee: Bob Barlogio
- Conference with legal counsel pursuant to Government Code 54956.9 (a)
Existing litigation: Douglas vs Appleton, et al. and Douglas vs SSLOCSD, et al.

8. RETURN TO OPEN SESSION, REPORT ON CLOSED SESSION
9. CONSIDERATION OF INTERIM PLANT SUPERINTENDENT CONTRACT AMENDMENT
10. ADJOURNMENT

SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

Oceano Community Services District
1655 Front Street
Oceano, CA 93445

Minutes of Wednesday, May 18, 2011
6:00 P.M.

1. ROLL CALL

Present: Chairman Bill Nicolls, City of Grover Beach; Director Jim Guthrie, City of Arroyo Grande; Director Lori Angello, Oceano Community Services District.

Absent: Director Tony Ferrara, City of Arroyo Grande.

Others in Attendance: John Wallace, District Administrator; Mike Seitz, District Counsel; Bob Barlogio, Interim Plant Superintendent.

2. PUBLIC COMMENT ON ITEMS NOT APPEARING ON AGENDA

Mr. Brad Snook introduced himself as a member of the Surfrider Foundation. He discussed the District's Notice of Violation issued by the Water Quality Board in 2010 and asked that this matter be agendaized so the Notice of Violation can be discussed in depth.

3. CONSENT AGENDA

- A. Review and Approval of Minutes from the Meeting of May 4, 2011
- B. Review and Approval of Warrants
- C. Financial Report ending April 30, 2011
- D. Plant Superintendent's Report

It was moved by Director Angello, seconded by Director Guthrie to approve items 3b, 3c, and 3d as presented. Motion carried.

It was move by Director Angello, seconded by Chairman Nicolls to approve Consent Agenda item 3a as presented. Motion carried with Director Guthrie not participating due to his absence of May 4, 2011.

4. BOARD ACTION ON INDIVIDUAL ITEMS

- A. FY 2011-12 Budget Review

Administrator Wallace presented the preliminary FY 2011/12 Operating Budget. He presented comparison figures with regards to 2010-11 Budget figures versus 2010/11 actuals.

Administrator Wallace stated that the preliminary operating budget will be distributed at the June 1, 2011 Board meeting with a discussion of the Major Budget Items at the June 15, 2011 Board Meeting. Adoption of the budget is scheduled for the July 6, 2011 Board meeting or continued to July 20, 2011 if further comments are received.

B. Review of Draft Sanitary Sewer System Use Ordinance

Administrator Wallace introduced Ms. Heather Billings of the Wallace Group who provided a presentation regarding the proposed Sanitary Sewer System Use Ordinance.

The Wastewater System Ordinance is required by the District's NPDES Permit No. CA0048003 and is a required element of the Sewer System Management Plan, which in turn is required by the State Water Resources Control Board, Water Quality Order No. 2006-0003-DWQ. This ordinance will provide the legal authority necessary to manage and maintain the wastewater systems in accordance with established standards.

Previously the District adopted Resolution No. 22 (3/16/66) and Ordinance No. 1994-1, which address approximately 80% of the new discharge orders and requirements as part of the District's required SSMP. The proposed ordinance addresses current RWQCB requirements.

In order to adopt the Sanitary Sewer System Use Ordinance, it is necessary that the Board introduce the Ordinance with a first reading on June 1, 2011. A public hearing regarding the adoption of the Ordinance will be conducted at the subsequent meeting on June 15th with an effective date 30 days later after publishing notice. Modifications can be made at the time of the first reading, however any such changes after the public hearing will require that the Ordinance be reintroduced.

C. New Centrifuge 2A – Building Security Installation Contract

Administrator Wallace stated that the existing plant Fire and Security Monitoring System is contracted through Stanley Security. The Fire Code requires that the new building construction be protected by a monitoring security system. Since this is not a continually occupied building and there are no fire sprinklers, heat sensors will be used. These sensors and the standard door intrusion and motion sensors will be tied into the plant alarm system.

Staff recommends approval of the installation contract with Stanley Security Solutions in the amount of \$5,804.99.

It was moved by Director Angello, seconded by Director Guthrie to approve a Security Installation Contract with Stanley Security Solutions in the amount of \$5,804.99. Motion carried.

5. MISCELLANEOUS ITEMS

A. Miscellaneous Oral Communications

Status of District's Operations/Management Peer Review Process: Administrator Wallace presented a brief report with regards to the peer review; he stated three individuals have been sent letters and background information on the District requesting their assistance with the review: Mr. Kamil Azoury, District Manager/Engineer for the Goleta Sanitary District; Mr. Bruce Keogh, City of Morro Bay; and Mr. Kevin Walsh, previous General Manager at Goleta Water District and OCSD.

Interim Superintendent Barlogio informed the Board that the District has received their Lab Certification. He also stated that Operator Rodriguez finished the netting project at the FFR under budget. The project was first estimated to cost over \$25,000 by a contractor and was approved as an in-house project for \$11,000 but was completed for approximately \$7,500.00. He commended Operator Rodriguez with regards to his supervision of the project; coordination of seven temporary

workers, a crane operator, as well as District Operators.

6. PUBLIC COMMENT ON CLOSED SESSION

There were no public comments at this time.

7. CLOSED SESSION ITEM (GOVERNMENT CODE SECTION 54956.9(A))

The Board convened into closed session to conference with legal counsel regarding existing litigation: Douglas v. Appleton et al; Douglas v. SSLOCSD et al

8. RETURN TO OPEN SESSION, REPORT ON CLOSED SESSION

The Board reconvened and announced that no action had been taken.

9. ADJOURNMENT

There being no further business to come before the Board the meeting was adjourned at approximately 7:20 p.m.

THESE MINUTES ARE DRAFT AND NOT OFFICIAL UNTIL APPROVED BY THE BOARD OF DIRECTORS AT A SUBSEQUENT MEETING

SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT
WARRANT REGISTER
6/1/2011

ISSUED TO	PURCHASE/SERVICE	INV. # / SERVICE PERIOD	WARRANT NO.	ACCT	ACCT BRKDN	TOTAL
ARAMARK UNIFORMS	EMPLOYEE UNIFORMS	5934030 5954154 5670773	060111-5623	7025	600.50	600.50
AIRFLOW FILTER SERVICE, INC.	FILTERS	98039	24	8030	192.94	192.94
AT&T	TELEPHONE SERVICE	MAY	25	7011	416.73	416.73
BILL NICOLLS	BOARD SERVICE	MAY	26	7075	200.00	200.00
BROUGH CONSTRUCTIN, INC	05MBI06 CENTRIFUGE	PROG PAY 7	27	20/8065	187,329.96	187,329.96
BRENNTAG PACIFIC, INC.	CHEMICALS	96742 95623	28	8050	9,500.92	9,500.92
CALPERS MEDICAL	EMPLOYEE MEDICAL	JUNE	29	6010	10,054.71	10,054.71
CA WATER ENVIRONMENT	CERTIFICATE RENEW	BARLOGIO	30	7050	142.00	142.00
CHEMSEARCH	PAINT SUPPLIES	696252	31	8060	161.29	161.29
DOCTORS MEDPLUS	SAFETY	008349	32	7068	175.00	175.00
EMEDCO	SAFETY SIGNS	9314753125	33	8056	266.95	266.95
EMPLOYMENT DEVEL DEPT	UNEMPLOYMENT	DOUGLAS&MASCOLO	34	6095	5,850.00	5,850.00
ENVIRONMENTAL RESOURCE	LAB SUPPLIES	617299	35	8040	156.48	156.48
FISHER SCIENTIFIC	LAB SUPPLIES	1647213 2048636	36	8040	97.61	97.61
GROVER TOOL RENTAL	LANDSCAPE EQUIP	278	37	8060	200.00	200.00
HACH COMPANY	LAB SUPPLIES	7252689	38	8040	46.14	46.14
INDUSTRIAL MED GROUP	RESPIRATOR REVIEW	ANNUAL	39	8056	60.00	60.00
I.I. SUPPLY	MISC SUPPLIES	9738	40	8060	259.58	259.58
JB DEWAR	VEHICLE FUEL	762312	41	8020	80.02	80.02
JIM GUTHRIE	BOARD SERVICE	MAY	42	7075	100.00	100.00
JOHN DEERE LANDSCAPES	LANDSCAPE SUPPLY	57702667	43	8060	313.20	313.20
KEMIRA WATER SOLUTIONS	FERRIC CHLORIDE	9017202815	44	8050	7,223.05	7,223.05
LIBERTY COMPOSTING	SOLIDS REMOVAL	004043	45	7085	9,957.42	9,957.42
LAB SAFETY SUPPLY	SAFETY SUPPLIES	101730034	46	8056	452.49	452.49
LORI ANGELLO	BOARD SERVICE	MAY	47	7075	200.00	200.00
MC MASTER CARR	MISC SUPPLIES	85189605	48	8030	242.75	242.75
MID STATE INSTRUMENTS	TUBES	MSI1684	49	8030	207.58	207.58
NOBLE SAW INC	EQUIP REPAIR&REPL	114269 114270	50	8030	527.43	527.43
PG&E	ELEC SERVICE	MAY	51	7091	9,305.94	9,305.94
PRAXAIR DISTRIBUTION	WELDING SUPPLIES	39616311 39616312	52	8060	372.66	372.66
SAFETY KLEEN	OIL DISPOSAL	53724998	53	8030	278.32	278.32
SANTA MARIA DIESEL	MISC SUPPLIES	13517 13519 13646 13895	54	8055	363.49	363.49
SIEMENS	WTR CHAMP REPAIR	79399 79398	55	8030	686.77	686.77
STATE FUND COMPENSATION	WORK COMP	MAY	56	6080	2,424.77	2,424.77
SUNRISE ENVIRONMENTAL	ATTACK	6516	57	8050	722.76	722.76
STANLEY CONVERGENT	SECURITY&REPAIR	8291992 8283475	58	7011	162.20	162.20
THOMA ELECTRIC	SHORT CIRCUIT REPAIR	11 8046 01	59	8030	1,900.00	3,760.00
	04MBI16	11 8051 01		26/8065	1,860.00	
TIGER DIRECT	EMP COMPUTER PURC	V13749450101	60	1066	974.49	974.49
TITAN INDUSTRIAL	MISC SUPPLIES	1045481 1045444 1045593	61	8056	63.63	405.32
				8060	341.69	
TONY FERRARA	BOARD SERVICE	MAY	62	7075	100.00	100.00
UNITED STAFFING	TEMP LABOR FFR	050469 050286	63	8060	4,513.58	4,513.58
SUB TOTAL					259,085.05	259,085.05
PAYROLL	PPE 5/20/11				19,319.07	19,319.07
GRAND TOTAL					278,404.12	278,404.12

We hereby certify that the demands numbered serially from 060111-5623 to 060111-5663 together with the supporting evidence have been examined, and that they comply with the requirements of the SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT. The demands are hereby approved by motion of the SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT, together with warrants authorizing and ordering the issuance of checks numbered identically with the particular demands and warrants.

BOARD OF DIRECTORS:

DATE: _____

Chairman

Board Member

Board Member

Secretary



SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

Post Office Box 339 Oceano, California 93475-0339

1600 Aloha Oceano, California 93445-9735

Telephone (805) 489-6666 FAX (805) 489-2765

<http://www.sslocsd.org/>

Date; May 25, 2011

To; John Wallace, District Administrator

From; Trinidad Rodriguez, Interim Shift Supervisor

Re; Superintendent's Report

For the month of May, 2011

The average daily flow was 2.54 mgd.

Average influent BOD was 302 mg/l and the Total Suspended Solids was 397mg/l.

The average effluent BOD was 27.33 mg/l.

The average effluent TSS was 26.00 mg/l.

Our limit is 40 mg/l monthly average on each.

Average BOD removal rate was 91.85 % and TSS removal rate was 93.69 % .

Shift Supervisor Trinidad Rodriguez and temp staff finished the FFR netting project on Monday the 16. Also on that date plant staff conducted BOD and TSS sampling. Plant staff has received the Environmental Laboratory Accreditation Program Certification and is doing chlorine residuals, dechlor, ph and temperatures in house. Plant staff was instrumental in isolating digester # 1 and purging sludge lines for valve replacement, in the heating & mixing room. Brough Construction did the removal and installation of the valves. Digester # 1 is on back on line and operating well. As of today the South County Treatment Plant is performing well..



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Staff Report

To: Board of Directors
From: John Wallace, *District Administrator* 
Date: June 01, 2011 Meeting

Subject: Equipment Service Agreement, Varec Flare, Flame Arresters, Vacuum Relief Valves and Drip Traps Maintenance

Recommendation:

Staff recommends the Board approve an annual service contract with Varec Inc. in the amount of **\$3,702.00** for an equipment service agreement for Varec Flare, Flame Arresters, Vacuum Relief Valves and Drip Traps Maintenance

Funding:

As of the Q3 budget analysis, there is approximately **\$ 7,318.28** remaining in Account **19-8030, Equip Maint Reg & Minor Replacement**. Assuming this expense is approved, **\$ 3,616.28** would remain in the account.

Discussion:

The District has previously purchased and installed several pieces of equipment around the plant. These items include equipment such as the flare, flame arresters, vacuum relief valves and drip traps which require specialized calibration and regular maintenance to ensure their proper operation. These specialized services are required to meet permitting requirements of APCD and are supplemental to the on-going maintenance performed by District staff.

SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

PURCHASE ORDER FOR SERVICES/SUPPLIES/EQUIPMENT

Purchase Order No.: 060111-01

Seller:		Buyer:		
Name Varec Biogas Address 162 Theresa Way City, State Zip Chula Vista, CA 91911 Attn: Manny Baldiviez Phone: (619) 843-0540 Fax: (619) 585-0397 E-mail: mbaldiviez@cs.com		South San Luis Obispo County Sanitation District P.O. Box 339 Oceano, CA 93445 Attn: John Wallace, P.E. Phone: (805) 544-4011 Fax: (805) 544-4294 E-mail: johnw@wallacegroup.us		
Project Information:		Ship To:		
19-8030, Equip Maint Reg & Minor Replacement Varec Service Contract		SSLOCSD 1600 Aloha Place Oceano, CA 93445		
Order Date	Delivery Date	Ship Via	FOB	Payment Terms
June 01, 2011	June 30, 2011	N/A	N/A	Net 30 days of invoice

Buyer and Service Provider agree as follows:

MATERIAL, EQUIPMENT AND/OR SERVICES TO BE PROVIDED: Seller shall furnish the material, equipment and/or services described below in strict compliance with **Exhibit A (attached)** dated May 10, 2011, 2011 at the price or prices set forth opposite each item within the times stated below in accordance with the terms and provisions of this Purchase Order, including the attached Terms and Conditions, which are incorporated into and made a part of this Purchase Order:

Description Item No.	Estimated Quantity	Unit Price	Extension	Delivery Date
Clean/Inspect Calibrate existing Varec Gas Burner Model 244E	1	LS		
Labor	1	LS	840.00	
Travel, Mileage, Hotel, per diem	1	LS	\$2,032.00	
Parts	1	LS	\$ 780.00	
Sales Tax		8.25%	Included	
Estimated Shipping		N/A	\$ 50.00	
Not to Exceed			\$ 3,701.00	

Buyer: South San Luis Obispo County Sanitation District

Seller: Varec Biogas

Seller

Buyer

By: _____

By: _____

Title: _____

Title: _____

1. **Insurance.**

A. Contractor shall procure and maintain, in insurance companies authorized to do business in the State of California and assigned an A.M. Best's rating of no less than A-(IX), the following insurance coverage, written on the ISO form shown below (or its equivalent) at the limits of liability specified for each:

Commercial General Liability Insurance	\$ 1 Million per occurrence
(ISO Form CG 0001 11/85)	\$ 2 Million in the aggregate
Commercial Automobile Liability Insurance	\$ 1 Million per accident
(ISO Form CA 0001 12/90)	
Workers' Compensation Insurance	Statutory
Employer's Liability Insurance	\$ 1 Million policy limit

B. The Commercial General and Commercial Automobile liability policies shall be endorsed to include the following:

- (1) The District, its officers, directors, employees and agents shall be named as Additional Insureds under ISO Form CG 2010 11/85 or its equivalent; and,
- (2) The coverage afforded the District shall be primary and non-contributing with any other insurance maintained by SCSD.
- (3) If not covered separately under a business automobile liability policy, the general liability policy shall also be endorsed to include non-owned and hired automobile liability.

C. All insurance coverage required hereunder shall be kept in full force and effect for the term of this Agreement.

2. **Indemnification and Hold Harmless.**

A. To the fullest extent allowed by law, the **Contractor** shall defend, indemnify, and hold harmless the **District**, its elected and appointed officials, agents, and employees and its subconsultants, officers, directors, and employees (collectively, the Indemnified Parties), from all liability, penalties, costs, losses, damages, expenses, causes of action, claims, and judgments, including attorney's fees and other defense costs, resulting from injury to or death sustained by any person (including **Contractor's** employees), or damage to property of any kind, or any other damage whatsoever, which injury, death, or damage arises out of or related to the performance of this Agreement and or the **Project**, including any of the same resulting from the alleged or actual negligent act or omission of the Indemnified Parties, except the obligation to indemnify shall not be applicable to injury, death, or damage to property arising from the sole or active negligence or willful misconduct of the Indemnified Parties. This indemnification shall extend to all claims asserted after termination of this Agreement for whatever reason.

Initials: _____



Varec Biogas
162 Theresa Way, Chula Vista CA 91911
TEL: (619) 843-0540 FAX: (619) 585-0397

Varec Quotation No.
MS-2482
Your Reference
Phone Call

Page 1 of 1

ATTN:	Trini Rodriguez	PHONE:	805-489-6666
CO:	South San Luis Obispo County WWTP	FAX:	805-489-2725
DATE:	5/10/11	RE:	Email dated 4/19/11

Trini,

Varec Biogas is pleased to offer the following quotation for your consideration:

Item	Qty.	Part Number, Size and Description	Unit Price	Extended Price
1	8	Labor Hours **	105.00	840.00
2	12	Travel Hours **	95.00	1,140.00
3	2	Hotel **	100.00	200.00
4	3	Per Diem	60.00	180.00
5	640	Mileage @ .80 a mile	.80	512.00
6	1	Gaskets needed for Gas Safety Equipment – Flame arrester, regulators, drip trap -	100.00	100.00
7	2	Orifice Kits	200.00	400.00
8	1	Gaskets needed for Gas Safety Equipment – 6" Flame Arrester, 4" Pressure/Vacuum Relief 4" Flame Arrester	280.00	280.00
9	1	Shipping Cost	50.00	50.00
			Total Estimate	\$3,702.00

Note: Any other equipment needed will be billed at cost

Note: Price valid for 30 days

Work to be performed

Clean/Inspect/Calibrate existing Varec Waste Gas Burner Model 244E

Perform a point to point wire check on panel - Inspect/Calibrate condition of thermocouple

Inspect condition of spark igniter - Inspect/adjust spark plug – Inspect pilot gas regulator

Inspect time delay relay – Clean/adjust orifices – Clean pilot nozzles – Clean/Inspect all Varec gas safety equipment on pad. Clean/Inspect 4" & 6" Flame Arrester

Clean/Inspect/Calibrate Pressure/Vacuum relief Valves

Location

South San Luis Obispo County WWTP

1600 Aloha Place

Oceano, CA 93445

If you would like to place this order, please fax P.O. to 619-585-0397.

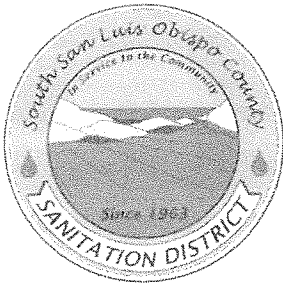
If you have any questions, you can reach me at cell (619) 843-0540.

Sincerely,

Manny Baldiviez

Manny Baldiviez

Varec Service



SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

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Staff Report

To: Board of Directors
From: John Wallace, *District Administrator*
Date: June 1, 2011

Subject: New Centrifuge 2A, Brough Construction Progress Payment No. 7

Recommendation:

Approve Progress Payment No. 7 to Brough Construction, Inc. in the amount of **\$208,214.40**. (\$187,329.96 with retention deducted).

Funding:

The FY 2010-11 Budget includes the Major Budget Item 05 MBI 06 – *New Centrifuge 2A* – in the amount of **\$1,104,422**. The overall budget for all fiscal years is \$1,904,081.

Brough Construction was retained by a September 1, 2010 Board action for the lump sum amount of **\$827,134.00** to provide construction services for the project. The revised contract amount after CCOs 1-7, 11, 13, 14, and 16 is **\$903,440.28**.

	Prior FY's	Current FY as of 05-18-11	Total All FYs	Proposed This Staff Report
Budget	\$ 799,659	\$ 1,104,422	\$ 1,904,081	\$ -
<u>Expenditures</u>			\$ -	\$ 208,214
Capital Equipment	\$ 320,814	\$ -	\$ 320,814	\$ -
Studies	\$ -	\$ -	\$ -	\$ -
Testing	\$ -	\$ 6,208	\$ 6,208	\$ -
Design & Survey	\$ 433,186	\$ 46,479	\$ 479,665	\$ -
Contract Administration	\$ 3,007	\$ 88,482	\$ 91,489	\$ -
Const Contingencies	\$ -	\$ 59,249	\$ 59,249	\$ -
PG&E Utility Service	\$ -	\$ 15,659	\$ 15,659	\$ -
<u>Construction</u>	<u>\$ 42,652</u>	<u>\$ 404,525</u>	<u>\$ 447,177</u>	<u>\$ 208,214</u>
Total Expenditures	\$ 799,659	\$ 620,603	\$ 1,420,262	\$ 208,214
Remaining Budget			\$ 483,820	\$ 275,605

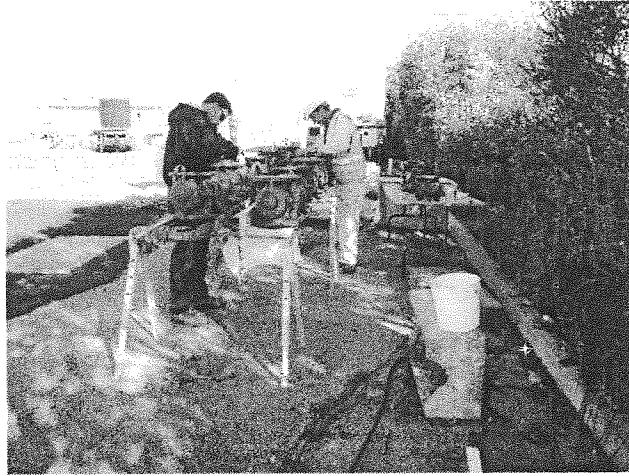
Discussion:

Monthly progress payment No. 7 includes compensation for work associated with this contract completed in the month of May. Tasks and percentage complete for this period are listed in the following table. Staff has closely monitored work performed under this contract and believes the invoice reflects the actual work performed by Brough Construction.

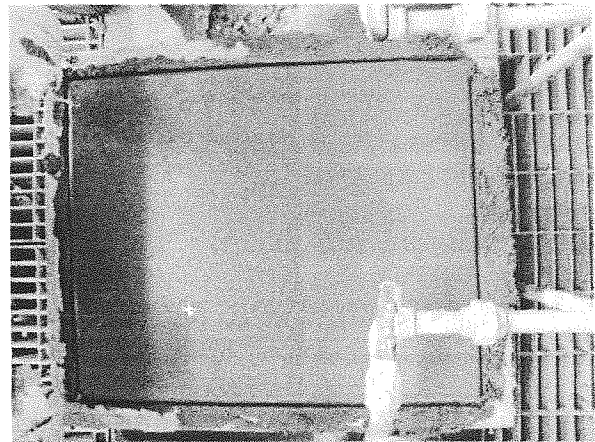
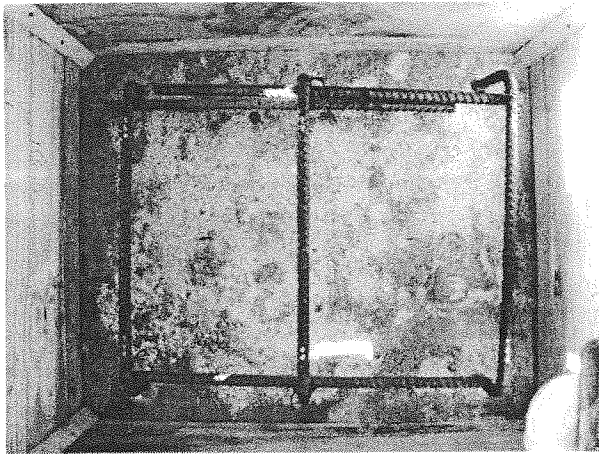
Item Description	Qty	Unit	Unit Price	Contract Amount	% Complete This Period	Cost This Period	
New Reinforced Concrete Driveway	280	SF	\$18.50	\$5,180.00	280	\$5,180.00	
New Reinforced Concrete Flatwork	540	SF	\$9.50	\$5,130.00	540	\$5,130.00	
Flood Gates on Building Mandoors (2)	2	EA	\$5,860.00	\$11,720.00	12%	\$1,406.40	
Flood Gates Roll-up Door (1)	1	EA	\$13,800.00	\$13,800.00	25%	\$3,450.00	
Asphalt Paving / Patching	3270	SF	\$12.00	\$39,240.00	6100	\$73,200.00	
6" Glass Lined DI Sludge Pipe Including Valves	110	LF	\$697.00	\$76,670.00	28	\$19,516.00	
6" PVC Schedule 80 Centrate Drain Pipe Including Valve	40	LF	\$56.00	\$2,240.00	10	\$560.00	
1" PVC Schedule 80 Underground Potable & Non-Potable Water Including Valves	10	LF	\$19.00	\$190.00	10	\$190.00	
1" ASTM A53 Galv. Steel Pipe Above Ground Potable Water Including Valves	65	LF	\$16.00	\$1,040.00	17	\$272.00	
Piping Pressure Testing	1	LS	\$3,300.00	\$3,300.00	25%	\$825.00	
New Pump/Grinder Pedestals	3	EA	\$1,480.00	\$4,440.00	100%	\$4,440.00	
New Sludge Feed Pumps (2)	2	EA	\$39,000.00	\$78,000.00	25%	\$19,500.00	
In-Line Grinder (1)	1	EA	\$22,400.00	\$22,400.00	25%	\$5,600.00	
New Valves - Five 4" Valves & Thirteen 6" Valves	4"	5	EA	\$830.00	\$4,150.00	25%	\$1,037.50
	6"	13	EA	\$1,700.00	\$22,100.00	25%	\$5,525.00
14" Plug Valve	1	EA	\$7,200.00	\$7,200.00	50%	\$3,600.00	
Tie-In of New Valves / Piping with Existing Piping	1	LS	\$6,400.00	\$6,400.00	50%	\$3,200.00	
Sludge Feed Pump, VFD Panel & Appurtenances	1	LS	\$10,200.00	\$10,200.00	25%	\$2,550.00	
Local Power Distribution Panel (MSB-CENT2AB)	1	LS	\$14,770.00	\$14,770.00	25%	\$3,692.50	
Power & Comm. Wiring - Existing Conduits and Pull Boxes (H&M Building)	1	LS	\$20,400.00	\$20,400.00	20%	\$4,080.00	
Power & Comm. Conduits & Wiring - Existing Pull Boxes to Centrifuge Building	1	LS	\$32,400.00	\$32,400.00	40%	\$12,960.00	
Power & Communications Conduits & Wiring - Within New Centrifuge Building	1	LS	\$17,000.00	\$17,000.00	10%	\$1,700.00	
Design, Install and Test SCADA System	1	LS	\$102,000.00	\$102,000.00	30%	\$30,600.00	
				Monthly Sub-Total		\$208,214.40	
				Retainage (10%)		\$20,821.44	
				Net Total		\$187,329.96	

Staff recommends approval of Progress Payment No. 7 in the amount of **\$208,214.40**. A 10% retainage of **\$20,821.44** is withheld resulting in a net payable amount of **\$187,329.96**.

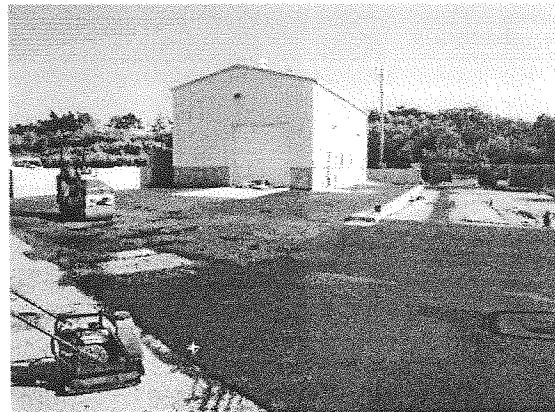
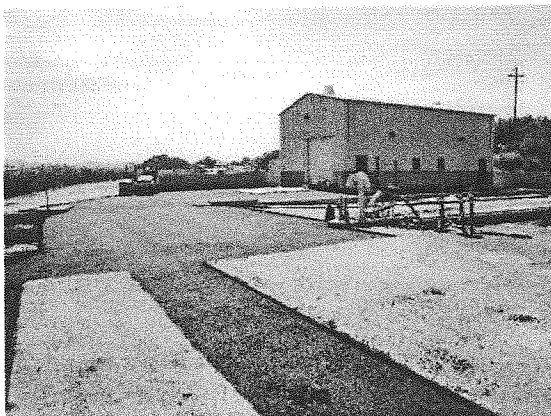
Construction Progress Photos:



Painting Valves for the Heating and Mixing Building



Pump Pedestals in the Heating and Mixing Building



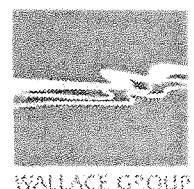
Paving and Flatwork

South San Luis Obispo County Sanitation District CENTRIFUGE 2A BUILDING				SSLOCSD PARTIAL PAYMENT ESTIMATE NO. 7	
OWNER: SSLOCSD		CONTRACTOR: Brough Construction, Inc.		PERIOD OF ESTIMATE FROM 5/01/11 TO 5/31/2011	

CONTRACT CHANGE ORDER SUMMARY				ESTIMATE	
No.	Owner Approval Date	Amount			
		Additions	Deductions		
1	12/1/2010		\$ (906.14)	1. Original Contract	\$ 827,134.00
2	12/1/2010	\$ 27,500.00		2. Change Orders	\$ 76,366.26
3	1/5/2011	\$ 10,700.00		3. Revised Contract (1 + 2)	\$ 903,440.28
4	2/2/2011	\$ 4,294.55		4. Work Completed* (Incl. CCO work)	\$ 723,519.68
5	2/2/2011	\$ 6,179.59		5. Stored Materials	\$ -
14	4/8/2011		\$ (2,309.89)	6. *Subtotal (4 + 5)	\$ 723,519.68
15	4/8/2011		\$ (92.00)	7. Retainage to date	\$ 72,351.99
7	5/4/2011	\$ 1,914.00		8. Previous Payments	\$ 589,855.41
9	5/4/2011	\$ 2,316.25		9. Amount Due (6-07-11)	\$ 187,392.96
11	5/4/2011	Add 21 Runway		* Detailed breakdown attached	
Alternate Bid	4/8/2011	\$ 18,700.00			
TOTALS		\$ 79,504.42	\$ (3,296.14)		
NET CHANGE			\$ 76,366.26		

CONTRACT TIME			
Original (calendar days) <u>150</u>	Revised <u>45</u>	Remaining <u>12</u>	On Schedule <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Starting Date 10/11/10 Project Completion 6/17/11

CONTRACTOR'S CERTIFICATION: The undersigned Contractor certifies that to the best of their knowledge, information and belief the work covered by this payment estimate has been completed in accordance with the contract documents, and that all amounts have been paid by the contractor for work for which previous payment estimate was issued and payments received from the owner, and that current payment shown hereon is now due. CONTRACTOR: BROUGH CONSTRUCTION, INC. <i>[Signature]</i> Date <u>5/23/11</u>	CONTRACT ADMINISTRATOR: The undersigned certifies that the work has been carefully inspected and to the best of their knowledge and belief, the quantities shown in this estimate are correct and the work has been performed in accordance with the contract documents. WALLACE GROUP Contract Administrator By <i>[Signature]</i> Date <u>5/24/11</u>
RECOMMENDED BY ENGINEER: ENGINEER: <i>[Signature]</i> By _____ Date <u>5/24/11</u>	APPROVED BY DISTRICT: Owner: SSLOCSD By _____ Date _____





634 Printz Road
ARROYO GRANDE CA 93420

805-489-7779 Phone
805-473-2479 Fax

*** Contract Invoice ***

To: South SLO Sanitation District
1600 Aloha Place
OCEANO CA 93445

Invoice No: 100337
Invoice Date: 05/23/2011

Estimate No: 100337
Completed Thru: 05/31/2011
Owner Job No: 10033

Contract: 10033 Centrifuge 2A Building Project

Phase	Description of Work	Contract Values			Previously Completed		—This Invoice—		—Total To-Date—	
		Quantity	Unit Price	\$ Amount	Quantity	\$ Amount	Quantity	\$ Amount	Quantity	\$ Amount
01	Mobilization/Demo/Clean	1.000 LS	31500.0000	31500.00	0.600	18900.00	0.000	0.00	0.600	18900.00
02	Project Demo/Removal	1.000 LS	10600.0000	10600.00	0.500	5300.00	0.000	0.00	0.500	5300.00
03	Survey of Site	1.000 LS	2600.0000	2600.00	1.000	2600.00	0.000	0.00	1.000	2600.00
04	Earthwork and Grading	1.000 LS	32900.0000	32900.00	1.000	32900.00	0.000	0.00	1.000	32900.00
05	New Concrete Blding Sla	1620.000 SF	20.0000	32400.00	1620.000	32400.00	0.000	0.00	1620.000	32400.00
06	New Concrete Driveway	280.000 SF	18.5000	5180.00	0.000	0.00	280.000	5180.00	280.000	5180.00
07	New Concrete Flatwork	540.000 SF	9.5000	5130.00	0.000	0.00	540.000	5130.00	540.000	5130.00
08	Concrete Retaining Bin	147.000 LF	440.0000	64680.00	147.000	64680.00	0.000	0.00	147.000	64680.00
09	CMU Flood Wall	150.000 LF	62.5000	9375.00	150.000	9375.00	0.000	0.00	150.000	9375.00
10A	Flood gates on manddoors	2.000 EA	5860.0000	11720.00	0.750	4395.00	0.240	1406.40	0.990	5801.40
10B	Flood gates on rollup d	1.000 EA	13800.0000	13800.00	0.250	3450.00	0.250	3450.00	0.500	6900.00
11	Pre-engineered Metal Bl	1.000 LS	54840.0000	54840.00	0.980	53743.20	0.000	0.00	0.980	53743.20
12	Centrifuge relocation	1.000 LS	34000.0000	34000.00	0.000	0.00	0.000	0.00	0.000	0.00
13	Asphalt Paving/Patching	3270.000 SF	12.0000	39240.00	0.000	0.00	6100.000	73200.00	6100.000	73200.00
14	Shoring/Sheeting/Platin	1.000 LS	500.0000	500.00	1.000	500.00	0.000	0.00	1.000	500.00
15	8"PVC SDR 35 Pipe	290.000 LF	45.0000	13050.00	290.000	13050.00	0.000	0.00	290.000	13050.00
16	6" DI Sludge Pipe	110.000 LF	697.0000	76670.00	72.000	50184.00	28.000	19516.00	100.000	69700.00
17	6"PVC Sch 80 Drain Pipe	40.000 LF	56.0000	2240.00	20.000	1120.00	10.000	560.00	30.000	1680.00
18	3" DI Sludge Pipe	2.000 LF	1543.0000	3086.00	0.500	771.50	0.000	0.00	0.500	771.50
19	4"PVC Sch 80 Floor Drai	50.000 LF	31.0000	1550.00	50.000	1550.00	0.000	0.00	50.000	1550.00
20	2"PVC Sch 80 Undergroun	300.000 LF	8.0000	2400.00	300.000	2400.00	0.000	0.00	300.000	2400.00
21	1"PVC Sch 80 Undergroun	32.000 LF	19.0000	608.00	0.000	0.00	10.000	190.00	10.000	190.00
22	2"ASTM A53 Galv Steel P	15.000 LF	62.0000	930.00	0.000	0.00	0.000	0.00	0.000	0.00
23	1"ASTM A53 Galv Steel P	65.000 LF	16.0000	1040.00	0.000	0.00	17.000	272.00	17.000	272.00
24	Centrate Piping manhole	1.000 LS	785.0000	785.00	1.000	785.00	0.000	0.00	1.000	785.00
25	Combo eyewash/safety sh	1.000 LS	2300.0000	2300.00	0.000	0.00	0.000	0.00	0.000	0.00
26	Piping Pressure Testing	1.000 LS	3300.0000	3300.00	0.000	0.00	0.250	825.00	0.250	825.00
27	New pumps/grinder pedst	3.000 EA	1480.0000	4440.00	0.000	0.00	3.000	4440.00	3.000	4440.00
28A	New Sludge Feed Pumps	2.000 EA	39000.0000	78000.00	0.500	19500.00	0.500	19500.00	1.000	39000.00
28B	In-Line Grinder	1.000 EA	22400.0000	22400.00	0.250	5600.00	0.250	5600.00	0.500	11200.00
29A	New Valves-Five 4" Valv	5.000 EA	830.0000	4150.00	1.250	1037.50	1.250	1037.50	2.500	2075.00
29B	New Valves-Thirteen 6"	13.000 EA	1700.0000	22100.00	3.250	5525.00	3.250	5525.00	6.500	11050.00
30	14" Plug Valve	1.000 EA	7200.0000	7200.00	0.500	3600.00	0.500	3600.00	1.000	7200.00
31	Temp Sludge Pumps/Pipin	1.000 LS	6350.0000	6350.00	0.000	0.00	0.000	0.00	0.000	0.00
32	Tie-in of valves/piping	1.000 LS	6400.0000	6400.00	0.000	0.00	0.500	3200.00	0.500	3200.00
33	Sludge Feed Pump/VFD Pn	1.000 LS	10200.0000	10200.00	0.250	2550.00	0.250	2550.00	0.500	5100.00
34	Local Power Dist Panel	1.000 LS	14770.0000	14770.00	0.750	11077.50	0.250	3692.50	1.000	14770.00



634 Printz Road
ARROYO GRANDE CA 93420

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***** Contract Invoice *****

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Continued from previous page...

Phase	Description of Work	Contract Values			Previously Completed		This Invoice		Total To-Date	
		Quantity	Unit Price	\$ Amount	Quantity	\$ Amount	Quantity	\$ Amount	Quantity	\$ Amount
35	Power/Communication Wir	1.000 LS	20400.0000	20400.00	0.600	12240.00	0.200	4080.00	0.800	16320.00
36	Power/Communication Con	1.000 LS	32400.0000	32400.00	0.600	19440.00	0.400	12960.00	1.000	32400.00
37	Power Wiring-New Bldg	1.000 LS	17000.0000	17000.00	0.700	11900.00	0.100	1700.00	0.800	13600.00
38	Reroute PG&E Main Site	1.000 LS	11500.0000	11500.00	1.000	11500.00	0.000	0.00	1.000	11500.00
39	Design/Install SCADA Sy	1.000 LS	102000.0000	102000.00	0.350	35700.00	0.300	30600.00	0.650	66300.00
40	Design/Install Graphics	20.000 EA	570.0000	11400.00	2.150	1225.50	0.000	0.00	2.150	1225.50
Original Contract Total:				827,134.00	438,999.20		208,214.40		647,213.60	
60	C/O #1-Vault Lid Credit	-1.000 LS	906.1400	-906.14	-1.000	-906.14	0.000	0.00	-1.000	-906.14
60	C/O #4-Crushed Rock	1.000 LS	4294.5500	4294.55	1.000	4294.55	0.000	0.00	1.000	4294.55
60	C/O #2-3-Dewatering	43.000 Days	1100.0000	47300.00	42.000	46200.00	0.000	0.00	42.000	46200.00
60	C/O #6-Encase Conduits	1.000 LS	6179.5900	6179.59	1.000	6179.59	0.000	0.00	1.000	6179.59
60	C/O #7-Potholing	1.000 EA	1914.0000	1914.00	1.000	1914.00	0.000	0.00	1.000	1914.00
60	C/O #9 - Vault Install	1.000 EA	2316.2800	2316.28	1.000	2316.28	0.000	0.00	1.000	2316.28
60	C/O #5 - Dewatering	17.000 Days	1100.0000	18700.00	17.000	18700.00	0.000	0.00	17.000	18700.00
60	C/O #14-Eyewash Station	-1.000 LS	2300.0000	-2300.00	-1.000	-2300.00	0.000	0.00	-1.000	-2300.00
60	C/O #16-Anchor Bolt Cre	-1.000 LS	92.7000	-92.70	-1.000	-92.70	0.000	0.00	-1.000	-92.70
Total Change Orders:				77,405.58	76,305.58		0.00		76,305.58	
Total Contract To-Date:				904,539.58	515,304.78		208,214.40		723,519.18	

Work Completed To-Date: 723,519.18
Less Retention: 72,351.92

651,167.26

Less Previous Billing: 463,774.30
Current Payment Due: 187,392.96

(Release Form 1)

**Conditional Waiver and Release
Upon Progress Payment**

Upon receipt by the undersigned of a check from:

South SLO Sanitation District in the sum of \$187,392.96 payable to: Brough Construction, Inc. and when the check has been properly endorsed and has been paid by the bank upon which it is drawn, this document shall become effective to release any mechanic's lien, stop notice, or bond right the undersigned has on the job of: South SLO Sanitation District

Located at: Centrifuge 2A Building Project
1600 Aloha Place
OCEANO, CA

to the following extent.

This release covers a progress payment for labor, services, equipment or material furnished to: South SLO Sanitation District through 05/31/2011 only and does not cover any retention retained before or after the release date; extras furnished before the release date for which payment has not been received; extras or items furnished after the release date. Rights based upon work performed or items furnished under a written change order which has been fully executed by the parties prior to the release date are covered by this release unless specifically reserved by the claimant in this release. This release of any mechanic's lien, stop notice, or bond right shall not otherwise affect the contract rights, including rights between parties to the contract based upon a rescission, abandonment, or breach of the contract, or the right of the undersigned to recover compensation for furnished labor, services, equipment, or material covered by this release if that furnished labor, services, equipment or material was not compensated by the progress payment. Before any recipient of this document relies on it, said party should verify evidence of payment to the undersigned.

Dated: 05/23/2011 Brough Construction, Inc.

By: 

Title: Sec/CFO

Note: This document has important legal consequences; consultation with an attorney is encouraged with respect to its use or modification. This form is intended to meet the requirements of California Civil Code Section 3262(d)(1) as of January 1, 1994.

(Release Form 2)

**Unconditional Waiver and Release
Upon Progress Payment**

The undersigned has been paid and has received a progress payment in the sum of \$61,312.48 for labor, services, equipment or material furnished to: South SLO Sanitation District on the job of: South SLO Sanitation District

located at: Centrifuge 2A Building Project
1600 Aloha Place

OCEANO, CA

and does hereby release any mechanic's lien, stop notice or bond right that the undersigned has on the above referenced job to the following extent. This release covers a progress payment for labor, services, equipment or material furnished to: South SLO Sanitation District through 04/30/2011 only and does not cover any retention retained before or after the release date; extras furnished before the release date for which payment has not been received; extras or items furnished after the release date. Rights based upon work performed or items furnished under a written change order which has been fully executed by the parties prior to the release date are covered by this release unless specifically reserved by the claimant in this release. This release of any mechanic's lien, stop notice, or bond right shall not otherwise affect the contract rights, including rights between parties to the contract based upon a rescission, abandonment, or breach of the contract, or the right of the undersigned to recover compensation for furnished labor, services, equipment, or material covered by this release if that furnished labor, services, equipment or material was not compensated by the progress payment.

Dated: 05/23/2011 Brough Construction, Inc.

By: 

Title: Sec/CFO

Notice: This document waives rights unconditionally and states that you have been paid for giving up those rights. This document is enforceable against you if you sign it, even if you have not been paid. If you have not been paid, use a conditional release form.

Note: This document has important legal consequences; consultation with an attorney is encouraged with respect to its use or modification. This form is intended to meet the requirements of California Civil Code Section 3262(d)(2) as of January 1, 1994.



SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

Post Office Box 339 Oceano, California 93475-0339

1600 Aloha Oceano, California 93445-9735

Telephone (805) 489-6666 FAX (805) 489-2765

<http://sslocsd.org/>

Staff Report

To: Board of Directors
From: John Wallace, *District Administrator*
Date: June 1, 2011

Subject: Introduction and First Reading of the Draft Sanitary Sewer System Use Ordinance, Ordinance No. 2011-1

Recommendation:

Formally introduce the Sanitary Sewer System Use Ordinance by reading it by title only and schedule a public hearing at the next regular Board meeting on June 15, 2011.

Funding:

Development of the Sanitary Sewer System Use Ordinance is included under *Account 19-7087, Waste Discharge Reporting* as part of the FY 2010-11 Budget. As of the end of March 2011, \$3,496 has been expended in Account 19-7087, leaving a remaining balance of \$16,504. Expenditures for the development of the Sanitary Sewer System Use Ordinance are estimated at \$4,500, which will leave a remaining balance of \$12,004.

Discussion:

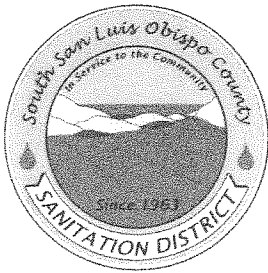
The Sanitary Sewer System Use Ordinance is required by the District's NPDES Permit No. CA0048003 and is required element of the Sewer System Management Plan, which in turn is required by the State Water Resources Control Board, Water Quality Order No. 2006-0003-DWQ. This ordinance will provide the legal authority necessary to manage and maintain the wastewater systems in accordance with established standards.

Previously the District adopted Ordinance No. 1994-1, a "Pretreatment Ordinance," which addresses a number of discharges that may be harmful to the District's treatment system. However, with new discharge orders and requirements as part of the District's required SSMP, the proposed ordinance addresses current RWQCB requirements.

In order to adopt the Sanitary Sewer System Use Ordinance, it is necessary that the Board introduce the Ordinance with a first reading on June 1, 2011. A public hearing regarding the adoption of the Ordinance will be conducted at the subsequent meeting on June 15, 2011. Modifications can be made at the time of the first reading. However, any such changes after the public hearing will require that the Ordinance be reintroduced.

To date, revisions to the Sanitary Sewer System Use Ordinance include:

- References to "the currently adopted Uniform Plumbing Code" were revised to reference "the currently adopted Uniform Plumbing Code or California Plumbing Code, whichever is more stringent."
- Clarification of "public sewer" to mean those sewers owned and maintained by the District



**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT
SANITARY SEWER SYSTEM USE ORDINANCE**

ORDINANCE No. 2011-1
June 1, 2011

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SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

SANITARY SEWER SYSTEM USE ORDINANCE

Ordinance No. 2011-1

**AN ORDINANCE PROVIDING FOR AND REGULATING THE ACCEPTANCE OF
INDUSTRIAL WASTE AND CONTAMINATED GROUNDWATER
INTO THE SANITARY SEWER SYSTEM OF
THE SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT**

ARTICLE 1 - GENERAL PROVISIONS

1.01 CODE ADOPTION

The Governing Board of South San Luis Obispo County Sanitation District does adopt the ordinance and general regulation as follows:

1.01.010 ADOPTION

There is hereby adopted the "South San Luis Obispo County Sanitation District Sanitary Sewer System Use Ordinance."

1.01.020 TITLE—CITATION—REFERENCE

This code shall be known as the "South San Luis Obispo County Sanitation District Sanitary Sewer System Use Ordinance." It shall be sufficient to refer to this code as the South San Luis Obispo County Sanitation District Sanitary Sewer System Use Ordinance in any prosecution for the violation of any provision thereof or in any proceeding at law or equity. It shall also be sufficient to designate any ordinance adding to, amending, or repealing provisions of the Ordinance as an addition or amendment to, or a repeal of the South San Luis Obispo County Sanitation District Sanitary Sewer System Use Ordinance, or any portion thereof. Reference may be made to the articles, chapters, sections and subsections of the South San Luis Obispo County Sanitation District Sanitary Sewer System Use Ordinance and such references shall apply to that numbered article, chapter, section or subsection as it appears in the code.

This code may also be referenced herein as "SSLOCSD Sanitary Sewer System Use Ordinance" or "the Ordinance."

1.01.030 CODIFICATION AUTHORITY

This code consists of all the regulatory and penal ordinances and certain of the administrative ordinances of the South San Luis Obispo County Sanitation District, codified pursuant to the provisions of Section 4700 *et. seq.* of the Health and Safety Code of the State of California.

1.01.040 ORDINANCES PASSED PRIOR TO ADOPTION OF THE CODE

The following ordinances, passed prior to adoption of this code, are hereby adopted and made a part of this code: Ordinance No. 1994-1, and SSLOCSO Fats, Oils, and Grease Ordinance.

1.01.050 REFERENCE APPLIES TO ALL AMENDMENTS

Whenever a reference is made to this code as the "South San Luis Obispo County Sanitation District Sanitary Sewer System Use Ordinance" or to any portion thereof, or to any ordinance of the South San Luis Obispo County Sanitation District, the reference shall apply to all amendments, corrections and additions heretofore, now or hereafter made.

1.01.060 ARTICLE, CHAPTER, AND SECTION HEADINGS

Article, chapter and section headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any article, chapter or section hereof.

1.01.070 REFERENCE TO SPECIFIC ORDINANCES

The provisions of this code shall not in any manner affect matters of record which refer to, or are connected with ordinances which are therein specifically designated by number or otherwise and which are included within the code, but such reference shall be construed to apply to the corresponding provisions contained within this code.

1.01.080 EFFECT OF CODE ON PAST ACTIONS AND OBLIGATIONS

Neither the adoption of this code nor the repeal or amendment hereby of any ordinance or part or portion of any ordinance of the South San Luis Obispo County Sanitation District shall in any manner affect the prosecution for violations of ordinances, which violations were committed prior to the effective date, hereof, nor be construed as a waiver of any license, fee or penalty at the effective date due and unpaid under such ordinances, nor be construed as a waiver of any license, fee or penalty at said effective date due and unpaid under such ordinances, nor be construed as affecting any of the provisions of such ordinances relating to the collection of any such license, fee or penalty, or the penal validity of any bond or cash deposit in lieu thereof required to be posed, filed or deposited pursuant to any ordinance and all rights and obligations thereunder appertaining shall continue in full force and effect.

1.01.090 EFFECTIVE DATE

This code shall become effective on the date the ordinance codified in this chapter adopting this code as the "South San Luis Obispo County Sanitation District Sanitary Sewer System Use Ordinance" becomes effective.

1.01.100 CONSTITUTIONALITY

If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code. The Governing Board of South San Luis Obispo County Sanitation District hereby declares that it would have passed this code, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences,

clauses or phrases had been declared invalid or unconstitutional, and if for any reason this code should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

1.02 PURPOSE AND POLICY

The Ordinance sets forth uniform requirements for users of the Publicly Owned Treatment Works for the South San Luis Obispo County Sanitation District and enables the District to comply with all applicable State and Federal laws, including the Clean Water Act (33 U.S.C. § 1251 *et seq.*) and the General Pretreatment Regulations (40 CFR § 403).

The objectives of the Ordinance are:

1. To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will interfere with its operation;
2. 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;
3. To protect the physical structures of the Publicly Owned Treatment Works and the efficient functioning of its component parts.
4. To protect the health and safety of the South San Luis Obispo County Sanitation District personnel and its member agencies and preserve the safety and health of the public.
5. To protect the environment from threat of hazard or harm resulting from the disposal of waste.
6. To prevent the introduction of wastes to the Publicly Owned Treatment Works that could result in the District being classified as a hazardous waste treatment, storage, or disposal facility under the laws of the State of California or the United States.
7. To maintain the suitability of wastewater treated by the District for any adopted reclamation use.

1.03 APPLICABILITY OF THE SANITARY SEWER SYSTEM USE ORDINANCE

The Ordinance shall apply to all users of the Publicly Owned Treatment Works. The Ordinance provides for the public use of the SSLOCSD's facilities through the adequate regulation of sewer construction, sewer use, and wastewater discharges, the equitable distribution of costs resulting from the program established herein, and procedures for complying with the requirements placed upon SSLOCSD by other regulatory agencies.

1.04 DEFINITIONS AND ABBREVIATIONS

For the purpose of this chapter, unless otherwise apparent from the context, certain words and phrases used in this chapter are defined as set forth in this section.

Administrative Complaint: A presentation (written document) by the District normally reserved for the advanced stages of formal enforcement, giving notice to the discharger of the nature and basis of the violations asserted and demanding specified amounts of money for noncompliance.

Administrative Order: An Administrative Order is an enforcement document which directs users to implement corrective or remedial measures. Levels of enforcement include: Cease and Desist Orders, Compliance Orders, and Show Cause Orders.

Available Sewer: A sewer shall become available only after it has been accepted by the SSLOCSD.

Backwater Valve: A device whose purpose is to prevent flow in a sewer in a direction opposite to that of the intended drainage.

Board: The governing board of SSLOCSD. The Board of Directors consists of three directors, appointed as specified in the SSLOCSD Member Agency Agreement.

Building: Any structure used for human habitation, or a place of business, recreation, or other activity and containing sanitary facilities.

Building Sewer: That portion of any sewer beginning two feet from any building and extending to, and including its connection to, a lateral sewer.

CCR: California Code of Regulations.

Cease and Desist Order: An Administrative Order directing a discharger to immediately halt illegal or unauthorized discharges, or to terminate its discharge altogether.

CFR: Code of Federal Regulations.

Cleanout: A branch fitting installed in a sewer or other pipe for the purpose of providing access for cleaning.

Compliance Order: An Administrative Order directing the discharger to achieve or restore compliance by a specified date. A Compliance Order may include a compliance schedule with specific milestones for achieving steps toward compliance, for tracking progress, and for the discharger to report progress.

County: County of San Luis Obispo, California.

Clean Water Act (CWA): The Federal Water Pollution Control Act (33. U.S.C. 1251, et seq.), also referred to as the Clean Water Act, and any subsequent amendments thereto.

Discharger: Any person discharging industrial waste to the sewer system. This term specifically includes any categorical industries connected to the sewer system, whether or not they discharge process wastewater. It also includes any facilities with a reasonable potential for discharging significant quantities of industrial waste, whether or not they are currently discharging process waste.

District: South San Luis Obispo County Sanitation District.

District Administrator: District Administrator is the administrator of the SSLOCSD or his designated representative.

District Engineer: Registered Civil engineer appointed by the Board of SSLOCSD.

District's Representative: Any person designated or retained by SSLOCSD, including the Board or the District Administrator, to fulfill the sampling, monitoring, reporting, or inspection services of SSLOCSD as required by the Ordinance, the waste discharge permit and/or all applicable state, federal, or local regulations, and/or to perform the enforcement actions required by the Ordinance. SSLOCSD representatives may include, but are not limited to, any of the following: the SSLOCSD District Administrator, the SSLOCSD Environmental Services Manager, other designated Environmental Services staff, a consultant for SSLOCSD, or the District Attorney.

Domestic Waste: Any waterborne waste of the type normally resulting from flushing and washing waste products from residences and lavatories.

Enforcement Officer: Any person authorized to enforce certain provisions of the SSLOCSD Ordinance.

Environmental Compliance Inspector: SSLOCSD representative responsible for ensuring compliance.

EPA: United States Environmental Protection Agency.

Fixture: Any sink, tub, shower, toilet, or other facility connected to be drained to the sewer.

Food Service Establishments (FSE): Those establishments primarily engaged in activities of preparing, serving, or otherwise making available for consumption foodstuffs and that use one or more of the following preparation activities: cooking by frying, baking, grilling, sautéing, rotisserie cooking, broiling, boiling, blanching, roasting, toasting, poaching. Also included are infrared heating, searing, barbecuing, and other food preparation activity that produces a hot, non-drinkable food product in or on a receptacle that requires washing.

Illegal Discharge: Any discharge of waste containing contaminants or pollutants prohibited by state or federal law, or local limits including discharge to the wastewater treatment plant and collection system, or to the storm drain system.

Illicit Connection: Any conveyance system, whether on the surface or subsurface, which allows an illegal discharge to enter the storm drain system including, but not limited to, sewage, process

wastewater, or wash water; any connections to the storm drain system from indoor drains and sinks not currently exempted or permitted, regardless of whether the drain or connection has been previously allowed, permitted, or approved by a government agency; any drain or conveyance connected from any land use to the storm drain system, which has not been documented or approved by the District; and any unpermitted connection of a stormwater system to the publicly owned treatment works as defined in this Ordinance.

Indirect Discharge: The introduction of pollutants into the POTW from any nondomestic source regulated under CWA Sections 307(b), (c), or (d).

Industrial User: A source of indirect discharge.

Industrial Waste: Any waterborne waste from manufacturing, processing, or other industrial activity, excluding domestic waste, boiler blowdown, and uncontaminated cooling water. Substantial discharge of boiler blowdown closely associated with industrial activity shall be considered an industrial waste discharge when such discharge has, in the opinion of the District Administrator, a reasonable potential to affect the sewer system. Water borne wastes from "commercial" activities, such as automobile repair or photo processing, are expressly included in this definition. Contaminate groundwater is also included in this definition.

Inflow and Infiltration (I/I): I/I describe the manner in which groundwater and stormwater enter the sewer system. Infiltration describes water entering the sewer system from groundwater or from below ground level, and inflow describes water entering the sewer system directly. The expression "inflow and infiltration," or "I/I," refers to the combined effects of inflow and infiltration.

Interference: A discharge, which alone or in conjunction with other sources, inhibits or disrupts the District's treatment processes, operation, sludge processes, use or disposal; and therefore, is a cause of a violation of the District's NPDES permit. Interference can also be applicable to the prevention of beneficial sewage sludge use or disposal resulting in a violation of any of the following statutory/regulatory provisions or permits issued under, or any more stringent State or local regulations: Section 405 of the Clean Water Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); and State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.

Lateral Sewer: The portion of a sewer lying within a public right-of-way or easement which lateral connects, or is intended to connect, a building sewer to a main sewer.

Lot: Any piece or parcel of land bounded, defined or shown upon a plot or deed recorded in the office of the county recorder and lawfully created; provided, however, in the event any structure is located upon more than one parcel of land, all under the ownership and as defined in this section, "lot" shall include all such parcels of land.

Manhole: A structure for the purpose of providing access by a man to a buried sewer.

Main Sewer: The sewers, excluding lateral sewers, whose main purpose is to accept wastewater from laterals and convey it to the wastewater treatment plant.

Member Agency (MA): Any of the three entities which own and operate the collection system in the SSLOCSD service area. These are the City of Arroyo Grande, the City of Grover Beach, and the Oceano Community Services District. The relation of these agencies to SSLOCSD is specified in the SSLOCSD Member Agency Agreement.

Noncompliance: Any violation of any part of the Ordinance or any other Federal, State or local law, regulation or order related to the discharge, indirect or otherwise, of industrial waste.

Notice of Violation (NOV): An official written communication from the POTW to the noncompliant user informing him that a violation has occurred and that appropriate corrective action must be taken in a prescribed period of time.

National Pollutant Discharge Elimination System (NPDES) Permit: A permit issued for direct discharge to the Pacific Ocean or other waters of the State. The permits are issued by the Regional Water Quality Control Board, as part of the National Pollutant Discharge Elimination System.

Nuisance: Any nuisance defined by California statutes or known at common law or in equity jurisprudence.

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

Penalty (Fine): A sum of money imposed upon a person as a penalty for an act of wrongdoing.

Permit: Any written authorization required pursuant to any regulation ordinance of the District.

pH: A numerical value representing the relative acidity or alkalinity of the waste discharge. pH means the logarithm of the reciprocal of the weight of hydrogen ions in grams per liter of solution.

Premises: The location of the process, storage, discharge, and business actions of any person discharging to the sewer system.

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; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable pretreatment standard.

Public Sewer: The portion of a sewer lying within a public right-of-way or easement maintained by and subject to the jurisdiction of the District.

Publicly Owned Treatment Works (POTW): A "treatment works", as defined by Section 212 of the CWA (33 U.S.C. §1292) which is owned by SSLOCSD and its member agencies. 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.

RWQCB: Regional Water Quality Control Board, Central Coast Region.

Sanitary Sewer System Use Ordinance (SSSSSUO): This document numbered 2011-1 and any amendments thereto.

Service Area: The geographical area served by the SSLOCSD sewer system. This includes the City of Arroyo Grande, the City of Grover Beach, and the Oceano Community Service District.

Sewage: Any combination of domestic waste and industrial waste together with such ground, surface, and stormwaters as may be present.

Sewer: A pipe or conduit for carrying wastewater.

Sewer System: Sewer system, as used in this Ordinance, includes all facilities of the South San Luis Obispo Sanitation District and all facilities of any of SSLOCSD's Member Agencies for collecting, pumping, treating and disposing of sewage or for reclaiming sewage byproducts.

Sewer System Management Plan (SSMP): A requirement from State Water Resources Control Board General Waste Discharge Requirement Order No. 2006-0003-DWQ.

“Shall” and “May”: Shall is mandatory. May is permissive.

Show Cause Order: A Show Cause Order is an order for the user to appear before the Board or the District Administrator or his representative, to explain the noncompliance and why more severe enforcement actions should not be taken. SSLOCSD may designate a hearing officer to hear testimony for the hearing.

Side Sewer: A sewer beginning at the plumbing or drainage outlet of any building, industrial facility, or preliminary treatment facility and terminating at a main sewer, and including the building sewer and lateral sewer together.

Slug Discharge: A discharge capable of causing adverse impacts to the District, Member Agencies, its workers, or the environment, or any pollutant including an oxygen-demanding pollutant released in a discharge at a flow rate and/or pollutant concentration which may cause interference with the operation of the District's sewerage system. The discharge will be considered a slug discharge if the flow rate or concentrations or quantities of pollutants exceed, for any time period longer than fifteen (15) minutes, more than five (5) times the average twenty-four (24) hour concentration, quantity, or flow during normal operations. A slug discharge is considered to be a discharge of a non-routine, episodic nature, including, but not limited to a bypass of a pretreatment system, an accidental spill, or a noncustomary batch discharge. Batch discharges are intentional, controllable discharges that occur periodically within a user's process (typically the result of a noncontinuous process). Accidental spills are unintentional, largely

uncontrolled discharges that may result from leaks or spills of storage containers or manufacturing processes in an area with access to floor drains.

SSLOCSD: The public District formed in South San Luis Obispo County, California by the San Luis Obispo County Board of Supervisors and including the agencies identified in the SSLOCSD Member Agency Agreement.

U.S.C.: United States Code.

User: Any person who contributes or causes a contribution of wastewater, including domestic waste, into the sewer system.

Wastewater Treatment Plant (WWTP): The portion of the POTW that is designated to provide treatment of municipal sewage, commercial sewage, and industrial wastewater.

Waters of the State: Any waters, surface or underground, saline or fresh, within the boundaries of the State.

Working Day: Monday, Tuesday, Wednesday, Thursday, or Friday, excluding Federal or California State holidays.

ARTICLE 2 - CONNECTIONS

2.01 AVAILABILITY DEFINED

For the purpose of the Ordinance, a public sewer shall be deemed to be available to a building if such sewer is within two hundred fifty (250) feet of the nearest property line of the lot upon which such building is located.

2.02 NEW BUILDINGS

Any newly constructed building to which a public sewer is available shall be connected to such public sewer prior to its use for occupancy, unless approval is granted by the Board for a private sewerage disposal system.

2.03 GROUPS OF HOUSES OR BUILDINGS ON ONE LOT

No group of four or more houses or buildings on one lot shall be connected to a main sewer without first having the plan of the sewers to such houses approved by the District Administrator. The size of the proposed building sewer and lateral serving such houses shall not be less than six (6) inches diameter or of a size determined by the District Administrator. A manhole shall be provided at its junction with the existing main sewer. The District Administrator may permit more than one condominium or planned unit development unit to connect to a common building sewer subject to improvement standards adopted by SSLOCSD. The District Administrator may require appropriate conditions to such an approval to become a part of the codes, covenants and restrictions for the subdivision.

All maintenance of building sewers is the responsibility of the lot owner's or appropriate owner's association exclusive of the SSLOCSD main line.

2.04 PRIVATE SYSTEMS

2.04.010 PRIVATE SYSTEMS CONSTITUTING PUBLIC NUISANCES

Pursuant to the authority of Section 4762 of the Health and Safety Code of the State of California, SSLOCSD finds and declares that the maintenance or use of private sewage disposal systems constitutes a public nuisance and finds it to be in the public interests that properties to which a public sewer is available be required to connect thereto.

2.04.020 BUILDINGS SERVED BY PRIVATE SYSTEMS

When a public sewer becomes available to a building served by a private sewage disposal system, such building shall be connected to the public sewer within twenty-four (24) months after such public sewer is available, and such private disposal system shall be abandoned as provided in Section 2.04.040, unless an approval is granted by the Board for the continued use of such private sewage disposal system.

2.04.030 APPLICATIONS AND APPROVAL

The approvals for private sewage disposal systems referred to in Section 2.04.020 and Chapter 2.02 of this Ordinance may be granted upon a written application to the Board by the applicant setting forth the basis for such a request. Approval may be granted only upon an affirmative showing that no health hazard, public nuisance, or inequity to other property owners will result therefrom. Approval may also be granted to allow a private sewage disposal system when it is shown to the satisfaction of the District Administrator to be unfeasible to connect to the public sewer, and the lot in question is approved by the County Health Department as to suitability for such private sewage system.

2.04.040 ABANDONMENT

Where septic tanks are abandoned as a result of connecting any building to the public sewer, the owner of the property to which such connection is made shall fill all abandoned septic tanks within ninety (90) days after the time of connecting to the public sewer in the following manner:

1. All sewage shall be removed from the septic tank.
2. Inlet and outlet pipes shall be disconnected from the tank.
3. All wooden materials forming the top of the tank shall be removed.
4. The tank shall be filled with sand, gravel or concrete, but such filling shall not extend above the vertical sidewalls until inspected by the District.
5. Following inspection, the tank shall be filled and then covered to the level of the top of the ground.

2.04.050 LOCATION RESTRICTED

It is unlawful for any person, firm or corporation to construct or replace any cesspool, septic tank, or similar apparatus within a distance of two hundred fifty (250) feet from any public sewer without the approval of the Board.

2.04.060 CONSTRUCTION AND INSPECTIONS

Where a property is within two hundred fifty (250) feet of the public sewer, but pursuant to the provisions of Section 2.04.030 of this chapter a private sewage disposal system is approved, the property owner shall apply for and obtain all permits required by SSLOCSD and the Member Agency the property is located in and supply all plans, specifications, or other information deemed necessary by the respective Member Agency's building official before construction of such private sewage disposal system can begin. The construction and inspection of such system shall be in conformance with the currently adopted Uniform Plumbing Code or California Plumbing Code, whichever is more stringent, and shall meet any other requirements of the Board, the Member Agency building official, and the County Health Department. The owner shall operate and maintain such private sewage disposal facilities in a sanitary manner at all times at no expense to SSLOCSD.

2.05 APPLICATIONS FOR SEWER CONNECTION

An applicant for sewer service shall sign an application and furnish a legal description of the property to be served. It shall be the applicant's responsibility to deliver sewage to the service

point selected by the SSLOCSD. Service will be granted only where adequate collection lines have been installed. Lateral sewers shall be installed by a California State Licensed Contractor and shall be maintained by the property owner.

2.06 APPROVAL

2.06.010 REQUIRED APPROVAL

It is unlawful for any person, other than SSLOCSD, to make any connection to any public or building sewer, or to construct, perform maintenance, or alter any public sewer main or building sewer within the District without first obtaining a permit from the District for such work.

2.06.020 APPROVAL PROCESS

Any person desiring to perform work involving sewers shall make a request in writing to the SSLOCSD, providing specific details of the proposed work and any other such information as SSLOCSD may require. The work to be performed shall be done in accordance with San Luis Obispo County Department of Public Works Standard Improvement Specifications and Drawings. The applicant shall pay all such permit and inspection fees associated with the approval.

2.06.030 EXCEPTIONS

Nothing contained in Chapters 2.06 through 2.07 shall be deemed to require the application for, or the issuance of, a permit for the purpose of removing stoppages or repairing leaks in a building or residential sewer, except when it is necessary to replace any part of such sewer. For the purpose of this chapter, building sewer is defined as all sewerage exclusive of city main line including, but not limited to, the wyes, tees, saddles, laterals and plumbing.

2.06.040 LIABILITY

The applicant to whom a permit for construction has been issued and the person performing the work under such permit shall be liable for all damages. Such applicant shall hold SSLOCSD and its employees and representatives harmless from all loss, including expenses incurred in defending any action against the SSLOCSD arising out of such construction work. The applicant shall be liable for defects in the work and for any failure which may develop in the facilities because of defective work or materials.

2.07 CONSTRUCTION PROVISIONS

2.07.010 STANDARD SPECIFICATIONS AND DETAILS

All improvements required pursuant the Ordinance shall be constructed in accordance with the current version of San Luis Obispo County Department of Public Works Standard Improvement Specifications and Drawings. The San Luis Obispo County Department of Public Works Standard Improvement Specifications and Drawings are incorporated herein by reference.

2.07.020 CONTRACTOR'S REQUIREMENTS

It shall be unlawful for any person who is not a licensed contractor under the State Contractor's License Law to install or construct any sewer for connection to SSLOCSD's sewer system, or to otherwise make a connection to said system. All contractors must obtain an encroachment permit from SSLOCSD prior to commencing or carrying out any such work within the District.

2.08 INSPECTION PROVISIONS

2.08.010 INSPECTION REQUIRED

All sewer construction work, including taps into sewer mains, within the SSLOCSD shall be done in strict compliance with San Luis Obispo County's Standard Specifications and Details and the Uniform Plumbing Code or California Plumbing Code, whichever is more stringent. Such work shall be inspected by SSLOCSD or a District Representative.

2.08.020 INSPECTION NOTICES

All work done pursuant to the provisions of the Ordinance shall be subject to inspection by the SSLOCSD. Up to the time of the inspection, all work shall remain uncovered and convenient for the inspector's examination. If any pipes are enclosed or covered in any way whatsoever so as to tend to obstruct a thorough inspection of the piping system, such obstruction shall be removed before an inspector shall be required to inspect the work. When, upon an examination by the inspector, the work is found to be defective, either in its construction or materials, such work shall be made to conform to the requirements of the Ordinance, in default of which the permit for such work shall be revoked by SSLOCSD, and such work shall be discontinued immediately.

2.08.030 RIGHT OF ENTRY

The District Administrator or his authorized representative shall, upon exhibition of proper credentials and identification, be permitted to enter in and upon all buildings and premises within the District at reasonable hours for the purposes of inspection, observation, measurement, sampling, testing or otherwise performing such duties as may be necessary in carrying out the provisions of the Ordinance.

2.09 SEWER PUMPS AND BACKFLOW VALVES

2.09.010 New Buildings

All new building side sewers including side sewer replacements shall be equipped with a cleanout riser fitted with a backflow prevention device of type and materials meeting Uniform Plumbing Code or California Plumbing Code requirements, whichever is more stringent.

2.09.020 Existing Buildings

In all buildings in which there are plumbing fixtures at an elevation too low to permit drainage by gravity from such fixtures to the public sewer, the sewage from such fixtures shall be pumped and discharged to the main sewer at the owner's expense. In all buildings where floor elevation is below the rim elevation of the nearest upgrade manhole, there shall be installed in the sewer

lateral an approved type of backflow valve. Backflow valves shall also be installed per the Uniform Plumbing Code or California Plumbing Code, whichever is more stringent.

2.09.030 Liability

The responsibility and costs for the ownership, operation, and maintenance of the backflow prevention device and its appurtenant fittings shall be that of the property owner.

2.10 MAINTENANCE

All privately owned building laterals and private sewage disposal systems and appurtenances from all points of the property to the city sewer, shall be maintained by the property owner in a safe and proper operating condition, and all devices or safeguards, which are required by this article for the operation thereof, shall be maintained in good working order.

To determine compliance with this article, SSLOCSD may require any plumbing system, new or existing, to be re-inspected.

The District Administrator may require a property owner to submit to SSLOCSD a video of the private lateral and appurtenances. If SSLOCSD determines that the private lateral or any portion thereof, has become unsanitary or a threat to health or property, SSLOCSD shall order in writing that plumbing be removed or placed in a safe and sanitary condition. Any such order shall fix a reasonable time limit for compliance. No person shall use or maintain defective plumbing after receiving such notice.

2.11 ANNEXATIONS

2.11.010 CAPACITY DETERMINATIONS

The sewer facilities within the SSLOCSD are sized to accommodate the sewer requirements of all developed and undeveloped property within the District. Before any annexation is made to the District, it shall be first determined that sufficient capacity has been reserved for all undeveloped acreage within the District.

2.11.020 COSTS AND LIABILITY

When the Board approves an annexation to the District, all sewer costs and sewer line extensions shall be borne by the property being annexed.

ARTICLE 3 - DISCHARGES

3.01 DISCHARGE PROHIBITIONS

All users are subject to the general and specific prohibitions identified in 40 CFR §403.5(a) and (b), respectively. SSLOCSD has set forth the following prohibitions and limitations for waste discharge to the SSLOCSD WWTP.

3.01.010 GENERAL PROHIBITIONS

No person shall introduce any waste or pollutant, which will cause pass through or interference, into the POTW.

3.01.020 SPECIFIC PROHIBITIONS

No person shall discharge any waste, industrial or domestic, including trucked or hauled pollutants, to the POTW, except through sewer connections approved by SSLOCSD and the relevant member agency or at approved discharge locations at the SSLOCSD treatment works. Discharge at any other location, specifically including collection system manholes, is prohibited without prior written approval from the District Administrator.

No person shall discharge, or cause to be discharged, any stormwater, surface water, groundwater, roof runoff, subsurface drainage, uncontaminated cooling water, or unpolluted industrial process waters to any sanitary sewer.

No person shall create an illicit connection to the sewer system, which causes I/I.

No person shall discharge or cause to be discharged any of the following described waters or wastes to any public sewer:

1. Discharges of any liquid or vapor having a temperature higher than one hundred fifty (150) degrees Fahrenheit.
2. Discharges containing pollutants which create a fire or explosion hazard in the POTW, including but not limited to, wastestreams with a closed cup flashpoint of less than 140°F (60°C) using the test methods specified in 40 CFR §261.21.
3. Discharges of heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW treatment plant exceeds 40°C (104°F) unless the Approval Authority, upon request of the POTW, approves alternative temperature limits.
4. Discharges which may contain more than one hundred (100) parts per million, by weight, of fats, oil, grease or wax.
5. Discharges having a pH lower than 6.0 or higher than 9.0 or having any other corrosive properties capable of causing damage or injury to structures, equipment, or personnel of the sewer system and treatment facilities.

6. Discharges of petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.
7. Discharges containing pollutants in amounts causing obstruction to the flow in the POTW resulting in interference.
8. Discharges of any pollutants released at a flow rate or concentration which will cause interference with the POTW.
9. Discharges of solid or viscous substances in quantities or of such size capable of causing obstruction to the flow in sewers or other interference with the proper operation of the wastewater treatment collection works, such as any materials retained on a screen having eight (8) meshes per inch each way.
10. Discharges of any ashes, cinders, sand, mud, straw, and shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, viscera or other solid or viscous substances capable of causing obstruction to the flow or undue maintenance of the sewer system or other interference with the proper operation of the treatment facility.
11. Discharges of any raw or chemically treated wastewater from septic tanks or chemically treated wastewater from portable toilets, or any raw or chemically treated sewage from any industrial or unidentified liquid waste or any hazardous waste.
12. Discharges 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, result in interference, or create any hazard in the receiving waters of the wastewater treatment plant.
13. Wastewater containing any radioactive wastes or isotopes except in compliance with applicable state and federal regulations.
14. Discharges of any noxious or malodorous gas or substance capable of creating a public nuisance either by itself or by interaction with other substances.
15. Discharges which, alone or in conjunction with a discharge or discharges from other sources, are capable of causing the POTW effluent or any other product of the treatment process, residuals, or biosolids to be unsuitable for reclamation or reuse or to interfere with any adopted reclamation process.
16. Discharges of any infectious wastes from hospitals, clinics, out-patient clinics, medical and dental offices, mortuaries, etc.; pathologic specimens; disposable hypodermic needles, syringes and associated articles (whether ground or not); recognizable portions of the human anatomy; solid wastes generated in the rooms of patients who are isolated because of a suspected or diagnosed communicable disease; wastes excluded by other

provisions of this chapter except as specifically permitted for; or any other waste defined by the Health Officer of San Luis Obispo County as being infectious.

17. Discharges containing substances which are not amenable to treatment or which cause the treatment plant effluent to fail to meet the discharge requirements established by the California State Water Resources Control Board, the California Regional Water Quality Control Board, or any other state or regulatory agency.

3.02 SPECIAL PROVISIONS

3.02.010 DILUTION PROHIBITED

Except where expressly authorized to do so by an applicable pretreatment standard or requirement, no user shall ever increase the use of process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with the limitations contained in the national pretreatment standards, or in any other pollutant specific limitation developed by the District or State. An increase in the use of process water which is reasonably proportional to increased production and which is required for said increase in product will not be considered a use of dilution.

3.02.020 SLUG DISCHARGES

All users are prohibited from allowing slug discharges, as elsewhere defined herein, from entering the sewer system. Each user shall provide protection from slug discharges of restricted materials or other substances regulated by the Ordinance.

3.02.030 SWIMMING POOL OR SPA WATER

Swimming pool or spa water and wastewater shall be disposed of as set forth in the currently adopted Uniform Plumbing Code or California Plumbing Code, whichever is more stringent.

The contents of a salt water swimming pool, including electrolytic cell backwash, shall not be discharged to the sanitary sewer, storm drain system, or natural water way. Contact SSLOCSD for brine disposal, in order to apply for a onetime use permit and pay for the permit fee. A hauler truck will need to extract the salt water from the swimming pool.

The contents of chlorinated swimming pools and/or spas, including filter backwash from swimming pools and/or spas, shall be discharged into the sewer system. Such discharge must be accomplished in the manner specified herein.

1. The water is discharged by pumping and shall not exceed the capacity of the line.
2. Each swimming pool discharging into a sewer system shall be equipped with an indirect waste connection to preclude any possibility of backflow of sewage into the swimming pool or piping system.

3.02.040 WATER-SOFTENING SYSTEMS AND DEVICES

All users are prohibited to install, use, or maintain any water-softening device, which discharges brine waste into the ground, storm drain, or SSLOCSD's sewer system, unless such discharge is to a facility which has been authorized or permitted by a federal, state, or local public agency to accept the disposal of such brine waste.

Any user operating a water-treating apparatus of any kind, including any water-softening system or device, shall make such apparatus accessible to the Director for inspections upon reasonable notice, and shall submit such reports, as the District Administrator may require, relative to the apparatus and its operation and maintenance.

3.03 PRETREATMENT PROGRAM

The rules and regulations of the Pretreatment Program found in the South San Luis Obispo County Sanitation District Pretreatment Ordinance, Ordinance No. 1994-1 are hereby incorporated into the SSLOCSD Sanitary Sewer System Use Ordinance and made a part thereof. All industrial users are required to comply with the South San Luis Obispo County Sanitation District Pretreatment Ordinance, Ordinance No. 1994-1.

3.04 FATS, OILS, AND GREASE PROGRAM

The rules and regulations of the Pretreatment Program found in the South San Luis Obispo County Sanitation District FOG Ordinance are hereby incorporated into the SSLOCSD Sanitary Sewer System Use Ordinance and made a part thereof. All food service establishments are required to comply with the South San Luis Obispo County Sanitation District FOG Ordinance.

3.05 POINT OF APPLICATION OF LIMITS

Compliance with the discharge limits and standards listed in this section shall be determined at a location or locations deemed appropriate by the District Administrator.

3.06 DISTRICT'S RIGHT OF REVISION

The SSLOCSD reserves the right to establish by ordinance or resolution more stringent limitations or requirements on dischargers to the wastewater treatment plant if deemed necessary to comply with the objectives presented in the Ordinance. No revision of limitations or requirements hereunder shall subject the SSLOCSD to civil liability or penalty for interference with a vested right of any user.

ARTICLE 4 - AUTHORITY AND RESPONSIBILITY

4.01 RESPONSIBILITY OF USERS

It shall be the responsibility of the user to comply with all of the provisions of the Ordinance. The omission to act by the District or the failure of the District to take cognizance of the nature of the operation of the user or the properties of the user's wastewater shall not relieve the user of responsibility to comply with the conditions of the Ordinance, including, but not limited to, such requirements regarding permitting, pretreatment, monitoring, and reporting. It shall be the responsibility of the user to make determinations as to the nature of its operation and wastewater flow and to take such actions as may be required under the Ordinance prior to any discharge of wastewater, whether or not the user has been informed by the District of the requirements which may apply to the user regarding its discharge.

4.02 AUTHORITIES OF THE BOARD OF DIRECTORS

The Board and its representatives shall have the authority to seek injunctive relief and pursue civil and criminal penalties for violations of the Ordinance as may be provided for under the CWA and all other State and Federal laws.

The Board and its representative shall have all the authorities of the District Administrator, as specified in Chapter 4.03 of the Ordinance.

4.03 AUTHORITIES OF THE DISTRICT ADMINISTRATOR

The District Administrator of SSLOCSD or his/her representative shall have the authority to:

1. Issue an Administrative Order, including a Show Cause Order, Cease and Desist Order, and Compliance Order to any user of the SSLOCSD WWTP.
2. Assess administrative penalties to any user of the sewer system.
3. Terminate service and disconnect any person from the WWTP, who does not comply with the requirements of the Ordinance.
4. Seek criminal penalties for violations of the Ordinance, as may be provided for under CWA and all other State and Federal laws.
5. Halt or suspend a discharge in the event of an actual or threatened discharge, which is in violation of the Ordinance or in the event of an emergency.
6. Levy fees for additional services or to recover damage costs which are a result of a discharge, as described in Section 4.05.010 of the Ordinance.
7. Inspect, at any reasonable time, the premises of any user of the SSLOCSD WWTP, including but not limited to, any areas or points of sampling, discharge, process, storage, and any other areas as deemed reasonable and necessary by the District Administrator to

document the person's compliance with the requirements of the Ordinance. The authority to inspect includes the authority to take photographs and collect samples of any wastes either being discharged to the sewer system or with the potential for such discharge, or for any other violation of local, state or federal law which may impact the POTW.

4.04 RESPONSIBILITIES OF THE DISTRICT ADMINISTRATOR

The District Administrator shall be charged with the administration of the sewer system and the enforcement of the provisions of the Ordinance. For such purposes, upon presentation of proper credentials and identification, the Administrator or his/her representative may enter at reasonable times any premises in the service area to perform any duty imposed upon him by the Ordinance.

The District Administrator shall be responsible for checking the quantitative or qualitative compliance with the established regulations. Such quantitative or qualitative analysis may be made either by spot checks or regularly scheduled checks of all waste material.

If the waste material is found to be in violation of the standards established in Article 3 of the Ordinance, it will be the responsibility of the District Administrator or his/her representative to request compliance and make reports on the progress of corrective measures to the Board.

4.05 FEES

4.05.010 AUTHORITY TO ASSESS AND COLLECT FEES

All users of the SSLOCSD WWTP shall be subject to the terms and conditions of the Ordinance and to the terms, conditions, fees, and fines as described below and as contained in the SSLOCSD Ordinance 2006 – 01, future revisions of SSLOCSD Ordinance 2006 – 01, and as set forth in Article 5 of the Ordinance.

The fees listed and described below, shall be payable to SSLOCSD only and do not include any additional fees which may be levied by SSLOCSD Member Agencies.

SSLOCSD shall have the authority to assess and collect fees, for cost recovery purposes. The fees are cumulative and may include, but are not limited to, the fees specified in this Chapter.

4.05.020 CONNECTION FEES

For each connection of a building sewer to a public sewer, a connection fee is hereby established. The purpose of this fee is to recover SSLOCSD costs for application review, permit issuance, administration of the permit, and scheduled inspections to verify application information. The fee shall be collected by SSLOCSD before the permit for the connection work is issued. The Board may, from time to time, by resolution, set forth the amount of the sewer connection fees. Such resolution shall provide for a method of adjusting the amount of the fees to account for changes in construction costs or other considerations affecting the reasonable relationship between the fees and the cost of the public sewer system.

Every house and building requiring a sewer service shall have an independent connection to the public sewer, except that more than one building located on a lot under one ownership, or

condominium, or planned unit development may be connected to the same building sewer in conformance with Chapter 2.02, with the exception of condominium and planned unit developments, in the event a lot with a house or building so connected is subdivided, an independent sewer connection with appropriate easements shall be provided for each differently owned premises. With the exception of condominium and planned unit developments, no two owners of adjacent lots fronting on the same street shall be permitted to join in the use of the same building sewer.

4.05.030 DISPOSITION

All moneys derived from sewer connection fees shall be used for the operation, acquisition, construction, reconstruction, and maintenance of the sanitary sewer system and shall be used to pay for sewer improvements and future sewer capacity as necessary to meet the needs of SSLOCSD resulting from growth and expansion.

4.05.040 EXCEPTIONS

Whenever new development replaces existing development, the connection fees shall be as stated in Chapter 2.06 through 2.07, less any credits determined in accordance with Chapter 2.07.

For any sewer connection not included in the provision of Chapter 2.06 through 2.07, SSLOCSD shall determine the amount of the connection fee on such basis that such fee will be equivalent to that paid by other users.

4.05.050 SSLOCSD CHARGES

All customers, upon connection to a public sewer line, shall be required to pay a bimonthly sewer service charge for having any sewer connection with the SSLOCSD, or otherwise discharging sewage that ultimately passes through the District's sewage system, in accordance with SSLOCSD Ordinance 2006 – 01 and future revisions of SSLOCSD Ordinance 2006 – 01.

4.05.060 MEMBER AGENCY CHARGES

All customers, upon connection to a public sewer line, shall be subject to sewer service charges for those pipelines and appurtenances constructed, maintained and operated by the Member Agencies primarily for the collection of sewage and the conveyance thereof to the sewer plant owned and operated by the South San Luis Obispo County sanitation district. The Member Agencies shall, by resolution, establish the rates which will be charged for sewer service.

4.05.070 CHARGES FOR EXTRAORDINARY SERVICES

It is the intent of SSLOCSD to equalize the cost of sewer service throughout the area of the SSLOCSD by the application of the provisions of Chapter 2.06 through 2.07, and, notwithstanding any provisions of Chapter 2.06 through 2.07, SSLOCSD may, in any instance, increase the service charges to be charged for any extraordinary service to achieve such objective.

4.05.080 CREDITS

A person making a sewer connection may apply for credit against the fees due. Credit may be allowed for connection fees, a portion thereof, or an equivalent that has been previously paid. The District Administrator shall determine that amount of credit allowed.

No reductions in connection fees shall be transferable to another parcel of land.

4.05.090 REIMBURSEMENT

Any person extending a public sewer to the benefit of other properties may request a reimbursement agreement to be approved by the Board. The Board shall approve or disapprove of any reimbursement agreement. The reimbursement agreement shall not reduce the connection fees to be paid to SSLOCSD. The maximum term of a reimbursement agreement shall be ten (10) years.

4.05.100 PAYMENT

No sewer service shall be provided until the sewer connection fees have been paid.

4.05.110 DELINQUENCIES—COLLECTION

A sewer service bill will become delinquent if, on the fifteenth day of the month following the month in which a sewer bill is mailed, the bill, or that portion thereof which is not in bona fide dispute, remains unpaid. The SSLOCSD shall notify the property owner of such delinquent charges. If a bill has been delinquent for two months on such property, the city shall post a notice on the property that sewer service will be discontinued unless the bills for sewer charges and all delinquencies are paid. If the occupant is not the property owner, the SSLOCSD shall also send a copy of the disconnection notice to the property owner by mail at his or her last address shown on SSLOCSD's records. If all delinquent bills have not been paid within fifteen (15) days after the posting of such notice, SSLOCSD or the applicable Member Agency may disconnect the sewer or discontinue the water service to the property. The costs of disconnecting the sewer and reconnecting it, together with all other amounts due, shall be paid by cash, cashier's check, or certified check at the time an application is made for reconnection. It is unlawful for any person to inhabit a disconnected property or produce any sewage thereon until the property has been reconnected. Service charges shall continue to accrue during the period of such disconnection.

4.05.120 DELINQUENCIES—LIENS

Charges of any kind more than sixty (60) days delinquent, plus any penalties and interest thereon, when recorded as provided in Section 5470 *et. seq.* of the Health and Safety Code of the State of California, shall constitute a lien upon the real property served. Such lien shall continue until all charges are fully paid, or until the property is sold therefor, or until otherwise extinguished by operation of law.

ARTICLE 5 - VIOLATIONS

5.01 ENFORCEMENT

The District may, in its discretion, implement the use of any mechanism or the concurrent use of several mechanisms in order to enforce the provisions of the Ordinance. The enforcement mechanisms provided herein may be cumulative in respect to such other enforcement mechanisms or civil and criminal penalties as may be otherwise available under the laws of the State of California and the United States of America. Nothing in the Ordinance is intended to prevent state or federal regulatory agencies from undertaking enforcement actions as may otherwise be available due to a violation of the Ordinance, which also constitutes a violation of federal or state statutes and regulations.

5.01.010 NOTICE OF VIOLATION

A "Notice of Violation" shall be issued to a responsible person prior to issuing an administrative citation in response to any violation of the Ordinance. Such Notice of Violation shall serve as a written warning of responsibility and require immediate action by the responsible person to cease and abate the violation. The Notice of Violation shall include the information set forth in this Section and a date by which the violation can reasonably be ceased and abated. If the violation is not ceased or abated by the end of the correction period stated in the Notice, the enforcement officer may issue an administrative citation assessing fines in accordance with this chapter.

In accordance with Government Code Section 53069.4, no responsible person shall be assessed a civil fine under this chapter for a continuing violation pertaining to building, plumbing, electrical, zoning, or other structural, design or land use regulation without first receiving a warning and reasonable opportunity to correct or otherwise remedy the violation.

In such circumstance, the enforcement officer shall issue a Notice of Violation requiring cessation or abatement of the violation within a stated period of time prior to the assessment of civil fines. The stated period available to correct the violation prior to assessment of fines shall be appropriate to the violation as determined by the enforcement officer, but in no event less than 7 days.

If, after the correction period stated in the Notice of Violation, the violation is not ceased or abated, the enforcement officer may issue an administrative citation assessing fines accruing on each day the violation exists beyond the stated period to correct the violation without abatement.

Any responsible person cited for a continuing violation may petition the District Administrator for an extension of time to correct the violation so long as the petition is received before the end of the correction period. The District Administrator may grant an extension of time to correct the violation if the responsible person has supplied sufficient evidence showing that the correction cannot reasonably be made within the stated period.

The procedures of this section shall not apply in instances where, in the discretion of the District Administrator, a violation poses an immediate danger to public health or safety.

5.01.020 SUSPEND SERVICE

SSLOCSD has the authority to suspend service to any user found in violation of the SSLOCSD Sanitary Sewer System Use Ordinance or state or federal regulations. The suspension may remain in force until the user becomes in compliance. The District Administrator may require the user to enroll in the SSLOCSD Pretreatment Program prior to reconnection. Before the user is enrolled in the SSLOCSD Pretreatment Program and prior to reconnection, the user shall reimburse SSLOCSD for the cost of the disconnection. Any reconnection will be at the expense of the user.

5.01.030 TERMINATE SERVICE

Service to the sewer system may be terminated, by disconnection of a user's sewer connection, upon written notice by the District Administrator for any of the following reasons:

1. Violation of an Administrative Order
2. Refusal to cooperate with SSLOCSD personnel or comply with SSLOCSD policies.
3. Refusal to allow SSLOCSD personnel reasonable access to a premise for purposes of inspection, monitoring, or abating an illegal discharge.
4. One or more serious violations which endanger the health or safety of the public or SSLOCSD personnel or which endanger the sewer system and/or the environment.

5.01.040 ADMINISTRATIVE ORDER

SSLOCSD has the authority to issue an Administrative Order to bring a user into compliance. An Administrative Order may be a Cease and Desist Order, Show Cause Order, or Compliance Order. The filing of an Administrative Order is under the discretion of the District Administrator and is considered to be an intermediate step to enforcing compliance.

5.01.050 ADMINISTRATIVE CIVIL PENALTIES

Pursuant to the authority of California Government Code Sections 54739 to 54740.6, the Board, the District Administrator, or designated staff may issue administrative complaints, conduct administrative hearings and impose civil penalties in accordance with the procedures set forth in these sections for violation of SSLOCSD's requirements relating to pretreatment of industrial waste or the prevention of the entry of industrial waste into the sewer system. When an administrative complaint is issued by staff, a copy of the complaint will be provided to the Board.

These penalties shall be as follows:

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 comply in a timely manner with any compliance schedule established by SSLOCSD.
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 SSLOCSD. Unless appealed, orders setting administrative civil penalties shall become effective and final upon issuance thereof, and payment shall be made within thirty (30) days. As to court actions authorized by the above referenced sections, the special counsel designated by the Board shall institute appropriate actions to affect statutorily authorized remedies, upon order of the Board.

5.01.060 CIVIL ACTION

Any user, who violates any provision of the SSLOCSD Sanitary Sewer System Use Ordinance or who violates any Cease and Desist Order, prohibition or effluent limitation, shall be liable civilly for a penalty not to exceed Twenty- Five Thousand U.S. Dollars (\$25,000) for each day in which such violation occurs pursuant to California Government Code Section 54740. The special counsel designated by the Board, upon order of the Board, shall institute such actions as may be appropriate in a court of competent jurisdiction to impose, assess, and recover such sums.

Pursuant to the authority of the CWA, 33 U.S.C. § 1251, *et seq.*, any discharger committing a violation of any provision of the SSLOCSD Sanitary Sewer System Use Ordinance, which is also a violation of a pretreatment standard, effluent standard or limitation or other applicable provisions of the CWA shall be liable civilly for a sum not to exceed Twenty-Five Thousand U.S. Dollars (\$25,000) per violation for each day in which such violation occurs. The District Administrator may bring an action under the CWA as a citizen's suit at the discretion of the Board.

Where deemed appropriate by the District Administrator, SSLOCSD will pursue further civil action, including, but not limited to, civil suits for damage to the sewer system, injunctive relief, or both. Civil actions may be pursued on a strict liability basis, regardless of intent, and shall include reimbursement for all costs incurred by SSLOCSD, including costs for repair and administrative costs.

5.01.070 CRIMINAL PROSECUTION

Where SSLOCSD or its District Administrator determines that a violation of the Sanitary sewer system use ordinance has occurred, resulting in extreme damage to the sewer system, or from fraudulent practices, criminal noncompliance, violation of an Administrative Order, violation of a compliance schedule, or negligent or intentional discharge of waste, which causes a threat to the health or safety of the public, SSLOCSD personnel, treatment processes, or the environment, SSLOCSD may pursue criminal prosecution, pursuant to Health & Safety Code Section 6523. The offender faces thirty (30) days in jail, per violation, or a fine of one thousand dollars (\$1,000), per day per violation, or both.

5.02 LIABILITY FOR DAMAGES FOR VIOLATION

Any person violating a provision of the Ordinance shall be liable for all damages resulting from such violation, or which arise from actions taken in the correction of such violation, which are incurred by SSLOCSD, including, but not limited to, attorney's fees, court costs, and fines levied on SSLOCSD by regulatory agencies. All such fees are payable to SSLOCSD and are in addition to any costs accrued by Member Agencies. All such fees are due and payable upon receipt of notice. Delinquent fees will result in delinquent charges, enforcement actions, or both, as described in Sections 4.05.110 and 4.05.120 of the Ordinance.

5.03 HEARINGS AND APPEALS

Any user, permit applicant, or permittee, found in violation of the Ordinance, or adversely affected by a decision, action, or determination of the District Administrator, his representative, or SSLOCSD interpreting or implementing the Ordinance or in any permit enforcement action issued herein, may file a written request for reconsideration of the decision, action, or determination within ten (10) working days of notification of said decision, action, or determination. The written request for reconsideration shall detail facts supporting the user's request and such facts must include a statement listing all relevant facts which must be considered, including such facts that may not have been known or available to SSLOCSD at the date of such decision, action, or determination.

The District Administrator shall render decision in writing on the request for reconsideration within ten (10) working days of receiving such request. If the decision on the request for reconsideration still is unacceptable to the user, the user may file a request for appeal to the Board, within ten (10) working days of notice of the District Administrator's decision. When a written request for appeal has been received and logged with the Board, the Board shall schedule a hearing before the Board within forty-five (45) days from receipt of the request for appeal and the Board shall make a final ruling on the District Administrator's decision within ninety (90) days from receiving the request for appeal.

Except where deemed appropriate by the District Administrator, this reconsideration and appeal process described in this section of the Ordinance shall not halt or delay any enforcement action taken by SSLOCSD. SSLOCSD reserves the authority to designate a hearing officer to hear all testimony presented for a hearing or appeal.

Prior to any court challenge of any SSLOCSD action, decision, or determination, the user shall exhaust all administrative remedies contained in the Ordinance.

Notwithstanding the foregoing, the statutory appeal procedures set forth in California Government Code Section 54739, *et seq.*, applicable to administrative civil penalties imposed or sought pursuant to Chapter 5.01, of the SSLOCSD Sanitary Sewer System Use Ordinance, shall exclusively apply to such penalties.

5.04 EMERGENCY MEASURES

The District Administrator shall have full power and authority to take any necessary precautions against a condition that is likely to result in a discharge which presents an imminent hazard to the public health, safety, or welfare; or which, either singly or by interaction with other discharges, is an imminent hazard to the sewer system; or which places SSLOCSD in violation of its NPDES permit or any other federal, state, or local permits. The precautions include, but are not limited to, decontamination, sewer closure, packaging, diking, and transportation of materials, in order to protect life, protect property, or prevent further damage to the environment or the sewer system. In the pursuit of such an operation, SSLOCSD personnel, any person contracting with SSLOCSD, or the duly authorized representative of another governmental agency shall have immediate access to the premises. The District Administrator may prohibit approach to the scene of such emergency by any person, vehicle, vessel, or thing, and all persons not actually employed in the correction of the conditions or the preservation of lives and property in the vicinity thereof.

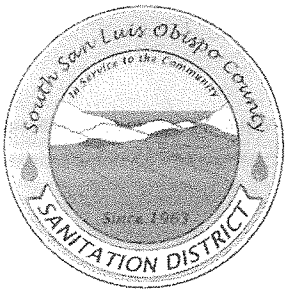
ARTICLE 6 - ADOPTION

ADOPTED, SIGNED, AND APPROVED by the Governing Board of SOUTH SAN LUIS
OBISPO COUNTY SANITATION DISTRICT this ____ day of _____, 2011.

Chairman of the Board of Directors
South San Luis Obispo County Sanitation District

ATTEST:

Secretary of the Board of Directors
South San Luis Obispo County Sanitation District



SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

Post Office Box 339 Oceano, California 93475-0339
1600 Aloha Oceano, California 93445-9735
Telephone (805) 489-6666 FAX (805) 489-2765
<http://sslocsd.org/>

Staff Report

To: Board of Directors
From: John Wallace, *District Administrator*
Date: June 1, 2011

Subject: FY 2010-11 Q3 Budget Review Adjustments; Resolution No. 2011-289

Recommendation:

Staff recommends the Board adopt Resolution No. 289 confirming the Budget Amendment Requests for the Fiscal Year 2010-11 Budget.

Funding:

In summary, each Fund and the Major Budget Items (MBIs) expenditures are under the anticipated overall budgets. The attached Budget Amendment form presents transfers back to Fund balance after transfers between account numbers within the Funds are completed to better reflected projected actuals.

Discussion:

As part of the budget preparation process, District staff reviewed the FY 2010-11 account line items under each Fund, as well as each Major Budget Item (MBI). Some line items will require less monies than originally budgeted, and some line items will require additional monies, as the amounts budgeted are estimates at the time of budget preparation.

The primary focus was on budget lines items that are projected to come in over or under budget, or on budget items that have mature cost estimates. District staff projected what the anticipated overall expenditures for these line items are based on current conditions. Recommendations for adjustments, if needed (positive or negative), to the budget to better fit the anticipated expenditures are presented below. Justification supporting the recommended adjustments are provided on the attached Budget Amendment form.

a. Operating Fund 19:

- A reduction in \$3,624 in revenues is recommended due to:
 - Pismo Beach Reimbursement 19-7040 (-\$13,624) originally budgeted incorrectly; and
 - anticipated FEMA Funding 19-5021 (+\$10,000) to be received in FY 2010-11 for the December 2010 storm event. (An additional \$65,000 is anticipated to be received in FY 2011-12.)
- A reduction of \$1,926 in expenditures and transfer back to Fund balance is recommended after transfers between account numbers within the Fund. This is due to:
 - Tri-Annual Outfall Inspection 10 MBI 09 (-\$27,247) originally budgeted incorrectly;

- unanticipated FEMA Expenditures (+\$75,000) for the December 2010 storm event;
- additional expenditures incurred for a Chief Plant Operator 19-6030 (+\$68,000);
- unanticipated WDR & SSMP District Expense (+\$20,000) for response to the April SWRCB Notice of Violation;
- lower anticipated expenditures for SSMP Update and Bi-Annual Audit 10 MBI 15 (-\$6,400);
- moving Entrance Road Light Relocation 10 MBI 08 (-\$15,000) and Influent Screenings Transport System 10 MBI 10 (-\$100,000) to a future fiscal year;
- the completion of Ferric Tote Containment 10 MIB 06 (\$169) over budget; and Chemical Tote Mixer 08 MBI 11 (-\$3,185), Lab Centrifuge 08 MBI 13 (-\$8,500), Jack Hammer Purchase 10 MBI 02 (-\$1,815), Drying Bed Valve Replacement 10 MBI 03 (-\$2,148), Street Sweeper Repair and Maintenance 10 MIB 04 (-\$800) under budget.

b. Expansion Fund 20:

- A reduction of \$532,170 in expenditures and transfer back to Fund balance is recommended. This is due to:
 - the carry over/reconfiguration elimination of the SCADA System, Phase Two 99 MBI 01 to a future fiscal year (-\$2,000);
 - Long Range Plant Expansion 07 MBI 14 (-\$510,000) being extended to be completed over various fiscal years;
 - additional monies being added to the New Centrifuge 05 MBI 06 (+\$13,500) to ensure adequate funding to complete the project; and
 - the completion of Reclaimed Water Filtration 09 MBI 06 (-\$126) and Energy Services Project 01 MBI 01 (-\$33,544) under budget.

c. Replacement Fund 26:

- A reduction of \$1,404,500 in expenditures and transfer back to Fund balance is recommended. This is due to:
 - the CIPP Lining of the SSLOCSD Trunk Sewer 08 MBI 19 (-\$1,000,000) and Electrical System Upgrade 04 MBI 06 (-\$250,000) MBIs being extended to be completed over various fiscal years; and
 - no Emergency Equipment Repair monies were expended (-\$154,500).

SOUTH SAN LUIS OBISPO COUNTY SANITARY DISTRICT
BUDGET AMENDMENT REQUEST
FY 2010-11 THIRD QUARTER

PROJECT	ACCOUNT DESCRIPTION	PHASE/ PROJECT	CURRENT FY 2010-11 BUDGET AS OF 05-11-11	PROPOSED Q3 AMENDMENTS AS OF 05-26-11	AMENDED FY 2010-11 BUDGET
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REVENUES

19-7040 - Operating Fund - Pismo Beach Reimbursement					
19-7040	Pismo Beach Reimbursement	-	\$ 29,000	\$ (13,624)	\$ 15,376 (21)
19-5021 - FEMA Funding					
19-5021	FEMA Funding	-	\$ -	\$ 10,000	\$ 10,000 (22)
TOTAL			\$ 29,000	\$ (3,624)	\$ 25,376

EXPENDITURES

19-6030 - Plant Operators					
19-6030	Plant Operators	-	\$ 448,000	\$ 68,000	\$ 516,000 (23)
19-7060 - Operating Fund - Ocean Outfall Maintenance					
10 MBI 09	Tri-Annual Outfall Inspect - Construction	0007	\$ 58,000	\$ (27,247)	\$ 30,753 (1)
19-7082 - FEMA Expenditures					
19-7082	FEMA Expenditures	-	\$ -	\$ 75,000	\$ 75,000 (24)
19-7087 - WDR & SSMP District Expense					
19-7087	WDR & SSMP District Expense	-	\$ 20,000	\$ 20,000	\$ 40,000 (25)
10 MIB 15	SSMP Update and Bi-Annual Audit - Design	0004	\$ 16,400	\$ (6,400)	\$ 10,000 (19)
10 MIB 17	I&I Study - Design	0004	\$ 441	\$ 337	\$ 778 (16)
10 MIB 17	I&I Study - Contract Administration	0005	\$ 378	\$ 220	\$ 598 (16)
10 MIB 17	I&I Study - Flow Metering	0010	\$ 560	\$ 784	\$ 1,344 (16)
10 MIB 17	I&I Study - In-Plant Flow Analysis	0011	\$ 1,821	\$ (10)	\$ 1,811 (16)
10 MIB 17	I&I Study - Off-Site Investigations	0012	\$ 2,800	\$ (1,331)	\$ 1,469 (16)
	Subtotal		\$ 6,000	\$ -	\$ 6,000
19-8010 - Operating Fund - Capital Equipment					
08 MBI 11	Chemical Tote Mixer - Capital Equipment	0001	\$ 4,000	\$ (3,185)	\$ 815 (2)
08 MBI 13	Lab Centrifuge - Capital Equipment	0001	\$ 10,000	\$ (8,500)	\$ 1,500 (7)
10 MBI 02	Jack Hammer Purchase - Capital Equip	0001	\$ 3,000	\$ (1,815)	\$ 1,185 (3)
10 MBI 03	Drying Bed Valve Replace - Capital Equip	0001	\$ 10,000	\$ (2,148)	\$ 7,852 (4)
10 MBI 04	Street Sweeper Repair & Maint - Capital Equip	0001	\$ 4,000	\$ (800)	\$ 3,200 (5)
10 MBI 06	Ferric Tote Containment - Capital Equipmen	0001	\$ 2,500	\$ 169	\$ 2,669 (6)
19-8061 - Operating Fund - Struct/Grnds Maint-Major					
10 MBI 08	Entrance Rd Light Relocation - Construction	0007	\$ 15,000	\$ (15,000)	\$ - (14)
10 MBI 10	Influent Screenings Transport - Capital Equip	0001	\$ 100,000	\$ (100,000)	\$ - (15)
20-8010 - Expansion Fund - Capital Equipment					
99 MBI 01	SCADA System, Phase 2 - Design & Survey	0004	\$ 2,000	\$ (2,000)	\$ - (8)
09 MBI 06	Reclaimed Water Filtration - Capital Equip	0001	\$ 20,000	\$ (126)	\$ 19,874 (9)
20-8065 - Expansion Fund - Struct/Grnds Replace-Impr					
01 MBI 01	Energy Services Project - Design & Survey	0004	\$ 4,300	\$ (4,300)	\$ - (10)
01 MBI 01	Energy Services Project - Construction	0007	\$ 35,000	\$ (29,244)	\$ 5,756 (10)
	Subtotal		\$ 39,300	\$ (33,544)	\$ 5,756

05 MBI 06	New Centrifuge - Testing/Troubleshooting	0003	\$ 5,000	\$ 1,237	\$ 6,237	(11)
05 MBI 06	New Centrifuge - Design & Survey	0004	\$ 45,000	\$ 1,479	\$ 46,479	(11)
05 MBI 06	New Centrifuge - Contract Administration	0005	\$ 85,000	\$ 6,549	\$ 91,549	(11)
05 MBI 06	New Centrifuge - Construction Conting	0006	\$ 134,000	\$ (38,558)	\$ 95,442	(11)
05 MBI 06	New Centrifuge - Construction	0007	\$ 800,000	\$ 42,793	\$ 842,793	(11)
	Subtotal		\$ 1,069,000	\$ 13,500	\$ 1,082,500	
07 MBI 14	Long Range Plant Exp - Studies	0002	\$ 122,000	\$ (58,400)	\$ 63,600	(17)
07 MBI 14	Long Range Plant Exp - Design & Survey	0004	\$ 638,000	\$ (451,600)	\$ 186,400	(17)
	Subtotal		\$ 760,000	\$ (510,000)	\$ 250,000	
26-8015 - Replacement Fund - Trunk Sewer Maint						
08 MBI 19	CIPP Lining - Construction	0007	\$ 1,200,000	\$ (1,000,000)	\$ 200,000	(19)
26-8065 - Replacement Fund - Struct/Grnds Replace-Impr						
04 MBI 06	Electrical System Upgrade - Const Conting	0006	\$ 34,200	\$ (17,100)	\$ 17,100	(18)
04 MBI 06	Electrical System Upgrade - Construction	0007	\$ 436,083	\$ (232,900)	\$ 203,183	(18)
	Subtotal		\$ 470,283	\$ (250,000)	\$ 220,283	
06 MBI 13	Influent Pumps... - Capital Equipment	0001	\$ 60,000	\$ (325)	\$ 59,675	(12)
06 MBI 13	Influent Pumps... - Design & Survey	0004	\$ 26,500	\$ 25,014	\$ 51,514	(12)
06 MBI 13	Influent Pumps... - Construction	0007	\$ 277,184	\$ (24,689)	\$ 252,495	(12)
	Subtotal		\$ 363,684	\$ -	\$ 363,684	
26-8070 - Replacement Fund - Emergency Equipment Repair						
N/A	Emergency Equip Repair - Capital Equip	0001	\$ 154,500	\$ (154,500)	\$ -	(13)
TOTAL			\$ 4,775,667	\$ (1,938,596)	\$ 2,837,071	

PURPOSE

(1) Transfer out cost saving for Tri-Annual Outfall - return to Fund Balance.
(2) Transfer out cost saving from Chemical Tote Mixer - return to Fund Balance.
(3) Transfer out cost saving for Jack Hammer Purchase - return to Fund Balance.
(4) Transfer out cost saving Drying Bed Valve Replacement - return to Fund Balance.
(5) Transfer out cost saving Street Sweeper Repair and Maintenance - return to Fund Balance and \$169 to Ferric Tote Containment.
(6) Transfer \$169 in cost saving from Street Sweeper Repair and Maintenance to Ferric Tote Containment.
(7) Transfer out cost saving from Lab Centrifuge - return to Fund Balance.
(8) Transfer out cost saving from SCADA System Phase 2- return to Fund Balance.
(9) Transfer out cost saving for Reclaimed Water Filtration - return to Fund Balance.
(10) Transfer out cost saving from Energy Services Project - return to Fund Balance and \$13,500 to New Centrifuge.
(11) Transfer in cost saving from Energy Services and adjustment in New Centrifuge expenditure accounts to better reflect actuals.
(12) Adjustment in expenditure accounts for Influent Pumps to better reflect actuals.
(13) Transfer out cost saving for Emergency Equipment Repaid - return to Fund Balance.
(14) Entrance Road Light Relocation moved out to FY 2012-13.
(15) Influent Screenings Transport System moved out to FY 2012-13.
(16) Adjustments to expenditures for I&I Study to better reflect actuals for the I&I Study.
(17) Adjustments to extend project over various FYs to better reflect anticipated actuals for the Long Range Plant Expansion.
(18) Adjustments to extend project over various FYs to better reflect anticipated actuals for the Electrical System Upgrade.
(19) Adjustments to extend project over various FYs to better reflect anticipated actuals for the CIPP Lining.
(20) Transfer out cost saving for SSMP Update and BI-Annual Audit - return to Fund Balance.
(21) Original budget was incorrect at 100% reimbursement from Pismo Beach; it is only a 50% reimbursement.
(22) Anticipated FEMA Revenue in FY 2010-10 for the December 2010 Storm Event.
(23) Adjustment for acquisition of a Chief Plant Operator.
(24) Adjustment for anticipated FEMA Expenditures; to be offset by 19-5021 FEMA Revenues over the next two fiscal years.
(25) Additional expenditures for response to the SWRCB November 2010 Notice of Violation.

DISTRICT ADMINISTRATOR	ENTERED BY
DATE:	DATE:

**SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT
RESOLUTION NO. 2010 - 289**

**A RESOLUTION AMENDING
THE FY 2010-11 BUDGET AT THIRD QUARTER**

WHEREAS, the Board of Directors has previously adopted a 2010/2011 budget consisting of Operating Fund 19, Expansion Fund 20, and Replacement Fund 26; and

WHEREAS, District Staff has reviewed the account line items under each Fund, as well as each Major Budget Item (MBI) included in the 2010/2011 adopted and amended budget; and

WHEREAS, District Staff has identified the account line items that will require less monies and the account line items that will require additional monies than originally budgeted; and

WHEREAS, District Staff believes amending these account line items to reflect actuals will produce a trend that can be used for future budgeting efforts.; and

WHEREAS, several administrative budget amendments are recommended which consist of moving monies within a Fund or MBI from one line item to another with a net zero impact to the budget bottom line; and

WHEREAS, budget amendments are recommended which will change the total amount budgeted from a Fund and will require a transfer to or from the Fund balance; and

WHEREAS, the recommended budget amendments will result in a reduction of \$3,624 in Operating Fund 19 revenue; and

WHEREAS, the recommended budget amendments will result in a reduction of \$1,938,596 in expenditures and the return of \$1,926 to the Operating Fund 19 fund balance, the return of \$532,170 to the Expansion Fund 20 fund balance, and the return of \$1,404,500 to the Replacement Fund 26 fund balance; and

WHEREAS, the Board believes the recommended amendments are in the best interest of the public's health, safety and general welfare.

NOW, THEREFORE, BE IT RESOLVED, DETERMINED, AND ORDERED by the Board of Directors, South San Luis Obispo County Sanitation District, San Luis Obispo County, California, that the 2010/11 budget shall be amended as follows:

1. Operating Fund 19:
 - a. A \$3,624 reduction in revenues due to Pismo Beach Reimbursement and FEMA Funding budget corrections.
 - b. A reduction of \$1,926 in expenditures and transfer back to Fund balance due

to Tri-Annual Outfall Inspection budget correction; unanticipated expenditures for FEMA Expenditures (December 2010 Storm Event) and WDR & SSMP District Expense; additional expenditures for a Chief Plant Operator; lower anticipated expenditures for SSMP Update and Bi-Annual Audit; Entrance Road Light Relocation and Influent Screenings Transport System projects moved to future fiscal years; completion of Ferric Tote Containment over budget; and completion of Chemical Tote Mixer, Lab Centrifuge, Jack Hammer Purchase, Drying Bed Valve Replacement, and Street Sweeper Repair and Maintenance under budget.

2. Expansion Fund 20:

- a. A reduction of \$1,926 in expenditures and transfer back to Fund balance due to elimination of SCADA System, Phase Two; Long Range Plant Expansion to be completed over various fiscal years; additional monies added to New Centrifuge; and completion of Reclaimed Water Filtration and Energy Services Project under budget.

3. Replacement Fund 26:

- a. A reduction of \$1,404,500 in expenditures and transfer back to Fund balance is recommended due to CIPP Lining of the SSLOCSD Trunk Sewer and Electrical System Upgrade to be completed over various fiscal years; and no Emergency Equipment Repair monies were expended.

Upon motion of _____, seconded by _____, and
on the following roll call vote, to wit:

AYES:

NOES:

ABSENT:

ABSTAINING: None

the foregoing Resolution is hereby adopted this _____ day of _____, 2011.

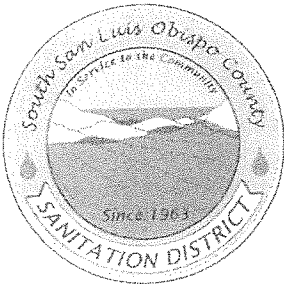
Bill Nicolls, Chairman

ATTEST:

JOHN WALLACE, Secretary to the Board

APPROVED AS TO FORM:

MICHAEL W. SETTZ, District Legal Counsel



SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

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<http://sslocsd.org/>

Staff Report

To: Board of Directors
From: John Wallace, *District Administrator*
Date: June 1, 2011
Subject: FY 2010-11 Preliminary Budget

Recommendation:

Staff recommends the Board:

1. Review and consider the proposed FY 2011-12 Preliminary Operating Budget including first draft of capital projects (major budget items).
2. Consider Major Budget Items (MBIs) by meeting at the plant on June 15th to view proposed projects.
3. Advertise July 6, 2011 for a public hearing to adopt the proposed budget, including the operating budget and major budget items.
4. Alternatively, continue the July 6th hearing to July 20th for final action.

Funding:

The proposed budget sets forth the planned revenue and expenditures for operations, expansion and replacement of the District's facilities for the upcoming fiscal year.

Discussion:

Staff presented a summary of the proposed FY 2011-12 Budget along with a processing schedule at the May 18th Board meeting. The proposed schedule for the major milestones of budget preparation and adoption are now scheduled for:

- June 1, 2011 Review FY 2010-11 projections of revenue and expenditures. Consideration of preliminary FY 2011-12 Operating Budget and draft Major Budget Items. Consideration of proposed draft Replacement Fund and Expansion Fund Budgets.
- June 15, 2011 Final review of proposed FY 2011-12 budget including Operating, Replacement and Expansion Funds including Staff Compensation Resolution.
- June 20, 2011 Advertise public hearing for July 6, 2011 for adoption of FY 2011-12 Budget.
- July 6, 2011 Consideration/Adoption of Final Budget FY 2011-12
- July 20, 2011 Adoption of Budget if continued from July 6, 2011.

At this time, Staff will present the operating budget including draft major budget items proposed for FY 2011-12 along with an expanded planning budget for subsequent fiscal years. We will also discuss potential funding sources for these projects.

SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

Fund 19 Operating

Budget Proposal FY 2010-11

	2010-11 ORIGINAL BUDGET	2010-11 AMENDED BUDGET W/Q3 ADJUSTMENTS	ESTIMATED YEAR END TOTAL	OVER / UNDER AMENDED BUDGET	2011-12 PROPOSED BUDGET
REVENUE TOTALS	3,136,500.00	3,132,876.00	3,064,391.81	-68,484.19	3,118,325.64
PERSONNEL SUBTOTAL	864,154.00	880,154.00	797,837.02	-82,316.98	825,399.00
OPERATING TOTALS	1,085,050.00	1,304,703.00	1,360,859.84	56,156.84	1,220,600.00
MATERIALS AND SUPPLIES TOTALS	1,065,600.00	974,321.00	789,929.24	-184,391.76	958,257.00
EXPENSES TOTALS	3,014,804.00	3,159,178.00	2,948,626.10	-210,551.90	3,004,256.00
NET INCOME	121,696.00	-26,302.00	115,765.71	142,067.71	114,069.64

05/26/11



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Staff Report

To: Board of Directors
From: John Wallace, *District Administrator*
Date: June 1, 2011

Subject: Status Update of District Activities

I have put together a summary of District activities as general information for your review and the status of a number of management and operational changes that have been put into place as a result of an internal review by the District Administrator and Staff as well as external reviews provided by third parties.

Discussion:

Our goal as a District has always been, and continues to be, a leader from a management and operational standpoint amongst the local agencies that provide Wastewater Treatment. The role of a Special District, and by extension its management, is to place the interest of its rate payers and the public at large as its highest priority.

Over the course of past months the District has been asked a number of important questions of how the District is managed, and the policies that are in place. Reflecting on these important questions has spurred further reflection, thought and a corresponding plan of action. To that end we have either put into effect or will shortly implement the following improvements in our plant operations, project planning, financial oversight and the way that the District is managed.

Financial Management and Budget Tracking

With some projects spanning multiple fiscal years the tracking of costs through project development, design, construction, and contract administration can be difficult at times and the budget format has been revised from time to time. To alleviate this issue we have revised the Board's Staff Report format for projects to include all of the costs associated with a project from its inception. Costs are shown in several general categories rolled up from detailed items including: purchase of capital equipment, studies, testing / troubleshooting, design & survey, contract administration, construction and construction contingencies. Projects are first considered and approved in the annual budget process but subsequently only initiated after Board approval of the specific project. Staff also reconciles and presents overall budget progress and status on a quarterly basis.

Also, we believe the District's budget document is more comprehensive than most other small districts' budgets. It provides the legal document to be submitted to the County and the State, subject to later audit by an independent outside CPA, but it is also a resource document that includes purchasing policies, salary schedules and other valuable information to be used as an ongoing reference by the Board, our Member Agencies and the public.

Financial Audits

There has been some concern identified that the District has had the same financial auditor, Mr. Bob Crosby, for an extensive amount of time. We have solicited proposals from qualified firms in the past and have found Mr. Crosby to be very qualified and cost effective. Other agencies in the area go through a similar process and in some cases, have also remained with the same firm for an extended period of time. We feel that Mr. Crosby has served the District well in providing a thorough and accurate review of the District's finances. We will be soliciting proposals from multiple qualified firms for auditing our FY 2010-11 financial records. And it is noteworthy that all of Mr. Crosby required peer reviews have, as we understand it, been issued with "no exceptions taken". As a CPA, Mr. Crosby is required to have a peer review of three of his audits every two years and his firm is scheduled for the next peer review this July. We have asked that the peer reviewing firm include a peer review of Mr. Crosby's recent audit of our District for FY 2009-10.

District Peer Review

In an effort to continuously review and improve the operation of the District from a management, regulatory, operational and fiscal standpoint, we are convening a peer review panel to review the District. We have contacted a number of highly respected professionals in the Wastewater and Special District management field and have tentatively selected; Kamil Azoury, General Manager/District Engineer, Goleta Sanitary District, Bruce Keogh, Wastewater Division Manager, City of Morro Bay and Kevin Walsh, Former General Manager of Oceano Community Services District and the Goleta Water District. The Peer Review Team will be facilitated by Mr. Bob Barlogio, Interim Plant Superintendent and will review the District from a "best management practices" and operational viewpoint. We anticipate that the Team's report will be completed by August or September of this year and recommendations submitted to our Board of Directors at that time.

Perceived Conflict of Interest

When Richard Thomas was hired by the District to perform a review of allegations made anonymously by a poster on Craigslist one item that was raised was a potential conflict of interest associated with the District Administrator and District Engineer being the same firm. Mr. Thomas's review found that the allegations were untrue and that there was no conflict of interest but that the arrangement could give rise to some perception of a conflict of interest. In an effort to address this perception, the District is in the process of bifurcating the Wallace Group contract into two contracts; one for District Administration and one for District Engineering. This would allow the Board the ability to hire different companies if desired for either of the two roles.

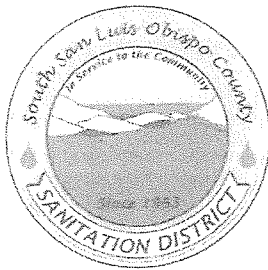
Community transparency

Any agency from time to time is perceived to lack transparency in some of the community's eyes. Unfortunately, the recent lawsuits from an ex-employee and the comments in the local blogs have exacerbated some criticism of the District and its management. The comments have been considered and evaluated and we are trying harder to carry the District's message of service to our public to a higher level. Recently, the District participated in a joint meeting with approximately eight to ten other agencies to discuss the December 2010 flood event and to present our actions during that event to the community of Oceano. After the sewage spill from the District's facilities, District staff appeared at each of our Member Agencies council/board meetings to present more information on what happened and more importantly, what we are doing so that it won't happen again. Notably, this was the first spill for the District in over 25 years, a record probably unmatched by any other wastewater treatment facility in the Central Coast. In addition we are receiving proposals to update and make more "user friendly" the District's website which will include additional documents and links to related resources.

Regulatory Actions

As part of the District's program to expand its communications to the public and the regulatory agencies, extensive improvements are being made to satisfy the notice of violation (NOV) received last year. I believe that the District has complied with each element of the NOV regarding record keeping and operations documentation. However during this process, the State Board did take action against the previous Chief Plant Operator (CPO). That action is pending and probably will not be resolved for months. In the meantime, with the current staff under the leadership of a very qualified Interim CPO, we believe we are compliant with all of the requests from the State and have improved the overall operations and management of plant operations. With respect to the recent NOV concerning the December 19, 2010 spill, we continue to update our Member Agencies on the event and corrective actions and believe we have provided very extensive information in response to the Regional Board's request and will continue to do so throughout this process.

In conclusion, we are providing this information to you as a status report of where the District stands today. We know that we have more work to do, but feel confident that we have provided clarity to our operations and management of the District and are committed to further improvement.



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May 23, 2011

Mr. Harlan Silva
California Fine Wire
338 South 4th Street
Grover Beach, CA 93433-1999

Re: Legal Authority to Inspect and Permit California Fine Wire as a Non-Significant Categorical Industrial User of the South San Luis Obispo Sanitation District Publicly Owned Treatment Works.

Dear Mr. Silva,

As you know, we recently contacted your office regarding the South San Luis Obispo County Sanitation District's (District) Pretreatment Program and the need to inspect your facility with respect to potential discharges to the District's collection and treatment system. We understand that you would like clarification on the District's program and the legal basis for our inspections. Therefore, as requested, the following provides the legal background for the scheduled Pretreatment Program Inspection and Industrial Waste Discharge permitting of California Fine Wire (CFW), as discussed in your phone conversation with my staff, Heather Billing, on May 13, 2011.

Publicly Owned Treatment Works Legal Authority

The District serves the City of Grover Beach, City of Arroyo Grande, and Oceano Community Services District; which are collectively known as the Member Agencies. Since CFW is located in the City of Grover Beach, CFW is under both the City of Grover Beach's and the District's jurisdiction.

The Central Coast Regional Water Quality Control Board requires the District to operate under Waste Discharge Requirements (WDR) Order No. R3-2009-0046, which also functions as NPDES Permit No. CA0048003. The WDR requires the District to implement a Pretreatment Program in its jurisdiction, in order to protect the sewer system and Wastewater Treatment Plant (WWTP).

The District adopted Pretreatment Ordinance 1994-1 to comply with WDR Order No. R3-2009-0046 and state and federal laws, such as the Clean Water Act [33 USC § 1251 et. seq.] and Federal General Pretreatment Regulations [40 CFR 403]. Pretreatment Ordinance 1994-1 establishes the District's legal authority to inspect, permit, and monitor industrial users, who have a reasonable potential to impact the Publically Owned Treatment Works (POTW) through accidental or deliberate discharges, and to enact standards and regulations governing industrial discharges to the POTW.

Pretreatment Ordinance 1994-1

The primary objectives to Pretreatment Ordinance 1994-1 are to:

- Prevent the introduction of pollutants into the POTW, which will interfere with the operation of the POTW;
- Prevent the introduction of pollutants into the POTW, which will pass through the system into the receiving water, the Pacific Ocean; and
- Protect POTW personnel from exposure to hazardous chemicals.

In order to meet these objectives, industrial users must be inspected and permitted. The District inspects industrial facilities prior to issuing a permit and annually after issuing a permit, in order to ensure industrial users remain in compliance.

Wallace Group serves as District staff and is under contract with the District to provide Administrative and Engineering services, which includes the District's Pretreatment Program. This requires staff to inspect industrial facilities as a representative of the District, as outlined in the following excerpt from Pretreatment Ordinance 1994-1 Article 1, Section 10.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.*

A copy of Pretreatment Ordinance 1994-1 is available at www.sslocsd.org on the Source Control section's Pretreatment Program page.

California Fine Wire's Classification – Non-Significant Categorical Industrial User

Inspectors Heather Billing and Tammie Nichols determined that CFW electroplates wire in addition to drawing and annealing wire during an inspection on April 21, 2009. CFW, therefore, has a reasonable potential to discharge process wastewater, which may contain metal pollutants (e.g. copper, chromium, nickel, selenium, silver, and zinc), acidity, paint, stripping solvents, salts, surfactants, and other pollutants cleaned off of the wire as it is processed. The potential to discharge the process wastewater classifies CFW as a Significant Industrial User [40 CFR 403.3(v)(2)], which is subject to Metal Finishing Categorical Standards, as described in 40 CFR 433.

However, during the April 21, 2009 inspection, Dave Romano and Ed Olvera stated that CFW does not currently discharge process wastewater to the sanitary sewer and showed the Inspectors the hazardous waste storage area where the process wastewater is stored for hauling offsite to a hazardous waste disposal facility. This reclassifies CFW as a Non-Significant Categorical Industrial User.

As a Non-Significant Categorical Industrial User, CFW is still required to enroll in the District's Pretreatment Program and be permitted as such. In order to obtain a Non-Significant Categorical Industrial User permit, CFW must complete the Industrial Wastewater Discharge

Permit Application, and the District's representative must inspect CFW. Upon approval of CFW's Non-Significant Categorical Industrial User permit by the District Administrator, CFW will be required to submit annual certification statements, which state that CFW has not discharged, and be inspected annually, in order to insure CFW continues to not discharge process wastewater to the sewer system [40 CFR 403.12(q)].

Hopefully, this information is satisfactory for your needs. Ms. Heather Billing will contact you, Dave Romano, and Ed Olvera on Wednesday, June 1, 2011 to reschedule CFW's Pretreatment Inspection and proceed with the District's Pretreatment Program permitting process.

We thank you for your cooperation. If you have any questions, please contact me at your earliest convenience.

Sincerely,

A handwritten signature in dark ink, appearing to read 'John L. Wallace', with a long horizontal flourish extending to the right.

John L. Wallace
District Administrator

cc. City of Grover Beach (Mike Ford)
Board of Directors
District Legal Counsel

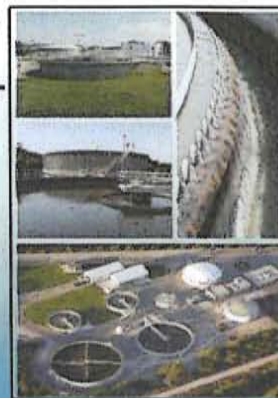
December 19th, 2010
 South San Luis Obispo County
 Sanitation District
 Oceano Lagoon Floodwater
 and Manhole Overflow



**SOUTH SAN LUIS OBISPO
 COUNTY SANITATION
 DISTRICT**

PROVIDES WASTEWATER
 TREATMENT SERVICES TO:

- City of Arroyo Grande
- City of Grover Beach
- Oceano Community
 Services District



SSLOCSD SERVICE AREA



SERVICES PROVIDED

- Wastewater Collection
 (3 Regional Trunk Sewers)
- Wastewater Treatment
- Industrial Pre-Treatment
- Fats, Oils, and Grease (FOG)
 Control
- Biosolid Recycling
- Water Softener Brine
 Disposal



Arroyo Grande Creek 100 Year Flood Map



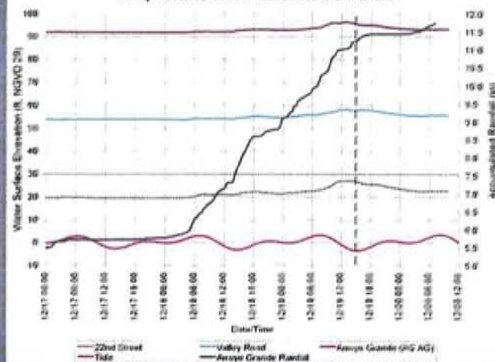
Meadow Creek Watershed



2001 Levee Breach



Arroyo Grande Creek - December Storm Event



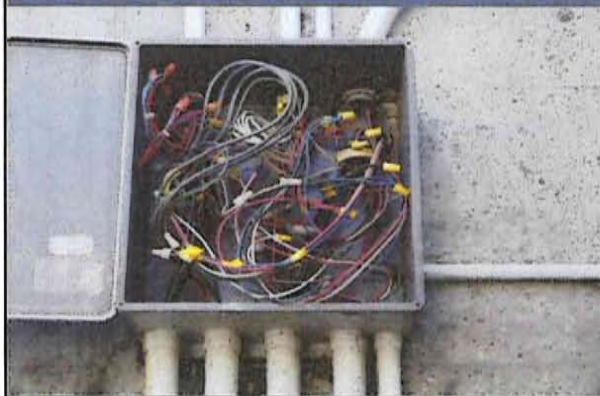
Localized Flooding – Oceano Lagoon Area



Flood Water Entering Treatment Plant



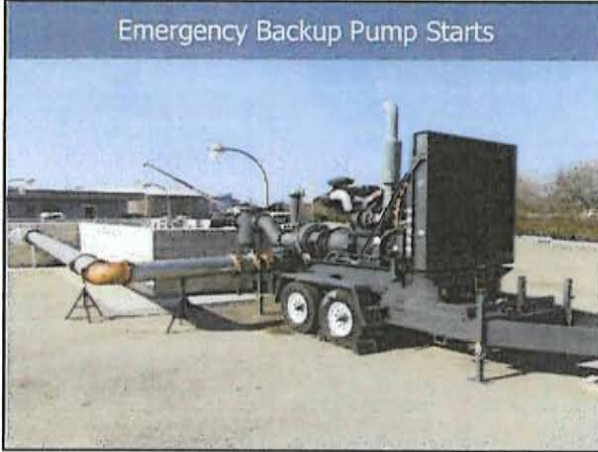
Flood Water Enters Electrical Conduits



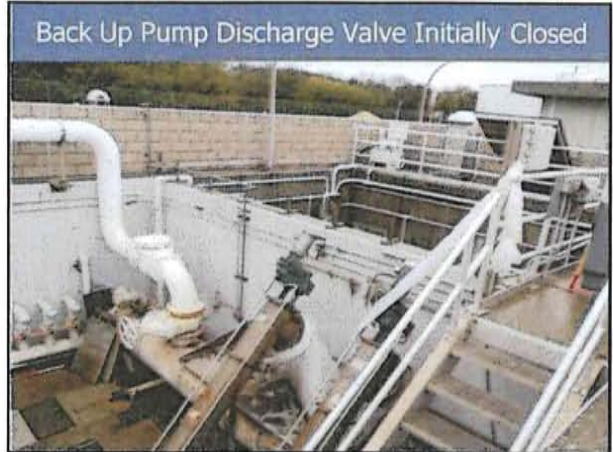
Water In Conduits Trip Pump Motors



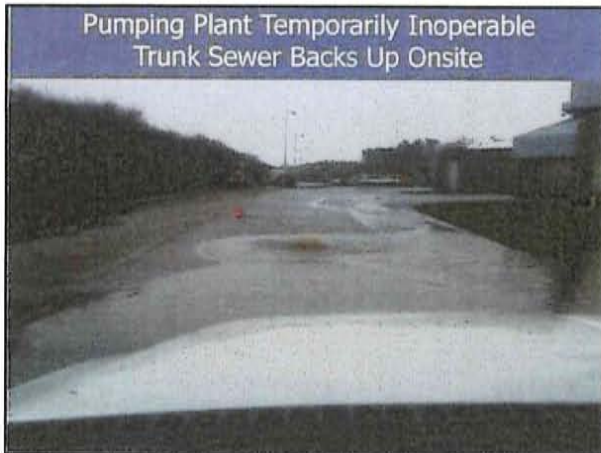
Emergency Backup Pump Starts



Back Up Pump Discharge Valve Initially Closed



Pumping Plant Temporarily Inoperable
Trunk Sewer Backs Up Onsite



Spills Occur Offsite Into Flood Waters



Where Did the Spill Occur? 20 Locations Near Treatment Plant



Corrective Actions

- Stormwater sump pumps upgraded
- Locking strategic manholes
- Bypass pump reprogrammed/valves operational
- Electrical reconductering/conduits sealed
- Breaker analysis/recalibration/upgraded
- ERP/SSO/SSMP updating
- Work w/Member Agencies/County

Sandbar Management



Before December 19 Storm



After December 19 Storm



How You Can Help

- Our investigation is based upon:
 - Electronic data logs
 - Photos
 - 40+ Interviews
 - Technical data
- If you witnessed a manhole spilling or taking in stormwater, please contact us.
- If you have pictures of any manholes spilling or taking in storm water, please send them to us.
- Telephone the District
(805) 489-6666
- Email
Johnw@sslocsd.us

Other Presentations/Reports

- Response to RWQCB 1/3/11
- Presentations to Grover Beach/Arroyo Grande, OCSD previously
- Presentation to B/S 5/24/11
- Presentation to OCSD 5/25/11
- NOV Response to RWQCB 5/31/11
- Continual updates to SSLOCSD Board
- Further updates to Member Agencies

Questions