

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://ssllocsd.org/>

Agenda

Board of Directors Meeting

1655 Front Street

Oceano, California 93445

Wednesday, June 15, 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 June 1, 2011 Meeting

3b. Review and Approval of Warrants

3c. Financial Report ending May 31, 2010

3d. Plant Superintendent's Report

3e. Centrifuge project status (June 7, 2011)

4. BOARD ACTION ON INDIVIDUAL ITEMS:**A. 2011-12 FY AUDIT; REQUEST FOR PROPOSALS**

Staff recommends the Board direct staff to issue requests for proposals for auditing the District's financial records for FY 2010-11

B. SANITARY SEWER SYSTEM USE ORDINANCE, ORDINANCE 2011-1

Staff recommends the Board consider the proposed ordinance, conduct a public hearing and thereafter, adopt Ordinance No 2011-1

C REVIEW OF MAY 31, 2011 GRAND JURY REPORT

Staff recommends the Board receive a report from District Counsel regarding the status of the District's pending response

D. FY 2010-11 PRELIMINARY BUDGET – MAJOR BUDGET ITEMS AND OPERATING BUDGET REVIEW

Staff recommends the Board Review and consider the proposed FY 2011-12 Major Budget Items (MBIs); advertise July 6, 2011 for a public hearing to adopt the proposed FY 2010-11 Budget, including the operating budget and major budget items; alternatively, continue the July 6th hearing to July 20th for final action.

5. MISCELLANEOUS ITEMS**a. Miscellaneous Oral Communications**

- Results of Shift Supervisor Promotional Exam
- Status of operational and management peer review process
- Meeting with County Public Works regarding Oceano Lagoon flooding

b. Miscellaneous Written Communications

- Response to State Water Resources Control Board for April 18, 2011 NOV

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

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

8. RETURN TO OPEN SESSION, REPORT ON CLOSED SESSION
9. CONSIDERATION OF AMENDED CONTRACTS FOR DISTRICT ADMINISTRATOR JOHN WALLACE AND DISTRICT ENGINEER WALLACE GROUP
10. ADJOURNMENT

SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

Oceano Community Services District
1655 Front Street
Oceano, CA 93445

Minutes of Wednesday, June 1, 2011
6:00 P.M.

1. ROLL CALL

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

Others in Attendance: John Wallace, District Administrator; Mike Seitz, District Counsel.

2. PUBLIC COMMENT ON ITEMS NOT APPEARING ON AGENDA

Mr. Jeff Pienack of the Surfrider Foundation read from an article published May 19, 2011 in the Coast News Opinion Page.

Mr. Brad Snook of the Surfrider Foundation questioned a Santa Maria Times article published March 15 whereby Counsel Seitz stated 'a sample was taken, tested and reported to the Regional Water Quality Board on the same day and no violation was found by the Water Quality Board'. He also stated his comments of May 18th should be included in the minutes of that meeting. He further stated that the Surfrider Foundation continues to request an independent investigation be put on the June 15, 2011 agenda.

Counsel Seitz addressed Mr. Snook's allegation regarding his quote given to a reporter of the Five Cities Times Press Recorder and published by the Santa Maria Times. He clarified that what he said was in reference to a *particular* sample, which was taken, tested, and reported with no violation found. He reiterated that his statement was accurate and he stood by it.

3. CONSENT AGENDA

- A. Review and Approval of Minutes from the Meeting of May 18, 2011.
- B. Review and Approval of Warrants.
- C. Plant Superintendent's Report

It was moved by Director Angello, seconded by Chairman Nicolls to approve Consent Agenda item 3a as presented. Motion carried with Director Ferrara not voting due to his absence at that meeting.

It was moved by Director Ferrara, seconded by Director Angello to approve Consent Agenda item 3b and 3c as presented. Motion carried.

4. BOARD ACTION ON INDIVIDUAL ITEMS

- A. Equipment Service Agreement, Varec Flame, Flame Arresters, Vacuum Relief Valves and Drip Traps.

Administrator Wallace informed the Board that the District has previously purchased and

installed several pieces of Varec equipment around the plant, such as the flare, flame arresters, vacuum relief valves and drip traps which require specialized calibration and regular maintenance to ensure their proper operation. Specialized services are required to meet permitting requirements of APCD and are supplemental to the on-going maintenance performed by District staff. Staff recommends the Board approve an annual service contract with Varec Inc. in the amount of \$3,702.00 for an equipment service.

Director Angello asked if there was a local firm which could perform this service. Administrator Wallace replied that staff was continuing to investigate that possibility but has not located a firm qualified to date. The service needs to be completed by a certified provider in order to maintain the warranty.

Director Angello questioned when the warranty expires.

After Board discussion it was decided to further negotiate the cost of this service or continue to look for local service vendors.

B. New Centrifuge 2A, Progress Payment.

Administrator Wallace presented Progress Payment No. 7 to Brough Construction in the amount of \$187,329.96 after retention is deducted. Staff has monitored work performed under this contract and believes the invoice reflects the actual work performed by Brough Construction.

It was moved by Director Ferrara, seconded by Director Angello to approve Progress Payment No. 7 to Brough Construction, Inc. in the amount of \$187,329.96 after retention is withheld. Motion carried.

C. Introduction/First Reading of the Sanitary Sewer System Use Ordinance.

Administrator Wallace reviewed for the Board that a Sanitary Sewer System Use Ordinance, proposed Ordinance 2011-1, is required to meet the District's NPDES Permit No. CA0048003 requirements and is a required element of the Sewer System Management Plan, which in turn is required by the State Water Resources Control Board.

This ordinance will provide the legal authority necessary to manage and maintain the wastewater systems in accordance with established standards. In order to adopt the proposed Ordinance, it is necessary that the Board introduce the Ordinance with a first reading. A public hearing regarding the adoption of the Ordinance will be conducted at the subsequent meeting on June 15, 2011. Modifications can be made this time of the first reading. However, any such changes at the public hearing will require that the Ordinance be reintroduced.

Director Ferrara asked Counsel Seitz to verify if the language in Paragraph 5.04 'Emergency Measures' can be used as the authority language in the Emergency Plan he is currently working on. Counsel Seitz stated he would research the question and provide an answer.

Director Angello asked Administrator Wallace to schedule a meeting with her in order to have a better understanding of its details. Administrator Wallace replied that a meeting would be arranged.

Chairman Nicolls opened the meeting to public comment regarding this item.

Mr. Brad Snook stated that he was unclear on the Water Board's direction regarding this Ordinance. He requested that the Board clarify their direction before going further with the Ordinance.

It was moved by Director Ferrara, seconded by Director Angello to 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. Motion carried by unanimous roll call vote.

Administrator Wallace responded to Mr. Snook by stating that the directions from the Water Board basically originate from the Sewer System Management Plan, he added that those documents are on file with the Water Board if Mr. Snook would like to review them.

D. FY 2010-11 Q3 Budget Review Adjustments, Resolution No. 2011-289

Administrator Wallace presented the District's third quarter Budget Review and Adjustments. A detailed line item review of each of the adjustments was provided for Board.

It was moved by Director Angello seconded by Director Ferrara to approve Resolution No. 2010-289 "A RESOLUTION AMENDING THE FY 2010-11 BUDGET AT THIRD QUARTER" and on the following roll call vote:

AYES: Chairman Nicolls, Director Angello, Director Ferrara

NOES: None

The foregoing Resolution was hereby adopted the 1st day of June 2011.

E. FY 2011-12 Preliminary Operating Budget

Administrator Wallace presented the proposed 2011-12 Fiscal Year Budget for Board review. He reviewed each page of the proposed budget and asked the Board to review the document in depth and bring further changes and questions to the next meeting.

Director Ferrara suggested that Major Budget Item 10 MBI 07 Emergency Response Plan be reduced and then perhaps combined with Major Budget Item 10 MBI 11 O&M Manual and Associated SOP Training.

Chairman Nicolls opened the meeting to public comment regarding this item.

Mr. Brad Snook stated that he had noticed in recent meetings that Wallace Group expenses are now being itemized for each project. He stated his opinion that this was a valuable addition to information being provided.

5. MISCELLANEOUS ITEMS

A. Miscellaneous Oral Communications

Administrator Wallace provided a brief update regarding the Inflow and Infiltration Study.

B. Miscellaneous Written Communications

Administrator Wallace presented several pieces of written communications for Board review including an overall status update of District activities and a letter to California Fine Wire regarding the legal authority to inspect their premises.

6. PUBLIC COMMENT ON CLOSED SESSION

There were no public comments at this time.

7. CLOSED SESSION ITEMS

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

District Counsel Seitz reported that with respect to the first item, labor negotiations, that the Board had considered a contract amendment for Bob Barlogio for his services as Interim Chief Plant Operator.

As to the second item, regarding litigation, there was no reportable action.

9. CONSIDERATION OF INTERIM PLANT SUPERINTENDENT CONTRACT AMENDMENT.

The Board considered and approved a contract amendment with Bob Barlogio for continued services as Interim Chief Plant Superintendent

10. ADJOURNMENT

There being no further business to come before the Board the meeting was adjourned at approximately 8:00 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
6/15/2011

ISSUED TO	PURCHASE/SERVICE	INV. # / SERVICE PERIOD	WARRANT NO.	ACCT	ACCT BRKDN	TOTAL
ALLIED ADMINISTRATORS	EMP DENTAL	JULY	061511-5664	6025	679.67	679.67
ARAMARK UNIFORMS	EMP UNIFORMS	5991378 5972760	65	7025	353.62	353.62
ARROWHEAD	LAB WATER	01E0012917373	66	8040	96.63	96.63
BRENNTAG PACIFIC, INC	CHEMICALS	99485 99852 101205	67	8050	15,246.57	15,246.57
CENTRAL COAST WATER	LAB WATER	9940	68	8040	60.00	60.00
CHARTER COMMUNICATIONS	INTERNET SERVICE	JUNE	69	7011	53.35	53.35
COASTAL ROLLOFF	FFR NETTING PROJECT	52799	70	8060	1,054.93	1,054.93
EARTH SYSTEMS PACIFIC	05MBI06 CENTRIFUGE	237408	71	20/8065	1,649.00	1,649.00
ENVIRONMENTAL WTR SOLU	VAREC PARTS	1431	72	8060	2,334.87	2,334.87
FARM SUPPLY CO	SF6 FILTER	656107	73	8060	940.69	940.69
FM CONTROLS	CALIBRATE METER	2011-519	74	8030	910.00	910.00
GAS COMPANY	GAS SERVICE	MAY	75	7092	884.31	884.31
GORDON SAND	DRYING BED SAND	0620749	76	8030	1,645.75	1,645.75
HACH CO	LAB SUPPLIES	7254590	77	8040	48.01	48.01
JB DEWAR	VEHICLE FUEL	763633	78	8020	106.18	106.18
JOHN DEERE LANDSCAPES	LANCSCAPE SUPPLIES	57954465	79	8060	270.29	270.29
LAB SAFETY SUPPLY	SAFETY SUPPLIES	1017383813	80	8056	113.98	113.98
LIEBERT CASSIDY WHITMORE	LEGAL FEES	131555	81	7071	162.00	162.00
LOUIE'S CRANE SERVICE	FFR NETTING PROJECT	7666	82	8060	4,800.00	4,800.00
MC MASTER CARR	MISC SUPPLIES	86290162	83	8030	178.29	178.29
MINERS ACE HARDWARE	MISC SUPPLIES	MAY	84	8055	514.50	537.95
				8060	23.45	
MURCAL, INC	EQUIP REPAIR	19680	85	8030	72.83	72.83
OCSD	WATER SERVICE	7094	86	7094	484.97	484.97
OFFICE DEPOT	COMPUTER SUPPLIES		87	7015	141.34	141.34
PIONEER EQUIPMENT	LOADER BLADES	DP78180	88	8032	146.54	146.54
POLYDYNE, INC.	CLARIFLOC	608746	89	8050	5,875.81	5,875.81
PRAXAIR DIST	WELDING SUPPLIES	39706047	90	8030	38.25	38.25
SANTA MARIA DIESEL	MISC SUPPLIES	14244	91	8055	142.90	142.90
SO CO SANITARY SERVICE	TRASH SERVICE		92	7093	82.77	82.77
TELEDYNE ISCO	DISCHARGE TUBING	606700046	93	8040	171.55	171.55
TITAN INDUSTRIAL&SAFETY	MISC SUPPLIES	1048706 1045654 1045723	94	8030	268.76	1,609.37
		1045774 1045775 1045779		8056	792.26	
		1045756		8060	548.35	
UNITED STAFFING	TEMP LABOR FFR NET	050635 050705 050760	95	8060	2,112.00	2,112.00
WOESTE ELECTRIC	ELEC REPAIRS	5955 5979	96	8060	1,062.50	1,062.50
WALLACE GROUP	ADMIN SERVICES	MAY	97	7076	23,106.61	69,999.42
	OPERATIONS	MAY		various	22,322.69	
	STORM EVENT	MAY		7082	961.59	
	REIMBUR PROJECTS	MAY		various	4,929.47	
	MBI PROJECTS	MAY		various	18,679.06	
SUB TOTAL					114,066.34	114,066.34
PAYROLL	PPE 6/3/11				15,506.10	15,506.10
GRAND TOTAL					129,572.44	129,572.44

We hereby certify that the demands numbered serially from 061511-5664 - 061511-5697 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:

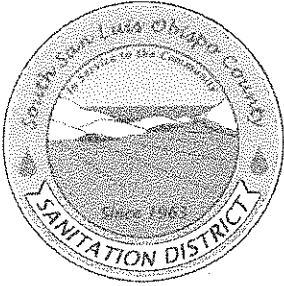
DATE: _____

Chairman

Board Member

Board Member

Secretary



SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

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

TO: Board of Directors
FROM: John L. Wallace, District Administrator
DATE: June 9, 2011
SUBJECT: Monthly Financial Review (May 2011)

Overall Monthly Summary

During the month of May the District made deposits in the amount of \$388,731.36 which is attributed to regular service fee collections and two new hookups totaling \$4,950.00. Total revenue collected to date for the 2010/11 Fiscal Year is \$2,624,675.85.

During the month of May the District totaled \$318,629.07 in expenses, of that amount \$242,097.94 reflects normal operating expenses and \$76,171.13 was expended on Major Budget Items. Total expenses for the 2010/11 fiscal year to date are \$3,328,539.01.

Local Agency Investment Fund

The LAIF balance was \$4,286,245.27 at May 31, 2011.

County of San Luis Obispo Fund

As of May 31, 2011 the cash balance with the County of San Luis Obispo Auditor totaled \$320,240.94. The County issues all District checks and all deposits are made to this agency, as such the County provides 'banking services' to the District and serves as a second set of books for internal control purposes.

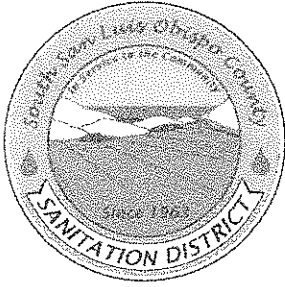
Rabobank Funds

As of May 31, 2011 the cash balance with Rabobank totaled \$33,729.26. This account is used for LAIF transfers and issues payroll checks through the District's contracted payroll provider service. Funds are transferred periodically from LAIF in order to cover those expenses.

MONTHLY FINANCIAL STATEMENT (Government Code Section 53646(d))
 SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT
 FINANCIAL SUMMARY FOR MAY 31, 2011

	FUND 19 OPERATING	FUND 20 EXPANSION	FUND 26 REPLACEMENT	COMBINED FUNDS
CASH BALANCE	-773,767.82	4,711,592.74	702,390.55	4,640,215.47
Cash W/County	2,928,543.94	-1,208,121.49	-1,400,181.51	320,240.94
Cash W/LAIF	-3,736,041.02	5,919,714.23	2,102,572.08	4,286,245.27
Cash W/Rabobank	33,729.26	0.00	0.00	33,729.26
CURRENT LOANS				
Energy Project Financing	433,458.61			
DEPOSITS:				
Current Month	383,781.36	4,950.00	0.00	388,731.36
Total 10-11 To Date	2,505,621.81	113,664.84	5,389.20	2,624,675.85
EXPENSES:				
Current Month	242,097.94	73,145.38	3,025.75	318,269.07
Total 10-11 To Date	2,497,533.07	648,342.16	182,663.78	3,328,539.01
Rev over (under) Exp - Current	141,683.42	-68,195.38	-3,025.75	70,462.29
Rev over (under) Exp - YTD	8,088.74	-534,677.32	-177,274.58	-703,863.16
INTEREST POSTED	496.23	3,786.49	1,763.43	6,046.15
Total 10-11 INTEREST TO DATE:	715.83	11,571.84	5,389.20	17,676.87

NEW CONNECTIONS	CURRENT NUMBER	CURRENT REVENUE	10 - 11 NUMBER	10 - 11 REVENUE
Arroyo Grande	2	4,950.00	16	82,293.00
Grover Beach	0	0.00	3	7,425.00
Oceano	0	0.00	5	12,375.00
TOTAL NEW DISTRICT CONNECTIONS	2	4,950.00	24	102,093.00



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

Date: Jun 6, 2011

To: John Wallace *OW*

From: Bob Barlogio, acting CPO

Re: Superintendent's Report

For the month of May, 2011:

The average daily flow was 2.56 million gallons per day.

Average influent BOD was 302mg/l, total suspended solids was 410mg/l.

The average effluent BOD, was 31 mg/l.

The average effluent total suspended solids (TSS), was 28 mg/l.

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

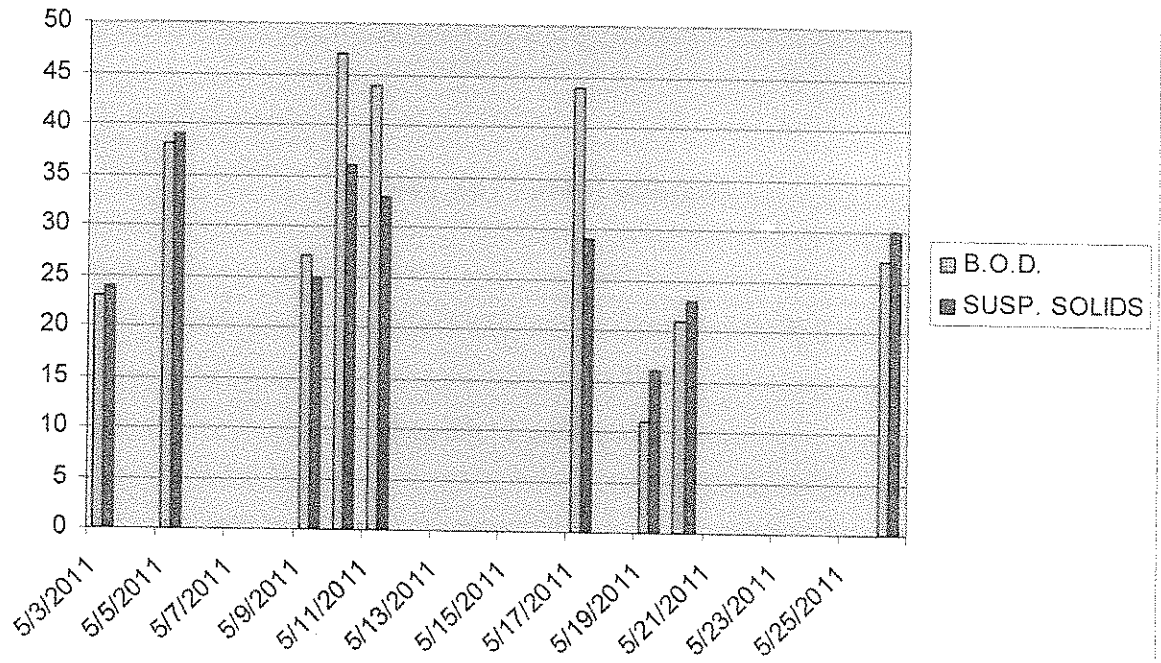
Average BOD removal rate, was 92%, TSS removal was 93%.

Staff replaced the netting on the FFR during the month of May, 24-hour composite sampling was conducted during this project. Results are within limits as shown above.

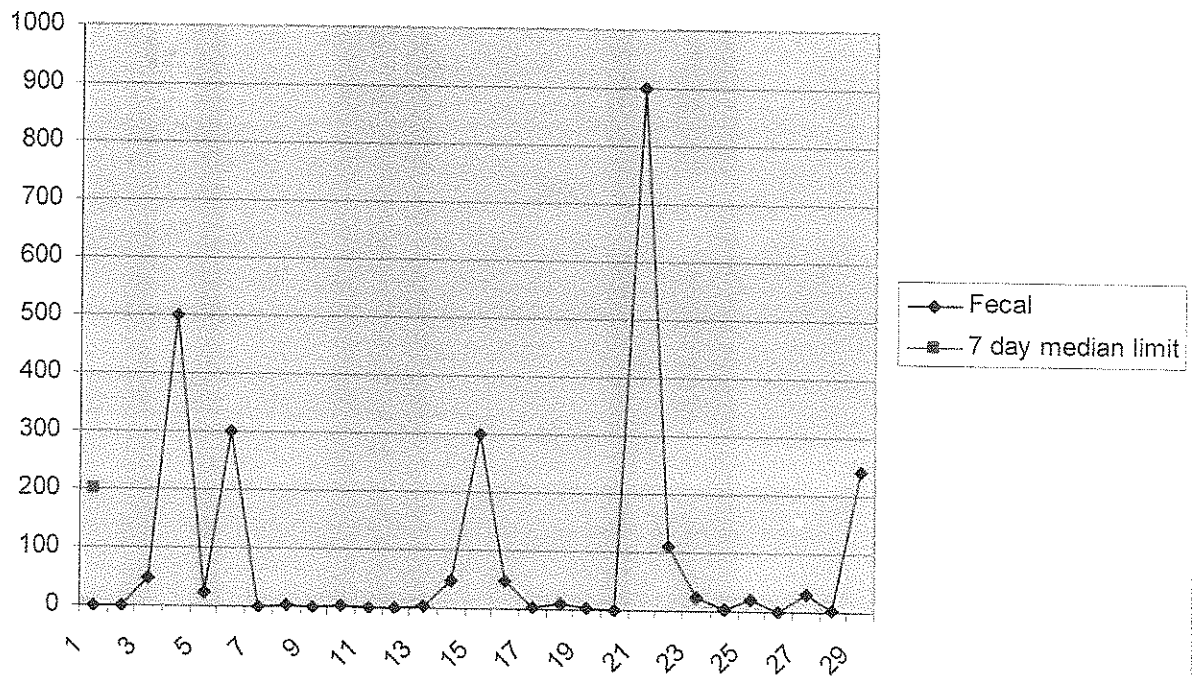
We have the Environmental Laboratory Accreditation Program certification back again. We are certified to run chlorine residuals, pHs and temperatures in house.

We had a couple high fecal coliform results during the month of May, probably due to the netting replacement project. But we are meeting the limits as per our NPDES permit. The plant has been performing well. Please see attached graphs.

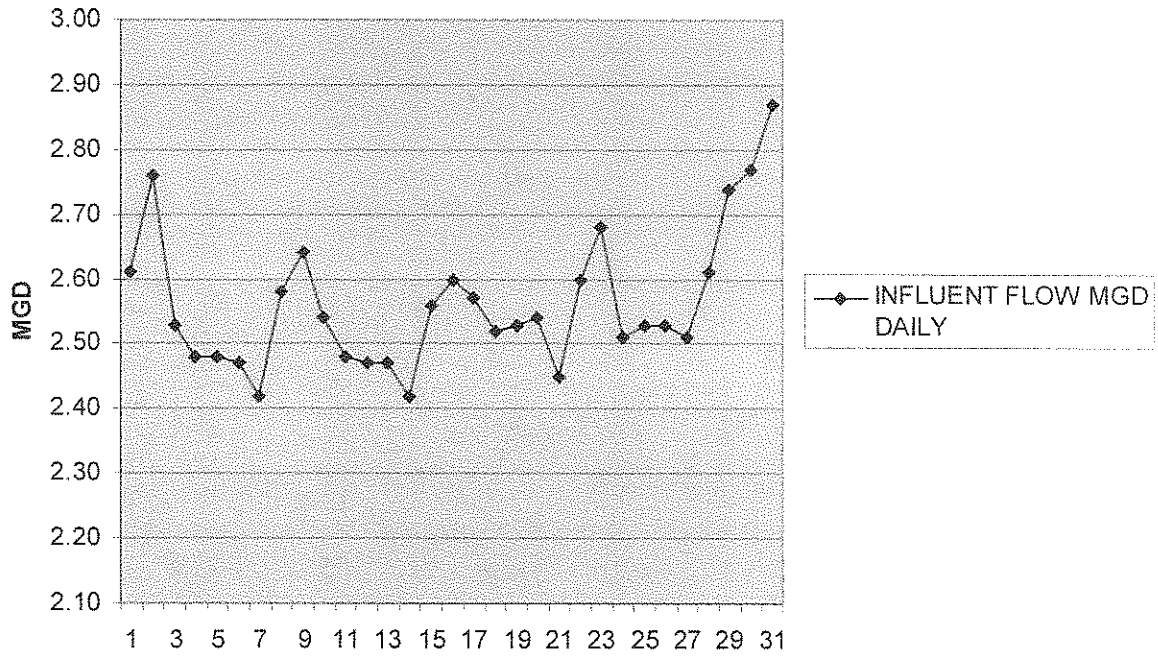
May 2011 plant effluent



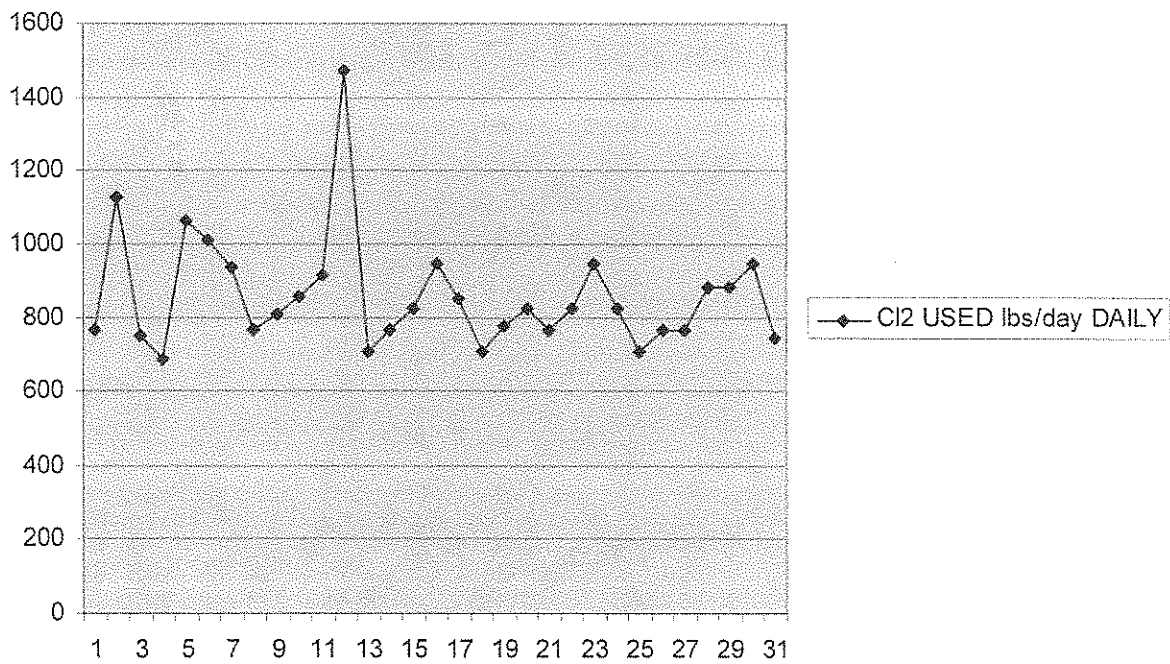
May-11

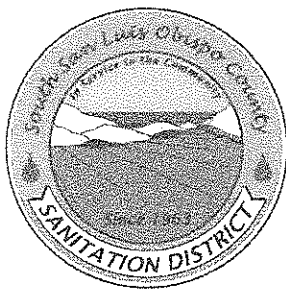


May 2011



May-11





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June 7, 2011

Centrifuge Status

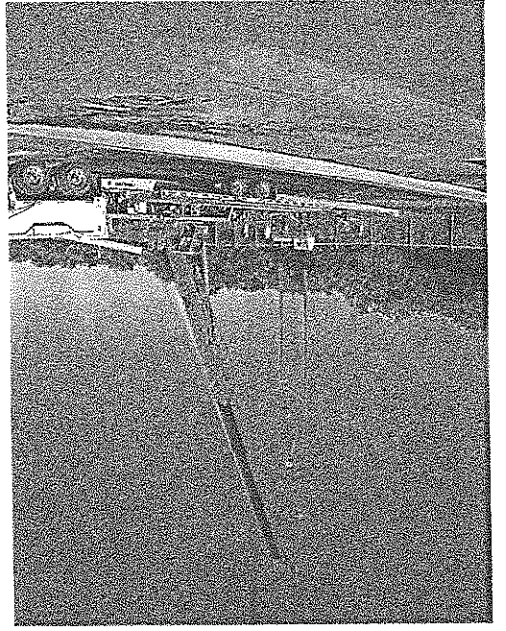
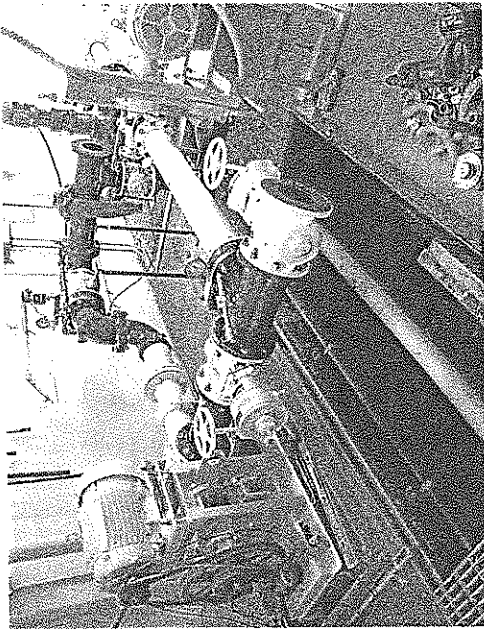
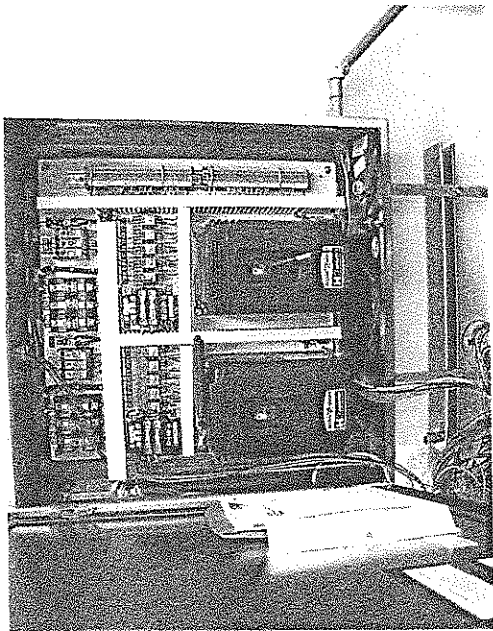
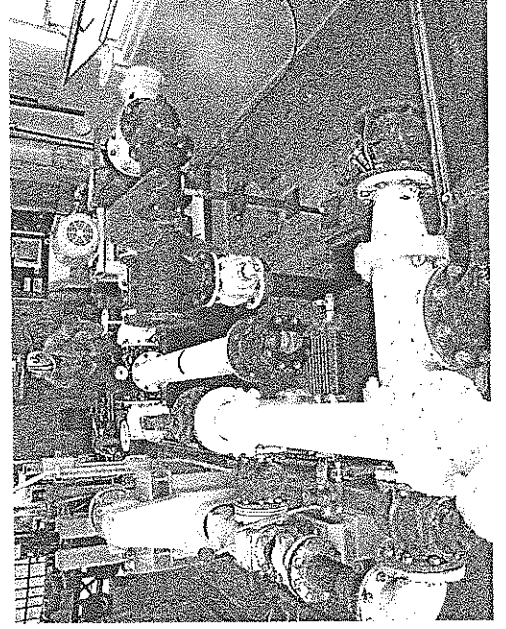
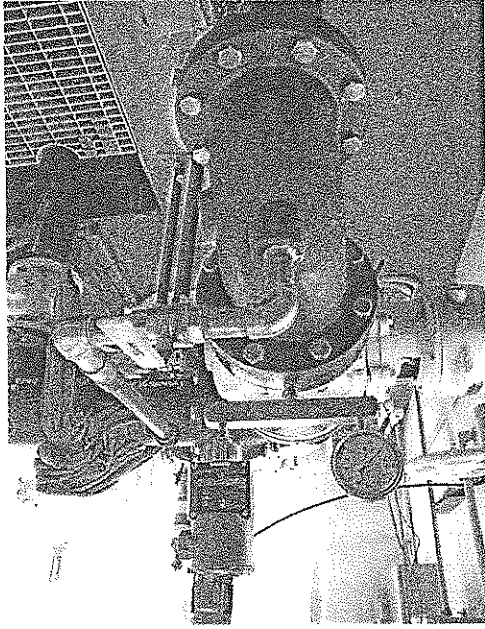
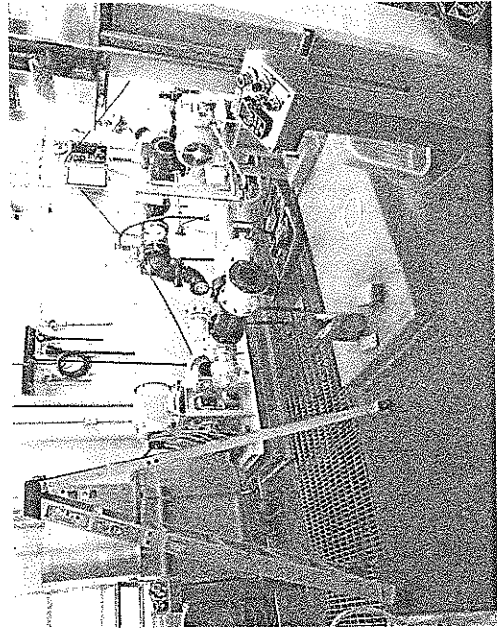
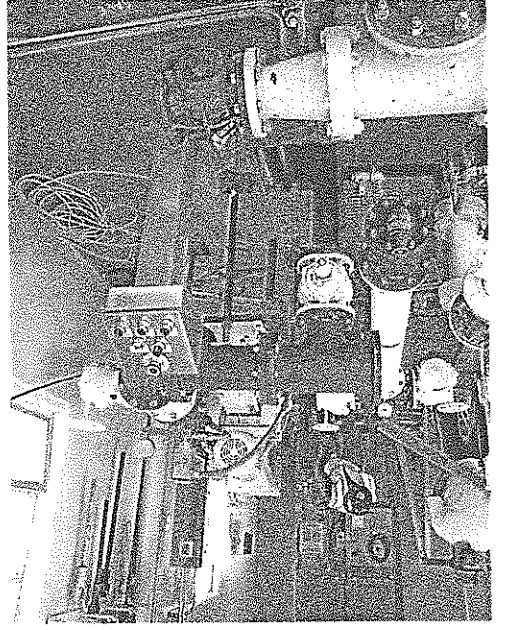
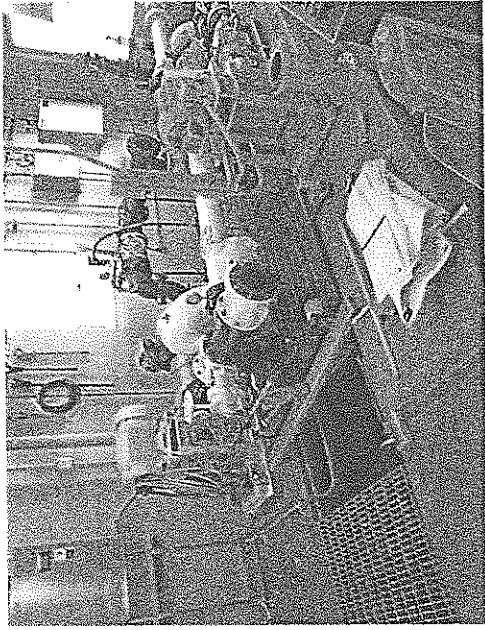
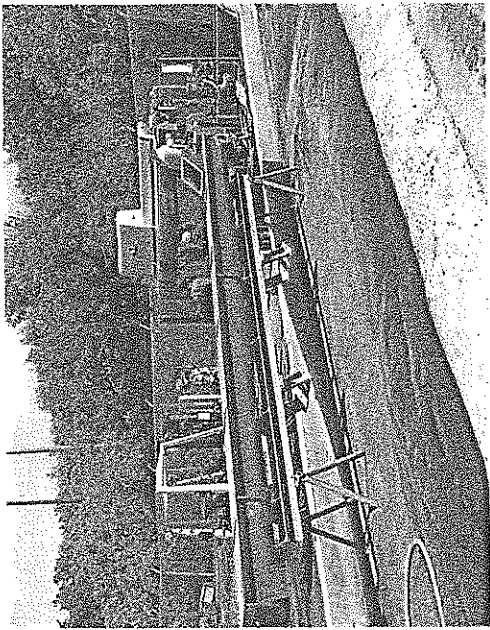
The centrifuge was moved successfully without any problems today. Please see photos. Other activities today included:

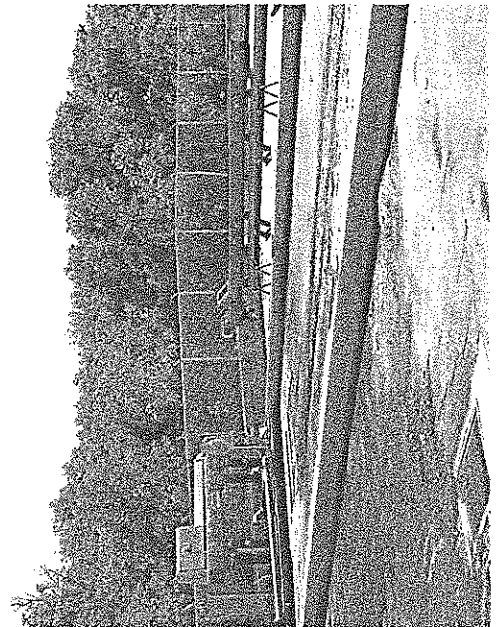
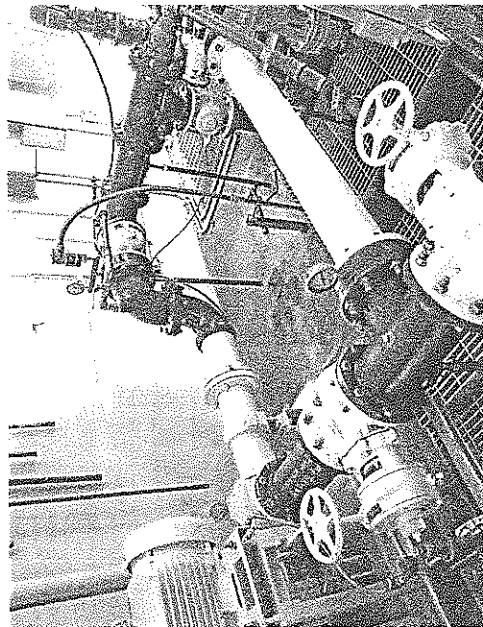
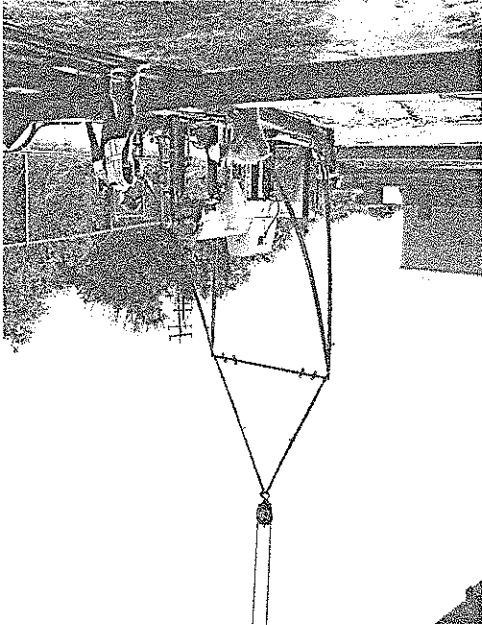
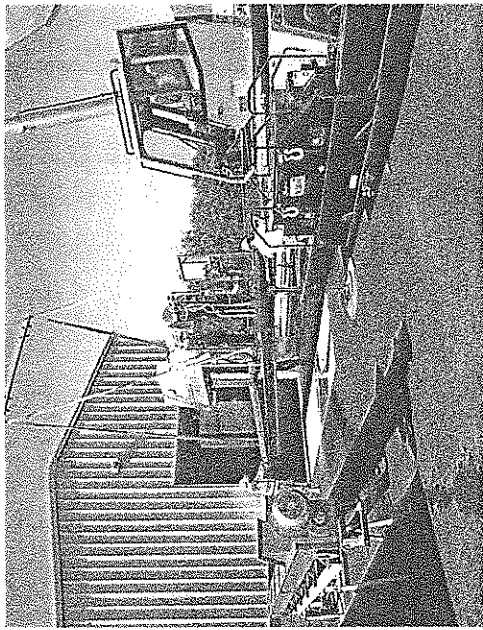
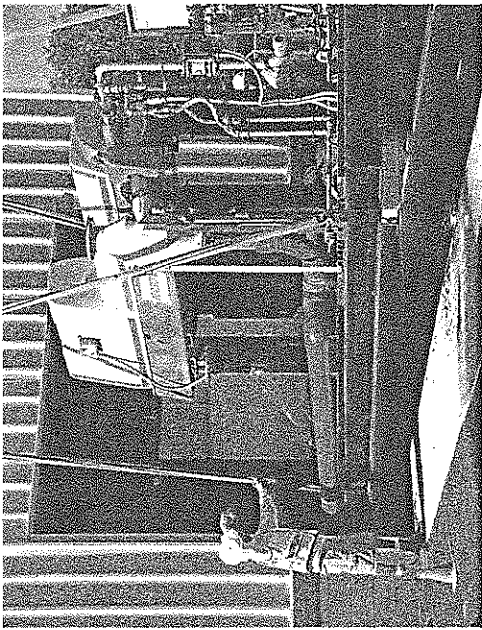
1. removal of #2 sludge transfer pump
2. removal of grinder
3. installation of new grinder
4. connection and successful testing of all fiber optic cables
5. delivery and placement of 50 tons of red rock outside the bin in the sludge lagoon area
6. placement of centrifuge anchor bolts and grouting them in place
7. commencement of concrete repairs on side of centrifuge building

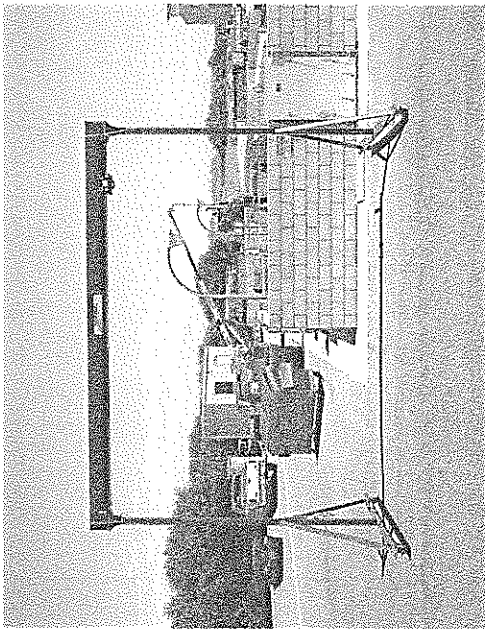
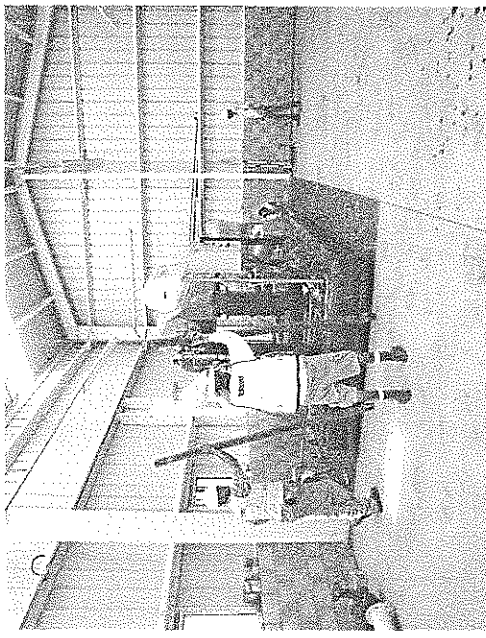
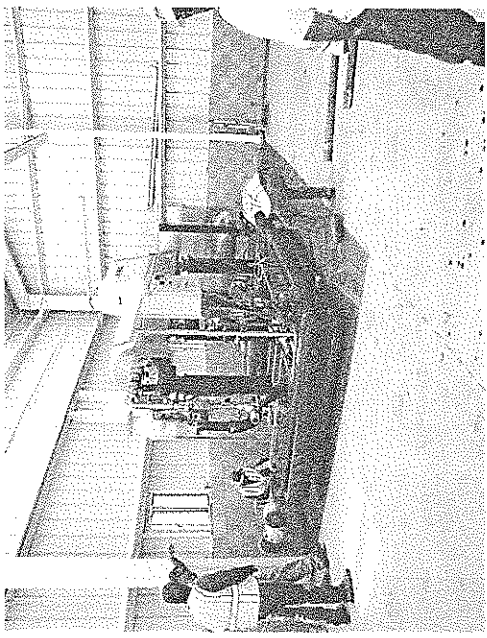
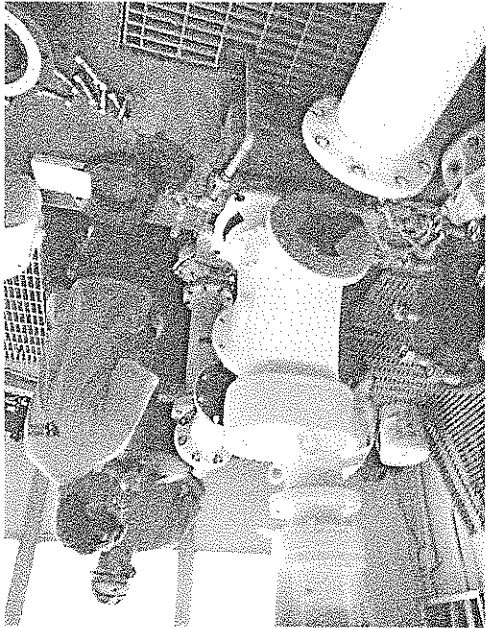
Activities planned for tomorrow are:

1. set and level centrifuge skid
2. install grout around skid
3. complete application of concrete repairs on side of building
4. complete setting of #2 sludge transfer pump
5. completion of sludge transfer piping
6. testing of grinder
7. completion of red rock outside of bin wall

Peter Rynning
Resident Engineer









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 15, 2011
Subject: 2010-11 Fiscal Year Audit Proposals

Recommendation:

Direct staff to issue requests for proposals for auditing the District's financial records for FY 2010-11.

Funding:

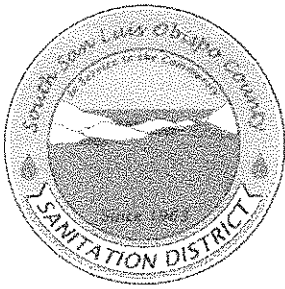
The preliminary FY 2011-12 Budget is recommending \$7,000.00 to be budgeted for this item.

Discussion:

Each year, the District is required to retain a qualified CPA firm to act as an outside auditor to review the District's financial records for the previous year.

Staff is recommending that requests for proposals (RFPs) be issued to qualified firms at the beginning of July. Those who respond to be considered for selection will be provided additional information to assist them in providing a proposal for this engagement.

We then expect to bring back a recommendation in August for the Board's selection and for award of a contract.



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Staff Report

To: Board of Directors

From: John Wallace, *District Administrator*

Date: June 15, 2011

Subject: Public Hearing of the Draft Sanitary Sewer System Use Ordinance, Ordinance No. 2011-1

Recommendation:

- Consider the proposed Sanitary Sewer System Use Ordinance, Ordinance No. 2011-1
- Conduct a public hearing regarding the Ordinance and if there are no changes, adopt the Ordinance and authorize its publication.

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:

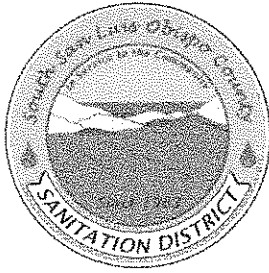
The Sanitary Sewer System Use Ordinance is required by the District's NPDES Permit No. CA0048003 and is required element of the Sewer System Management Plan, which in turn is required by the State Water Resources Control Board, Water Quality Order No. 2006-0003-DWQ. This ordinance will provide the legal 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, the Board introduced the Ordinance with a first reading on June 1, 2011. A public hearing regarding the adoption of the Ordinance will be conducted at the June 15, 2011 Board meeting. After the public hearing, if there are still no changes, adopt the Ordinance and direct staff to publish or post it in accordance with California Health and Safety Code Section 6490. Any modifications 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 “SSLOCS D 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 SSLOCSO.

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 SSLOCSO. The Board of Directors consists of three directors, appointed as specified in the SSLOCSO 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

STAFF REPORT

TO: BOARD OF DIRECTORS
SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

FROM: MICHAEL W. SEITZ, DISTRICT LEGAL COUNSEL 

DATE: JUNE 10, 2011

RE: REPORT TO THE BOARD RE THE GRAND JURY REPORT DATED
MAY 31, 2011

INTRODUCTION

The District has been subject to a Grand Jury investigation and a report was received by the District on or about June 3, 2011. This report makes certain conclusions in regards to District operations and asks the District to take certain recommended actions in order to resolve the issues raised by the Grand Jury report. This Staff Report will discuss the present status of the District's response to the Grand Jury.

DISCUSSION

The Grand Jury Report identifies three issues:

1. The District Administrator has a conflict of interest in his simultaneous rolls as Administrator of the District facilities and operations, and majority owner of a company, Wallace Group, that supplies a major share of the contracted services to the District without benefit of competitive bidding for such services.
2. The District's Board of Directors ("Board") has failed to recognize the existence of this conflict of interest which has resulted in a further failure of the Board to take action necessary either to eliminate or properly mitigate this conflict.
3. The contract under which the District Administrator and his majority owned company perform services for the District is twenty-five years old. During this period, the contract has never been evaluated, rebid or modified in any way, except for the approved increases in the hourly billing rates that can be charged by the District Administrator and his employees for services provided to the District.

The District's formal response will cover each of these issues in further detail. However, as a brief summary of the anticipated response, the following is provided:

The South San Luis Obispo County Sanitation District ("District Board") takes exception to the Grand Jury's conclusion that the Board has not identified this conflict, nor has it taken any action in any way to mitigate against it. Specifically, the Board has required in each instance that all engineering costs be associated with any major budget project at the time that the budget is approved and begin at the time that any project is approved. The items of engineering are specifically identified in both the initial budgetary proposal and in the Staff Report when the item is actually approved. The Board always has the discretion to have the engineering of any project bid out. As will be discussed below, there are significant economic reasons for not doing so.

The Board of Directors, prior to the time that the Grand Jury report was received, has taken the following steps:

First, the District Board initiated the process of bifurcating the twenty-five year old contract into two components, one for District administration and the other for District engineering. Each of these contracts provide specific delegation of duties under each contract to the Administrator and to the District Engineer. Both the District Administrator and District Engineer are required to provide discreet annual budgets for their services, including the costs associated with each major budget items. Both the District Administrator and District Engineer are required on a monthly basis to reconcile all costs associated with the services performed during the prior month with the annual budget. Likewise, they are required to provide the rationale for each service provided.

Through this contracting process, the Board is provided with additional information in which to evaluate the continuation of the present arrangement with both the District Administrator and District Engineer. Additionally, this information will provide additional transparency to all District rate payers and all third parties to this agreement in regards to the actual expenses associated with each department and the consistency of those expenses with the District's annual budget.

Second, the Board has taken the following additional steps:

The Board has authorized a Peer Review to identify the best practices for the operation of the District. At the present time, the three member committee has been identified and all have agreed to perform this service. The District Board has directed that the Plant Superintendent, along with District Legal

SSLOCSD Staff Report
RE: Grand Jury Report 03/31/11
June 10, 2011

Counsel, provide the documentation to initiate this peer review. This peer review is intended to be a top to bottom review of all District's practices from administration through plant operations. The final report of this peer review committee will be made public.

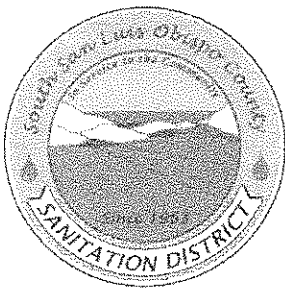
Finally, the District Board and staff have made contact with the San Luis Obispo County Auditor in regards to the request by the Grand Jury that the County Auditor review certain aspects of the District's financial structure. In regards to this, the Staff can advise that when and if revised contracts are approved for the Administrator and Engineer, that those contracts will be provided to the County Auditor to evaluate. Additionally, the District will provide the County Auditor with any information that the Auditor requests.

CONCLUSION

The bifurcated contracts are on this agenda for the Board's consideration. The peer review committee members have been identified and all have accepted the assignment. It is anticipated that the Board will direct District Legal Counsel and the Plant Superintendent to develop the criteria and scope of review for the peer committee and provide a report to the Board at the second meeting in June. It is hoped that the review can be completed before September 1, 2011.

District staff will provide any and all documentation requested by the County Auditor relating to any issue identified by the Grand Jury.

END



SOUTH SAN LUIS OBISPO COUNTY SANITATION DISTRICT

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Staff Report

To: Board of Directors
From: John Wallace, *District Administrator*
Date: June 15, 2011

Subject: FY 2010-11 Preliminary Budget – Major Budget Items and Operating Budget Review

Recommendation:

Staff recommends the Board:

1. Review and consider the proposed FY 2011-12 Major Budget Items (MBIs)
2. Advertise July 6, 2011 for a public hearing to adopt the proposed FY 2010-11 Budget, including the operating budget and major budget items.
3. 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:

On June 1, 2011 staff presented the preliminary FY 2011-12 Operating Budget and draft Major Budget Items (MBIs). In addition, the Board will meet on June 15th to review the proposed MBI projects. The proposed schedule for the major milestones of budget preparation and adoption are now scheduled for:

- June 15, 2011 Continued review of proposed FY 2011-12 budget including Operating, Replacement and Expansion Funds including MBIs and 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 proposed MBIs proposed for FY 2011-12. We will also discuss potential funding sources for the projects.

Attached is a spreadsheet in order of project numbers showing total project budgets past costs and project costs over four fiscal years and a "cost to complete" thereafter when projects are on-going or will be funded in subsequent years.

Also attached are project descriptions presented in order of new FY 2011-12 projects by project number (11 MBI 01-11). Next are carryover projects continuing over multiple years or projects that have been deferred from previous years.

It is obvious that with the number of projects for replacing major pumps and facilities, etc., that a major component of our financial planning will be to prioritize and execute only those projects that are necessary before a State Revolving loan can be secured. This will undoubtedly necessitate deferment of some of the projects shown for the time being in this fiscal year.

Staff will discuss further alternatives and project priorities at our meeting on June 15, 2011.

Also the Board should bring the previously distributed draft operating budget with you to the meeting for further review. If that document has been misplaced, please call the office and a duplicate will be provided.

South San Luis Obispo Sanitation District

Major Budget Items / Four Year Planning Budget

FY 2011-12 through FY 2014-15

Expenditures by Account

Acct #	Acct. Description	Total Budget	Prior FY's thru FY 2009-10	FY 2010-11 Projected	FY 2011-12 Total	FY 2012-13	FY 2013-14	FY 2014-15	Total 2011-15
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Operating Fund

19-7015	Operating Fund - Office Equip/Comp Supplies	\$14,000			\$14,000				\$14,000
19-7060	Operating Fund - Ocean Outfall Maintenance	\$64,753		\$30,753			\$34,000		\$34,000
19-7087	Operating Fund - WDR Expense	\$40,500		\$38,200	\$2,300				\$2,300
19-8010	Operating Fund - Capital Equipment	\$513,531		\$17,221	\$83,000	\$201,050	\$211,100	\$1,160	\$496,310
19-8061	Operating Fund - Struct/Grnds Maint-Major	\$373,688	\$38,195	\$98,843	\$66,650	\$133,200	\$18,300	\$18,500	\$236,650
	Operating Fund Subtotal	\$1,006,472	\$38,195	\$185,017	\$165,950	\$334,250	\$263,400	\$19,660	\$783,260

Expansion Fund

20-8010	Expansion Fund - Capital Equipment	\$231,870	\$101,996	\$19,874	\$110,000				\$110,000
20-8065	Expansion Fund - Struct/Grnds Replace-Impr	\$11,601,927	\$1,715,888	\$853,639	\$627,900	\$664,500	\$3,870,000	\$3,870,000	\$9,032,400
	Expansion Fund Subtotal	\$11,964,038	\$1,945,987	\$875,651	\$737,900	\$664,500	\$3,870,000	\$3,870,000	\$9,142,400

Replacement Fund

26-8015	Replacement Fund - Trunk Sewer Maintenance	\$1,306,574	\$36,574	\$4,000	\$296,000		\$970,000		\$1,266,000
26-8061	Replacement Fund - Struct/Grnds Maint-Major	\$626,690	\$5,440	\$65,000	\$381,250	\$175,000			\$556,250
26-8065	Replacement Fund - Struct/Grnds Replace-Impr	\$3,502,092	\$358,265	\$149,027	\$957,460	\$462,340	\$175,000	\$1,400,000	\$2,994,800
26-8070	Emergency Equipment Repairs	\$570,000			\$60,000	\$165,000	\$170,000	\$175,000	\$570,000
	Replacement Fund Subtotal	\$6,005,355	\$400,278	\$218,027	\$1,694,710	\$802,340	\$1,315,000	\$1,575,000	\$5,387,050

Grand Total		\$18,975,865	\$2,384,460	\$1,278,695	\$2,598,560	\$1,801,090	\$5,449,400	\$5,464,660	\$15,312,710
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South San Luis Obispo Sanitation District
Major Budget Items / Four Year Planning Budget
FY 2011-12 through FY 2014-15

Expenditures by Activity

Account	Activity	Total Budget	Prior FY's thru 2009-10	FY 2010-11 Projected	FY 2011-12 Total	FY 2012-13 Budget	FY 2013-14 Budget	FY 2014-15 Budget	Total 2010-15
0001	Capital Equipment	1,856,519	359,009	122,270	306,930	481,050	396,100	191,160	1,375,240
0002	Studies	293,402	82,909	59,673	92,420	58,400			150,820
0003	Testing / Troubleshooting	71,237		21,237				50,000	50,000
0004	Design & Survey	1,757,294	799,434	125,170	238,450	487,440	13,300	93,500	832,690
0005	Contract Administration	1,170,448	162,254	112,287	129,907	18,000	339,500	408,500	895,907
0006	Const Contingencies	1,606,409		59,249	197,560	58,600	470,000	821,000	1,547,160
0007	Construction	12,211,932	980,854	772,485	1,630,993	697,600	4,229,500	3,900,500	10,458,593
0014	Member Agency Support	1,000			1,000				1,000
0015	Final Report	1,300			1,300				1,300
		18,975,865	2,384,460	1,278,695	2,598,560	1,801,090	5,448,400	5,464,660	15,312,710

South San Luis Obispo Sanitation District
Major Budget Items / Five Year Planning Budget

Proj. No.	Project Name	Total Project Budget	Account Number	Source of Funds	Prior FY's thru 2009-10	2010-11 Projected	2011-12 Total	2012-13	2013-14	2014-15	Cost to Complete
CAPITAL PURCHASES											
04 MBI 03	Influent Grinder Annual Service	138,195	19-8061	Operating Fund - Struct/Grnds Maint-Major	38,195	25,500	29,500	15,000	15,000	15,000	74,500
04 MBI 11	Annual GIS/GPS Survey	59,971	19-8061	Operating Fund - Struct/Grnds Maint-Major		5,600	3,000	3,200	3,300	3,500	13,600
			26-8065	Replacement Fund - Struct/Grnds Replace-Impr	41,371						
08 MBI 04	Paperwork Archive	9,810	19-8010	Operating Fund - Capital Equipment	9,810		6,500	1,050	1,100	1,160	9,810
09 MBI 04	Vehicle Replacement	18,500	19-8010	Operating Fund - Capital Equipment	18,500		18,500				18,500
10 MBI 05	Front Gate Recoating	12,000	19-8061	Operating Fund - Struct/Grnds Maint-Major	12,000		12,000				12,000
10 MBI 07	Emergency Response Plan	4,892	19-8061	Operating Fund - Struct/Grnds Maint-Major	4,892	2,392	2,500				2,500
10 MBI 08	Entrance Road Light Relocation	15,000	19-8061	Operating Fund - Studies	15,000			15,000			15,000
10 MBI 09	Tri-Annual Outfall Inspection	64,753	19-7060	Operating Fund - Ocean Outfall Maint	64,753	30,753			34,000		34,000
10 MBI 10	Influent Screenings Transport System	100,000	19-8061	Operating Fund - Struct/Grnds Maint-Major	100,000			100,000			100,000
10 MBI 11	Operations and Maintenance Manual and Associated	25,001	19-8061	Operating Fund - Struct/Grnds Maint-Major	25,001	5,351	19,650				19,650
10 MBI 17	District Trunk Line Inflow and Infiltration (I&I) Stud	30,500	19-7087	Operating Fund - WDR Expense	30,500	28,200	2,300				2,300
11 MBI 01	Tote Containment	5,500	19-8010	Operating Fund - Capital Equipment	5,500		5,500				5,500
11 MBI 02	Chemical Metering Pumps	7,000	19-8010	Operating Fund - Capital Equipment	7,000		7,000				7,000
11 MBI 03	Disinfection System Metering Pumps	7,000	19-8010	Operating Fund - Capital Equipment	7,000		7,000				7,000

South San Luis Obispo Sanitation District
Major Budget Items / Five Year Planning Budget

Proj. No.	Project Name	Total Project Budget	Account Number	Source of Funds	Prior FY's thru 2009-10	2010-11 Projected	2011-12 Total	2012-13	2013-14	2014-15	Cost to Complete
CAPITAL PURCHASES - Con't											
11 MBI 04	Polyblend Unit	9,500	19-8010	Operating Fund - Capital Equipment	9,500		9,500				9,500
11 MBI 06	Gas Treatment Awning	25,000	19-8010	Operating Fund - Capital Equipment	25,000		25,000				25,000
11 MBI 07	IT System Upgrade	14,000	19-7015	Operating Fund - Office Equip/ Comp Supplies	14,000		14,000				14,000
11 MBI 09	Automated External Defibrillator (AED)	4,000	19-8010	Operating Fund - Capital Equipment	4,000		4,000				4,000
N/A	Miscellaneous MBI Projects	410,000	19-8010	Operating Fund - Capital Equipment	410,000			200,000	210,000		410,000
Subtotal - Capital Purchases		1,047,843			1,047,843	185,017	165,950	334,250	263,400	19,660	783,260




South San Luis Obispo Sanitation District
Major Budget Items / Five Year Planning Budget




Proj. No.	Project Name	Total Project Budget	Account Number	Source of Funds	Prior FY's thru 2009-10	2010-11 Projected	2011-12 Total	2012-13	2013-14	2014-15	Cost to Complete
EXPANSION PROJECTS											
05 MBI 06	New Centrifuge	1,917,581	20-8065	Expansion Fund - Struct/Grnds Replace-Impr	1,917,581	841,912	276,010				276,010
07 MBI 14	Long Range Plant Expansion	8,633,938	26-8065	Replacement Fund - Struct/Grnds Replace-Impr							
			20-8010	Expansion Fund - Capital Equipment	89,791						
			20-8065	Expansion Fund - Struct/Grnds Replace-Impr	8,544,147	6,309	243,690	510,000	3,870,000	3,870,000	8,493,690
07 MBI 16	Grease to Gas System	122,300	20-8065	Expansion Fund - Struct/Grnds Replace-Impr	122,300	1,800	108,200				108,200
08 MBI 25	Lagoon Lining Project	162,346	20-8065	Expansion fund - Struct/Grnds Replace-Ir	159,563			154,500			154,500
			26-8065	Replacement Fund - Struct/Grnds Replace-Ir	2,783						
11 MBI 11	SCADA Completion	110,000	20-8010	Expansion Fund - Capital Equipment	110,000		110,000				110,000
Subtotal - Expansion Projects		11,932,979			11,932,979	875,651	737,900	664,500	3,870,000	3,870,000	9,142,400



South San Luis Obispo Sanitation District
Major Budget Items / Five Year Planning Budget

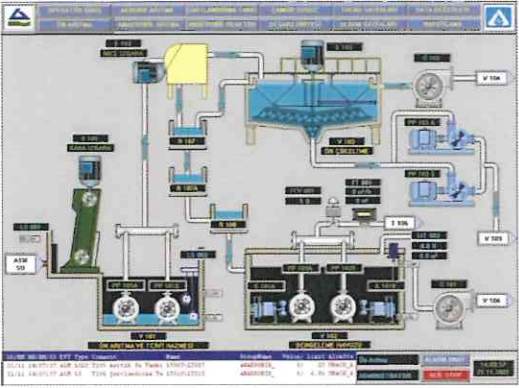
Proj No.	Project Name	Total Project Budget	Account Number	Source of Funds	Prior FY's thru 2009-10	2010-11 Projected	2011-12 Total	2012-13	2013-14	2014-15	Cost to Complete
REPLACEMENT PROJECTS											
04 MBI 16	Electrical System Upgrade	535,689	20-8065	Expansion Fund - Struct/Grnds Replace-Impr	33,842						486,330
			26-8065	Replacement Fund - Struct/Grnds Replace-Impr	1,847	13,670	296,330	250,000			
06 MBI 04	Primary Clarifier No. 1 Catwalk and Drive	236,250	26-8061	Replacement Fund - Struct/Grnds Maint-Major		5,000	231,250				231,250
06 MBI 05	Primary Clarifier No. 2 Catwalk	40,000	26-8061	Replacement Fund - Struct/Grnds Maint-Major	40,000		40,000				40,000
06 MBI 13	Influent Pumps Gate and Check Valves	722,038	26-8065	Replacement Fund - Struct/Grnds Replace-Impr	722,038	135,357	281,130				281,130
08 MBI 18	Flood Gate Upgrade Project	219,053	26-8065	Replacement Fund - Struct/Grnds Replace-Impr	219,053	6,713		212,340			212,340
08 MBI 19	CJPP Lining of SSLCCSD Trunk Sewer	1,306,574	26-8015	Replacement Fund - Trunk Sewer Maint	1,306,574	4,000	296,000		970,000		1,266,000
09 MBI 01	FFR Pump Refurbishment	175,440	26-8061	Replacement Fund - Struct/Grnds Maint-Major	175,440	5,440	110,000				110,000
10 MBI 16	Upgrade Co-Generation from 150 to 200 kW Generat	175,000	26-8065	Replacement Fund - Struct/Grnds Replace-Impr	175,000				175,000		175,000
10 MBI 12	Arroyo Grande Pipe Bridge Recoating	175,000	26-8061	Replacement Fund - Struct/Grnds Maint-Major	175,000		175,000				175,000
10 MBI 13	FFR Plastic Media Replacement	1,000,000	26-8065	Replacement Fund - Struct/Grnds Replace-Impr	1,000,000					1,000,000	1,000,000
10 MBI 14	FFR Distribution Arm Replacement	400,000	26-8065	Replacement Fund - Struct/Grnds Replace-Impr	400,000					400,000	400,000
11 MBI 08	Influent Pumps Failure Readiness/Refurbishment	440,000	26-8065	Replacement Fund - Struct/Grnds Replace-Impr	440,000		440,000				440,000
N/A	Emergency Equipment Repair	570,000	26-8070	Replacement Fund - Emergency Equipment Repair	570,000		60,000	165,000	170,000	175,000	570,000
Subtotal - Replacement Projects		5,995,043		5,995,043	389,966	218,027	1,694,710	802,340	1,315,000	1,575,000	5,387,050
Grand Total		18,975,865			2,384,460	1,278,695	2,598,560	1,801,090	5,448,400	5,464,660	15,312,710

MAJOR BUDGET ITEMS
FISCAL BUDGET YEAR 2011-12

ITEM #	PROJECT TITLE	FY 11-12 COST	[COST TO COMPLETE]
11 MBI 01	TOTE CONTAINMENT	\$ 5,500	[\$ 5,500]
		<p>The District uses chemical injection at various points in the plant for process control. The chemicals are stored in totes which are stored around the plant.</p> <p>Staff purchased two units last FY (10 MBI 06), and would like to purchase four more this FY.</p> <p>These funds will pay for four additional containment tanks that will protect against any catastrophic damage to the tote, valves, etc.</p>	
11 MBI 02	CHEMICAL METERING PUMPS	\$ 7,000	[\$ 7,000]
		<p>The metered injection of chemicals is a critical part of process control of Wastewater.</p> <p>The District has 3 different sized metering pumps around the plant. The budgeted funds will allow for the purchase of redundant pumps for each of the sizes to ensure a minimal impact to a failed metering pump.</p>	
11 MBI 03	DISINFECTION SYSTEM METERING PUMPS	\$ 7,000	[\$ 7,000]
		<p>The disinfestation system controls the effluent coli-form levels, and the sodium hypochlorite and sodium bisulfate pumps are a key part of that process.</p> <p>The budgeted funds will allow for the purchase of redundant pumps for the disinfestation system to ensure a minimal impact of a failed metering pump.</p>	



ITEM #	PROJECT TITLE	FY 11-12 COST	[COST TO COMPLETE]
11 MBI 04	POLYBLEND UNIT	\$ 9,500	[\$ 9,500]
		<p>Staff most recently purchased an new Polyblend unit in June, 2009 (08 MBI 21 for \$7,301.77) to replace a failed unit.</p> <p>Staff utilizes Polyblend units at multiple locations around the plant, as well as having a need for a portable unit.</p> <p>The budgeted funds will allow for the purchase of a redundant Polyblend unit that can be used as a portable unit and can also be used to ensure a minimal impact of a failed unit.</p>	
11 MBI 06	GAS TREATMENT AWNING	\$ 25,000	[\$ 25,000]
		<p>The equipment installed in the gas treatment system which conditions digester gas prior to combustion in the cogeneration engine are beginning to show signs of oxidation primarily due to the outside exposure.</p> <p>An awning similar to the one depicted in the photo can minimize the effects of ultraviolet damage and standing water/moisture on the equipment which will extend the life of the installed equipment.</p> <p>The budgeted funds will allow for the purchase and installation of an awning.</p>	
11 MBI 07	IT SYSTEM UPGRADE	\$ 14,000	[\$ 14,000]
		<p>District Staff has managed the IT needs of the District for years. Support needs have progressed to the point where modern features and a professionally managed system is necessary.</p> <p>Budgeted funds will allow for the hosted e-mail and email archiving services, VPN access, web filtering, off site backups and ongoing Network/Desktop support services.</p> <p>\$10,000 is expected to be an annual expense to maintain these services, with \$4,000 in up-front costs.</p>	



ITEM #	PROJECT TITLE	FY 11-12 COST	[COST TO COMPLETE]
11 MBI 08	INFLUENT PUMPS FAILURE READINESS/REFURBISHMENT	\$ 440,000	[\$ 440,000]
		<p>Once the Influent Pumps Gate and Check Valves Project (06 MBI 13) is complete and functioning isolation valves are installed, Staff can refurbish or replace the District's four influent pumps.</p> <p>Additionally, staff will analyze and plan to minimize the effect of pump failure, and will optimize the repair options and the spare parts required to be on the shelf to minimize downtime. A likely scenario could include identical pumps and VFD's to maximize interchangeability.</p> <p>The budgeted funds will allow for the replacement or the refurbishment of the pumps and VFDs and the purchase of spare parts.</p>	
11 MBI 09	AUTOMATED EXTERNAL DEFIBRILLATOR (AED)	\$ 4,000	[\$ 4,000]
		<p>An automated external defibrillator or AED is a portable electronic device that automatically diagnoses cardiac arrhythmias of ventricular fibrillation and ventricular tachycardia in a patient, and is able to treat them through defibrillation. AEDs are designed to be simple to use for the layman.</p> <p>Funds will be sufficient to purchase the AED device as well as provide training to staff on the appropriate usage of the device.</p>	



ITEM #	PROJECT TITLE	FY 11-12 COST	[COST TO COMPLETE]
11 MBI 11	SCADA SYSTEM, PHASE 3	\$ 110,000	[\$ 110,000]
		<p>Phase 1 of the SCADA system involved purchasing the hardware, software and implementing the dialer functionality, including Staff's special requests. Signals covered basic security inputs.</p> <p>Phase 2 is part of the Centrifuge building project. Screens will be created to monitor equipment and utilize more functionality built in to the software.</p> <p>Phase 3 will be the biggest slice of the implementation which will bring signals from the rest of the plant to the SCADA software.</p> <p>Budgeted funds include screen development, but mostly infrastructure: deployment of summary PLC's, wiring to the PLC's and the running of fiber optic cable throughout the plant.</p>	


CARRY-OVER BUDGET ITEMS

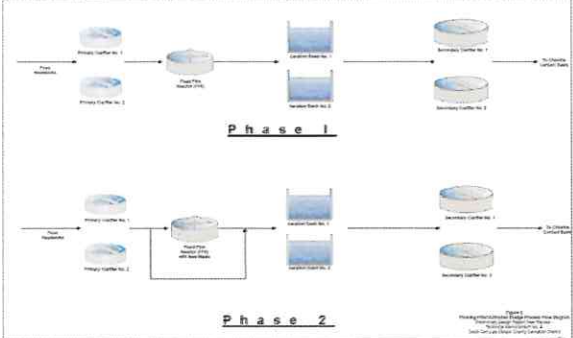


FISCAL BUDGET YEAR 2011-12



ITEM #	PROJECT TITLE	FY 11-12 COST	[COST TO COMPLETE]
04 MBI 03	INFLUENT GRINDER ANNUAL SERVICE	\$ 29,500	[ANNUAL]
		<p>After 30 months of efforts, the District and JWCE are closing in on a final solution to the scraper arrangement on the two Channel Monsters.</p> <p>The budgeted funds will be an annual budget item and are sufficient to fund the "Monster Care" service agreement for both of the District's units.</p>	
04 MBI 11	ANNUAL GIS/GPS SURVEY	\$ 3,000	[ANNUAL]
		<p>The District has an up-to-date and fully functional trunk sewer GIS database. To maintain the integrity of the database, annual data maintenance is recommended. Tasks included in the annual maintenance are additions and replacements of trunk sewer facilities based on capital improvements, field survey to acquire additional trunk sewer information, and revisions to the trunk sewer atlas.</p> <p>This is an annual budget item.</p>	


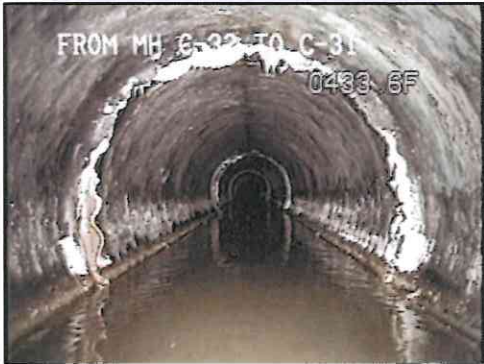
ITEM #	PROJECT TITLE	FY 11-12 COST	[COST TO COMPLETE]
04 MBI 16	ELECTRICAL SYSTEM UPGRADE	\$ 236,330	[\$ 486,330]
		<p>Most of the electrical system was installed in 1964-66 as part of the original construction of the plant. Additional electrical equipment and wiring was installed in 1986 when the Motor Control Center (MCC) Building was built. Much of the underground (UG) wiring has begun to deteriorate due to older insulating material technology cracking with age. The wires are frequently submerged by ground water in the UG vaults and UG conduits. The wiring is not designed or rated for this type of submerged service. As a result, there have been several instances where the wiring has failed and caused key equipment to go offline.</p> <p>This project would replace all the wiring to the various motors and lighting in the plant with waterproof wire that is rated for this type of service. In order to keep the plant operating during this process, the wiring will be replaced in a sequenced fashion. In addition, as-built drawings will be created.</p> <p>Several pieces of equipment have been or are soon to be rewired to the new insulation standard, (CCT, Influent Pumps, Secondary Scum Pumps, Standby Generator, FFR Pumps, etc.)</p>	
05 MBI 06	NEW CENTRIFUGE	\$ 276,010	[\$ 276,010]
		<p>The original centrifuge is no longer in service due to major equipment failure.</p> <p>The new Andritz centrifuge was delivered to the District in April 2010, and was installed temporarily in a drying bed dewater sludge until the work is complete.</p> <p>Brough Construction was low bidder and was retained by a September 1, 2010 Board action for the construction portion of this project.</p> <p>Construction is scheduled to be complete in June of 2011.</p> <p>Remaining budget is carryover – primarily to complete the construction contract. Also included are the completed Record Drawings and other final project documentation.</p>	



ITEM #	PROJECT TITLE	FY 11-12 COST	[COST TO COMPLETE]
06 MBI 04	PRIMARY CLARIFIER NO. 1 CATWALK AND DRIVE	\$ 231,250	[\$ 231,250]
		<p>Most of the structural members of the Primary Clarifier No. 1 Catwalk are very poor due to excessive corrosion due to the corrosive atmosphere. Staff has determined that this Catwalk will need to be completely replaced to ensure safety of personnel.</p> <p>The funds would allow for:</p> <ul style="list-style-type: none"> • the demolition of the existing bridge; • the installation of a new Stainless Steel bridge; • the replacement of existing galvanized steel plates with fiberglass or stainless steel decking; • the refurbishment of the 20 year old drive unit to manufacturer's specifications. 	
06 MBI 05	PRIMARY CLARIFIER NO. 2 CATWALK	\$ 40,000	[\$ 40,000]
		<p>Due to the caustic nature of the clarifier environment, severe oxidation has occurred to the coating system and base metal of the clarifier bridge and decking that was installed in 1990.</p> <p>These estimated funds would allow for sandblasting and painting of the bridge by a contractor along with the replacement of existing galvanized steel plates with fiberglass or stainless steel grating.</p> <p>If staff has time to perform this work the actual costs will be substantially less.</p>	



ITEM #	PROJECT TITLE	FY 11-12 COST	[COST TO COMPLETE]
06 MBI 13	INFLUENT PUMPS GATE AND CHECK VALVES	\$ 281,130	[\$281,130]
		<p>As a result of the San Simeon Earthquake, a sinkhole developed above the 33-inch corrugated steel influent line directly to the south of the pumping plant. It was discovered through video inspection that significant infiltration exists in a 50-foot section of the line extending from the pumping plant to the upstream manhole.</p> <p>The project was broken into 3 phases:</p> <ul style="list-style-type: none"> • Phase I, installation of 2 manholes onsite to ease the logistics of bypassing the headworks – STATUS: Complete • Phase II, coating of primary No. 1 section of splitter box, removal of the slide gates and installation of plug valves – STATUS: Complete <p>Phase II ran into a lot of unanticipated work due to the discovery of a severely oxidized primary clarifier bypass pipe that required replacement.</p> <ul style="list-style-type: none"> • Phase III, slip line approximately 55 ft of AG feeder from the influent plant to the first upstream manhole, replace the influent slide gate and replace all gate and check valves on the four (4) influent pumps <p>Phase III has begun in FY2009-10 with the purchase of the influent valves. Operations staff requested the addition of coating the influent pump wet well (not inspected since 1965), which will add significant cost to the project. Other additions will include replacing the Parshall flume which measures plant flow.</p>	

ITEM #	PROJECT TITLE	FY 11-12 COST	[COST TO COMPLETE]
07 MBI 14	LONG RANGE PLANT EXPANSION	\$ 243,690	[\$ 8,493,690]
		<p>Kennedy/Jenks (KJ) developed a long-range planning report in 2005 that addressed the plant capacity and redundancy concerns, as well as provided conceptual solutions. The result of the report was to recommend that secondary treatment facility improvements, including aeration tanks and a redundant secondary clarifier, be constructed.</p>	
		<p>A Pre-Design Report was written in 2008 in order to gain a better understanding of the estimated construction costs and the feasibility of a phased project.</p>	
		<p>The Report confirmed the size and location of equipment and pipework connections. Two aeration tanks with 295,000 gallon capacity each, and an 87 ft diameter secondary clarifier are planned to be added to the treatment process. In addition the report recommended that both pieces of equipment be constructed at one time.</p>	
<p>Staff hired Corollo Engineers to provide a peer review of the KJ report with a specific eye toward the cost estimate. KJ made their estimate at the height of the construction boom, while Corollo was aware of the economic difficulties in the construction industry. Regardless, project estimates have been revised downward from in excess of \$12 million to a more palatable \$7.5 million.</p>		<p>This project is in the process of applying for SRF funding and is in the environmental review phase.</p>	
<p>Also as part of the SRF Process, Staff is also working on a rate study to determine if current rates are sufficient to qualify for the loan. Getting information from the member agencies has proved cumbersome as well as sorting through the custom categories. Staff will hire student auditors to walk the District to verify rate classification. All these activities have delayed the rate study significantly.</p>		<p>This FY Budget item includes the design portion of the project. Estimated construction costs are projected in future years</p>	

ITEM #	PROJECT TITLE	FY 11-12 COST	[COST TO COMPLETE]
07 MBI 16	GREASE TO GAS SYSTEM	\$ 108,200	[\$ 108,200]
		<p>Compliance with FOG programs, particularly with regard to disposing of brown grease, requires the availability of inexpensive and convenient means for owners and haulers to comply with the regulations and may reduce illegal dumping.</p> <p>Wastewater Treatment plants can uniquely benefit from kitchen grease. Timed, direct injection of kitchen greases into an anaerobic digester will increase the solids digestion, increase the production of digester gas and increase the energy content of the gas.</p> <p>The tipping fees the grease haulers will pay in addition to the additional power generated will help offset the costs.</p> <p>Based on other District's results, this will increase the benefit of the cogeneration unit.</p>	
08 MBI 04	PAPERWORK ARCHIVE	\$ 6,500	[ANNUAL]
		<p>Funds would allow for the purchase of a large format, high-speed scanner and digital media storage devices to archive 40+ years of deteriorating paperwork currently stored in the FFR basement.</p> <p>Staff will also investigate 3rd party scanning of materials to be archived and choose the most cost effective method considering staff time for scanning vs. hiring an outside service.</p>	



ITEM #	PROJECT TITLE	FY 11-12 COST	[COST TO COMPLETE]
08 MBI 19	CURED IN PLACE PIPE (CIPP) LINING OF SSLOCSD TRUNK SEWER	\$ 296,000	[\$ 1,266,000]
 		<p>Video inspections of the Trunk System have identified numerous locations which are in need of system rehabilitation due to degradation over time.</p> <p>This budget item allows for the installation of CIPP Liner on some high priority areas. The CIPP Liner will allow for a continuous joint-less lining of the collection system and is resistant to corrosion from domestic sewage and is capable of withstanding static, dynamic and hydrostatic loads over a fifty year lifespan. System installation is by means of trenchless technology, allowing for the liner to be inserted into the pipe through existing manholes.</p> <p>Total system rehabilitation is anticipated to occur in stages over multiple fiscal years. Current budget projections are worst case scenarios and will be refined by additional video inspection and analysis this fiscal year.</p> <p>Only \$15,000 was spent from FY2009-10 budget with the balance being rolled over. Staff is planning to line a large percentage of the "critical" sections this fiscal year.</p> <p>The Funding Projections can be seen in the ten year budget projection.</p>	



ITEM #	PROJECT TITLE	FY 11-12 COST	[COST TO COMPLETE]
09 MBI 01	FFR PUMP REFURBISHMENT	\$ 110,000	[\$ 110,000]
 		<p>When the Fixed Film Reactor (FFR) was installed, piping was furnished to accommodate three large circulation pumps, but only two were installed. The pumps are responsible for pumping wastewater water up the center column pipe located in the center of the FFR and into the distribution arms where it is evenly distributed over plastic media.</p> <p>The pumps are variable speed pumps with the speed controlled by variable frequency drives (VFD) and have been in service for approximately 12 years. One VFD was replaced in March 2009. Given the current FFR recirculation parameters, the pumps cannot be taken offline without the plant operating in upset mode.</p> <p>A new pump was purchased last fiscal year (Board Action on May 19, 2010) as well as a new check valve (Board Action on March 02, 2011).</p> <p>Staff is anticipating installing the new pump in an existing slot before the new FY starts.</p> <p>Funds will allow for:</p> <ul style="list-style-type: none"> the overhaul of existing pumps 1 & 2, (impellers, seals, motors); the replacement of the second existing VFD; the installation of a new, third pump, motor & VFD to provide needed maintenance and redundancy 	



ITEM #	PROJECT TITLE	FY 11-12 COST	[COST TO COMPLETE]
09 MBI 04	VEHICLE REPLACEMENT	\$ 18,500	[\$18,500]
		<p>The District's 1997 Ford Ranger currently has 83,000 miles on it and is frequently in need of repair.</p> <p>Funds would provide for a replacement vehicle of similar size. The old vehicle would be declared surplus and sold or traded in to the biggest financial benefit of the District.</p> <p>As part of this project, Staff will prepare a District vehicle plan, outlining the vehicular needs of staff, (errands, collections system, beach sampling, etc). If a small truck is not required, these funds would go toward the required vehicle.</p>	
10 MBI 05	FRONT GATE RECOATING	\$ 12,000	[\$ 12,000]
		<p>The security gate was installed at the entrance to the facility in response to neighborhood kids having unrestricted access to the plant during unmanned hours.</p> <p>The gate's coating system over time has peeled exposing the base metal which has subsequently oxidized.</p> <p>The funds will pay for preparing and coating the gate with a higher strength, longer life system such as powder coating. It will also cover the cost of temporary fencing during the repair.</p> <p>Staff will also look into totally replacing the fence and opt for the least expensive option.</p>	



FUTURE BUDGET ITEMS

FISCAL BUDGET YEAR 2011-12

ITEM #	PROJECT TITLE	FY 11-12 COST	[COST TO COMPLETE]
08 MBI 18	FLOOD GATE UPGRADE PROJECT	\$0	[\$212,340]
		<p>This project is projected to be performed in FY 2012-13.</p> <p>This project would include the upgrade of the flood protection gates at the plant. Facilities will be evaluated to determine critical buildings and areas needed for plant operation.</p> <p>In the event of a flood, it is critical that the plant run at a basic level during a severe flooding event. The new gates will provide protection for these critical systems. New higher flood gates will be installed at these critical facilities. Non-critical systems will be left with the existing flood protection.</p> <p>Staff has prepared bid documents.</p>	
08 MBI 25	LAGOON LINING PROJECT	\$0	[\$154,500]
		<p>This project is projected to be performed in FY 2012-13.</p> <p>During normal plant operations, staff dewater biosolids utilizing a centrifuge and stockpiles the dewatered biosolids in the dirt lagoon, east of the last drying bed. The existing biosolids drying lagoon is unpaved however underlying the site is several feet of red rock that provides a hard compact subsurface. During heavy rains, rain water pools and is absorbed into the stored biosolids, resulting in a higher moisture content.</p> <p>There have not been any specific issues with biosolids leaching into groundwater. Creek testing on an intermittent basis has confirmed that there has been no negative impact on the creek. However, recently during the environmental review by the Coastal Commission (CC) of the new Centrifuge building, the CC inquired about the stockpiling practice, whether the lagoon was lined, the proximity to the creek, etc.</p>	

ITEM #	PROJECT TITLE	FY 11-12 COST	[COST TO COMPLETE]
			<p>To prevent the future possibility of biosolids coming into contact with the groundwater, the lagoon should be lined. Paving the entire lagoon would provide a hard surface upon which to stockpile the biosolids greatly reducing the chance for ground water contamination in the future, as well as provide a method to prevent pooling rainwater from being absorbed by the stored biosolids.</p> <p>Funds would provide for the creation of bid documents and the construction project to pave the lagoon.</p>
10 MBI 08	ENTRANCE ROAD LIGHT RELOCATION	\$ 0	[\$ 15,000]
			<p>This project is projected to be performed in FY 2012-13.</p> <p>The District's entrance lights are in the middle of the abandoned Honolulu Avenue as up until recently, the District held property rights to the middle of the Street.</p> <p>Since recent the transfer of property from the County to the District, this restriction no longer exists.</p> <p>The funds will pay for the project to move the existing light poles nearer to the fence line to avoid inadvertent collisions due to the narrowness of the driveway (one light-pole was knocked down last year).</p>
10 MBI 10	INFLUENT SCREENINGS TRANSPORT SYSTEM	\$ 0	[\$ 100,000]
			<p>This project is projected to be performed in FY 2012-13.</p> <p>As the Auger Monster manufacturer's solution to the screening problem is generating substantially more screenings, the problem of transporting the bag full of screenings up a flight of stairs is becoming a safety risk.</p> <p>Staff is still investigating solutions, but the funds will pay for a solids transport system with or without a washer. This will transport the solids out of the sub-grade head-works and up to a dumpster for simple disposal.</p>

ITEM #	PROJECT TITLE	FY 11-12 COST	[COST TO COMPLETE]
10 MBI 12	ARROYO GRANDE PIPE BRIDGE RECOATING	\$ 0	[\$175,000]
		This project is projected to be performed in FY 2012-13.	
10 MBI 13	FFR PLASTIC MEDIA REPLACEMENT	\$ 0	[\$1,000,000]
		This project is projected to be performed in FY 2014-15.	

ITEM #	PROJECT TITLE	FY 11-12 COST	[COST TO COMPLETE]
10 MBI 14	FFR DISTRIBUTION ARM REPLACEMENT	\$ 0	[\$400,000]
		This project is projected to be performed in FY 2014-15.	
10 MBI 16	UPGRADE CO-GENERATION FROM 150 TO 200 kW GENERATOR	\$ 0	[\$175,000]
		This project is projected to be performed in FY 2013-14.	