

CHAPTER 3

REGULATIONS GOVERNING

THE USE OF WASTEWATER FACILITIES

3.1 PURPOSE AND POLICY

This Chapter sets forth uniform requirements for contributors to the Wastewater collection, treatment and disposal system for the Mt. View Sanitary District (hereafter District) and enables the District to comply with all applicable State and Federal laws required by the Clean Water Act of 1977 and the General Pretreatment Regulations (40 CFR, Part 403), on file at the District Office. The District's treatment plant and disposal facilities were designed to treat and dispose of domestic wastes and the District reserves the right to refuse to accept non-domestic wastes that may be harmful to the treatment and disposal system. The goal of this Chapter is to prevent and control pollution and protect and foster human health and the environment. (Ord. No. 93-69, Sec. 1.1)

3.2 OBJECTIVES OF CHAPTER

3.2.1 To prevent the introduction of pollutants into the District's Wastewater System that may interfere with the operation of the system or contaminate the resulting effluent or sludge. (Ord. No. 93-69, Sec.1.1a) (Ord. No. 2013-111)

3.2.2 To prevent the introduction of pollutants into the District's Wastewater System that will pass through the system, inadequately treated, into receiving waters or the atmosphere or otherwise be incompatible with the Wastewater System or State and Federal regulations. (Ord. No. 93-69, Sec.1.1b) (Ord. No. 2013-111)

3.2.3 To improve the opportunity to recycle and reclaim Wastewaters and sludge from the system; and (Ord. No. 93-69, Sec.1.1c)

3.2.4 To provide for equitable distribution of the cost of the District Wastewater System. (Ord, No. 93-69, Sec.1.1d)

3.2.5 To protect District personnel while conducting activities related to the collection, treatment and disposal of wastes through the District facilities. (Ord. No. 93-69, Sec.1.1e)

3.3 PERMITS FOR NON-DOMESTIC USERS

This Chapter provides for the regulation of direct and indirect contributors to the District Collection System through the enforcement of general requirements and through the

issuance of Wastewater Contribution Permits to Non-Domestic Users as set forth in Chapter 5. This Chapter 3 authorizes monitoring and enforcement activities, requires User reporting, and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein. (Ord. No. 93-69, Sec.1.1)(Ord. No. 2010-103)

3.4 ADMINISTRATION OF PERMITS

This Chapter shall apply to the Mt. View Sanitary District and to persons outside the District who are, by contract or agreement with the District, Users of the District's Treatment Plant. Except as otherwise provided herein, the General Manager shall administer, implement, and enforce the provisions of this Chapter. (Ord. No. 93-69, Sec.1.1)

3.5 PERMISSIBLE DISCHARGES

Wastewater may be discharged into public sewers for collection, treatment and disposal by the District provided that such Wastewater discharge is in compliance with this Chapter and the conditions of any non-domestic Wastewater permit and/or permit contract; and further provided that the User pays all applicable District sewer fees and charges including any penalties or charges assessed under this Chapter and as provided for by Chapter 7. (Ord. No. 93-69, Sec.2.1)

3.6 GENERAL DISCHARGE PROHIBITIONS

No User shall contribute or cause to be contributed any pollutant or Wastewater which will interfere with the operation or performance of the District's facilities. These general prohibitions apply to all such Users of the District's facilities whether or not the User is subject to National Categorical Pretreatment Standards or any other National, State or local Pretreatment Standards or Requirements. (Ord. No. 93-69, Sec. 2.2)

3.7 SPECIFIC DISCHARGE PROHIBITIONS

A user may not contribute the following substances to any of the District's facilities:

3.7.1 Any liquids, solids or gases which by reason of their nature or quantity are, or may be, sufficient either alone or by interaction with other substances to cause fire or explosion or be injurious in any other way to the District's facilities or to the operation of the District's facilities. At no time shall two (2) successive readings on an explosion hazard meter, at the point of discharge into the system (or at any point in the system) be more than five percent (5%) nor any single reading over ten percent (10%) of the Lower Explosive Limit (LEL) of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides and sulfides and any other substances

which the District, the State or EPA has determined is a fire hazard or a hazard to the system. (Ord. No. 93-69, Sec. 2.2a) (Ord. No. 2013-111)

3.7.2 Solid or viscous substances, such as from garbage grinders, which may cause obstruction to the flow in a sewer or other interference with the operation of the Wastewater treatment facilities such as, but not limited to: grease, garbage with particles greater than one-half inch (1/2") in any dimension, animal guts or tissues, paunch manure, bones, hair, hides or fleshings, entrails, whole blood, feathers, ashes, cinders, cement, potting clay and, spent lime, stone, ceramic or marble dust, metal, glass, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastics, gas, tar, asphalt residues, residues from refining, or processing of fuel or lubricating oil, mud, or glass grinding or polishing wastes. (Ord. No. 93-69, Sec. 2.2b) (Ord. No. 2013-111)

3.7.3 Any Wastewater corrosive property capable of causing damage or hazard to structures, equipment, and/or personnel of the District. (Ord. No. 93-69, Sec. 2.2c)

3.7.4 Any Wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to injure or interfere with any Wastewater treatment process, constitute a hazard to humans or animals, create a toxic effect in the receiving waters of the treatment plant, or to exceed the limitation set forth in a Categorical Pretreatment Standard. A toxic pollutant shall include, but not be limited to, any pollutant identified pursuant to Section 307(a) of the Act. A list of toxic pollutants is on file at the District Office. (Ord. No. 93-69, Sec. 2.2d)

3.7.5 Any noxious or malodorous liquids, gases, or solids which either singly or by interaction with other wastes are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into the sewers for maintenance and repair. Levels shall not exceed fume toxicity screening levels established by NIOSH chemical data base (<http://www.cdc.gov/niosh/npg>) (Ord. No. 93-69, Sec. 2.2e, rev. Ord. No. 2010-103)

3.7.6 Any substance which may cause the treatment plant's effluent or any other product of the treatment plant, such as residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process. In no case, shall a substance discharged to the District's facilities cause the District to be in non-compliance with sludge use or disposal criteria, guidelines or regulations developed under Section 405 of the Act; any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substances Control Act, or State criteria applicable to the sludge management method being used. (Ord. No. 93-69, Sec. 2.2f)

3.7.7 Any substance which will cause the treatment plant to violate its NPDES and/or State Disposal System Permit or the receiving water quality standards. (Ord. No. 93-69, Sec. 2.2g)

3.7.8 Any Wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions. (Ord. No. 93-69, Sec. 2.2h)

3.7.9 Any Wastewater having a temperature which will inhibit biological activity in the treatment plant resulting in Interference, but in no case Wastewater with a temperature at the introduction into the District's facilities which exceeds 40°C (104°F). (Ord. No. 93-69, Sec. 2.2i)

3.7.10 Any pollutants, including oxygen demanding pollutants (BOD, etc.) released at a flow rate and/or pollutant concentration which a User knows or has reason to know will cause Interference to the treatment plant. In no case shall a slug load have a flow rate or contain concentration or qualities of pollutants that exceed for any time period longer than fifteen (15) minutes more than five (5) times the average twenty-four (24) hour concentration, quantities, or flow during normal operation. (Ord. No. 93-69, Sec. 2.2j)

3.7.11 Any Wastewater containing any radioactive wastes or isotopes which does not comply with the provisions of 10 CFR20, 2003. (Ord. No. 93-69, Sec. 2.2k) (Ord. No. 2013-111)

3.7.12 Any Wastewater which causes a hazard to human life or creates a public nuisance. (Ord. No. 93-69, Sec. 2.2l)

3.7.13 Any storm water, ground water, rain water, street drainage, subsurface drainage, yard drainage, swimming pool, spa or fountain diatomaceous earth filter backwash, unless a specific permit is issued by the District. The District may approve such discharge only when no reasonable alternative is available or such water is determined to constitute a pollution hazard. If approval is granted for the discharge of such water into the sewer system, the User shall pay any applicable charges and fees and meet such other conditions that may be required by the District. (Ord. No. 93-69, Sec. 2.2m)

3.7.14 Any unpolluted water, including but not limited to, cooling water, process water of blow-down from cooling towers or evaporative coolers or any other unpolluted water without written approval of the District. The District may approve the discharge of such water only when no reasonable alternative method of disposal is available or such alternative is unacceptable. (Ord. No. 93-69, Sec. 2.2n)

Unpolluted water is water within the following limits of quality:

pH	6.5 minimum, 8.5 maximum
Dissolved Solids	1,000 milligrams per liter, max.
Biochemical Oxygen Demand	5 milligrams per liter, max.
Suspended Solids	5 milligrams per liter, max.
Settleable Solids	0.1 milliliters per liter, per hr. max.
Grease or oil	None
Color or odor	None
Toxic Concentration of substances	None

(Ord. No. 93-69, Sec. 2.2)(Ord. No. 2011-111)

3.7.15 Any septic tank sludge unless a permit is issued by the District. Only septic tank sludge generated within the District's service boundary will be accepted. (Ord. No. 93-69, Sec. 2.2o)

3.7.16 Any holding tank waste unless a permit is issued by the District. A User proposing to discharge holding tank waste into a District sewer must secure a Waste Hauler Permit. Unless allowed by the District under the terms and conditions of the permit, a separate permit must be secured for each separate discharge. This permit will state the specific location of discharge, the time of day the discharge is to occur, the volume of the discharge and the Wastewater constituents and characteristics. If a permit is granted for discharge of such water into a community sewer, the User shall pay the applicable User charges and fees and shall meet such other conditions as required by the District. (Ord. No. 93-69, Sec. 2.2p)

3.7.17 No person shall discharge, dispose of or add to the Wastewater System any substance containing greater than five percent copper by weight, to control roots or for any other purpose. (Ord. No. 93-69, Sec. 2.2q) (Ord. No. 2013-111)

3.8 PROHIBITED DISCHARGE LOCATIONS

No User shall discharge any Wastewater directly into a manhole or other opening in the District's Wastewater System other than through sewer laterals or other sewer connection approved by the General Manager, unless a permit has been obtained for such discharge. A permit will only be issued for such direct discharge in the event the discharge is otherwise in compliance with provisions of this Chapter and no other alternative is reasonably available in the opinion of the General Manager. (Ord. No. 93-69, Sec. 2.3)

3.8.1 When the General Manager determines that a User(s) is contributing to the District's facilities, any of the above enumerated substances in such amounts as to Interfere with the operation of the District's facilities, the General Manager shall: 1) Advise the User(s) of the impact of the contribution on the District's facilities; and 2) Prohibit the contribution or develop effluent limitation(s) for such User to correct the Interference with the District's facilities as he deems appropriate. (Ord. No. 93-69, Sec. 2.3)

3.9 FEDERAL CATEGORICAL PRETREATMENT STANDARDS

Upon the promulgation of Federal Categorical Pretreatment Standards for a particular industrial subcategory, the Federal Standard, if more stringent than limitations imposed under this Chapter for sources in that subcategory, shall immediately supersede the limitations imposed under this Chapter. (Ord. No. 93-69, Sec.2.4)

3.10 SPECIFIC POLLUTANT LIMITATIONS

No person shall discharge or cause to be discharged to the sewer system, any of the following:

3.10.1 Any liquid or vapor having a temperature higher than 60°C (140°F). (Ord. No. 93-69, Sec.2.5a)

3.10.2 Any Wastewater which contains more than 200 mg/l of fat, oil, or grease that is petroleum ether soluble. (Ord. No. 93-69, Sec.2.5b)

3.10.3 Any Wastewater with a pH lower than 6.5 or greater than 8.5. (Ord. No. 93-69, Sec.2.5c, rev. Ord. No. 2010-103) (Ord. No. 2013-111)

3.10.4 Any Wastewater having a BOD or TSS greater than 400 mg/l, unless a special agreement is entered into with the District providing payment for additional processing and plant capacity costs. However, in no event shall any Wastewater having a BOD greater than 1,000 mg/l or TSS greater than 1,200 mg/l be discharged to the sewer system. (Ord. No. 93-69, Sec.2.5d)

3.10.5 Any Wastewater containing the pollutants listed below in excess of the concentrations listed.

<u>Pollutant</u>	<u>Maximum Concentration (mg/l)</u>
Ammonia	100.0
Arsenic	0.15
Cadmium	0.11
Chromium (total)	1.0
Copper	(see 3.10.5.1)
Lead	0.02
Mercury	0.005
Nickel	1.0
Selenium	1.0
Silver	0.10
Zinc	0.4
Cyanide	0.5
Phenols	5.0

3.10.5.1 The average daily copper concentration shall not be greater than the average concentration in potable water as reported by the Contra Costa Water District or the City of Martinez Water Department as applicable. (Ord. No. 2013-111)

3.10.5.2 The maximum allowable concentration of other toxic or potentially toxic materials not listed herein and/or the upward or downward adjustment of the above-noted maximum allowable concentrations may be determined on a case by case basis and will be included in the Wastewater Contribution Permit to be issued. (Ord. No. 93-69, Sec.2.5e)

3.10.6 Wastewater with objectionable color not removed in the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, unless such discharge displays less than sixty (60) percent of the light transmissibility of distilled water under the following conditions:

- a) After filtration through a 0.45 micron membrane filter;
- b) In the pH range of 6.5 to 8.5; (Ord. No. 2013-111)
- c) A maximum spectrum band width of ten (10) millimicrons.
- d) Through the wave length range from 400 to 800 millimicrons
(Ord. No. 93-69, Sec.2.5f)

3.10.7 Any sulfide forming pollutants or wastes which, when discharged to the sewer system, generate sulfide concentrations in excess of 1.0 mg/l. (Ord. No. 93-69, Sec.2.5g)

3.11 STATE REQUIREMENTS

State requirements and limitations on discharges shall apply in any case where they are more stringent than Federal requirements and limitations or those in this Chapter. (Ord. No. 93-69, Sec. 2.6)

3.12 DISTRICT'S RIGHT OF REVISION

3.12.1 The District reserves the right to establish by General Regulation or Ordinance more stringent limitation or requirements on discharges to the Wastewater System if deemed necessary to comply with the objectives presented in Section 3.1 of this Chapter. The District also reserves the right to establish more stringent requirements to be set forth in the Wastewater Contribution Permit for Significant Non-Domestic Users as defined in Chapter 5, Permits. (Ord. No. 93-69, Sec. 2.7)

3.12.2 No revision of limitations or requirements hereunder shall subject the District to civil liability or penalty for interference with a vested right of any User. (Ord. No. 93-69, Sec. 2.7)

3.13 EXCESSIVE DISCHARGE

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 Federal Categorical Pretreatment Standards, or in any other pollutant-specific limitation developed by the District or State. (Ord. No. 93-69, Sec. 2.8)

3.14 ACCIDENTAL DISCHARGES

3.14.1 General.

Each Industrial or Non-domestic User shall provide protection from accidental discharge of prohibited materials or other substances regulated by this Chapter. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the Owner or User's own cost and expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the District for review, and shall be approved by the District before construction of the facility. All existing Users shall complete such a plan by 90 days from the date of this ordinance. No Industrial or Non-Domestic User who commences contribution to the District's facilities after the effective date of this District Code shall be permitted to introduce pollutants into the system until accidental discharge procedures have been approved by the District. Review and approval of such plans and operating procedures shall not relieve the User from the responsibility to modify the User's facility as necessary to meet the requirements of this General Regulation. In the case of an accidental discharge, it is the responsibility of the User to immediately telephone and notify the District of the incident. The notification shall include location of discharge, type of waste, concentration and volume, and corrective actions. (Ord. No. 93-69, Sec. 2.9)

3.14.2 Written Notice.

Within five (5) days following an accidental discharge, the User shall submit to the General Manager a detailed written report describing the cause of the discharge and the measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability which may be incurred as a result of damage to the District's facilities, fish kills, or any other damage to person or property; nor shall such notification relieve the User of any fines, civil penalties, or other liability which may be imposed by this article or other applicable law. (Ord. No. 93-69, Sec. 2.9a)

3.14.3 Notice to Employees.

A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees whom to call in the event of a dangerous discharge. Employers shall insure that all employees who may cause or suffer such a dangerous discharge to occur are advised of the emergency notification procedure. (Ord. No. 93-69, Sec. 2.9b)

3.14.4 Requirement for Non-Domestic Discharger to Provide Notices to Employees Regarding Unauthorized Discharges.

The District may require any Non-Domestic Discharger to prominently post a notice on the Discharger's premises advising employees of the requirement to notify the District of any unauthorized discharge, including the telephone number of the District to be called in the event of such discharge. The District may require any Discharger to inform and advise the Discharger's officers, agents and employees of the provisions of this Code, or the provisions of any Permit issued pursuant to this Code, or of other requirements of law, or any other information which may be of assistance in ensuring compliance with the Code, Permit or other requirements of law. (Ord. No. 2010-103)

3.14.5 Corrections of Violations. Notification of Unauthorized Discharges.

Every Person using the District's Sewer System shall notify the District immediately upon discharging wastes or Wastewater in violation of the provisions of this Code or of any Permit issued pursuant to this Code. A Person, who discharges, causes to be discharged, or Permits to be discharged such wastes or Wastewater shall, within fifteen (15) days of the occurrence, submit a written report to the District describing the cause or causes of the unauthorized discharge and the measures taken, or proposed to be taken, to prevent further similar occurrences. The report shall not relieve any Person of liability for any expense, loss, or damage suffered or incurred by the District, directly or indirectly, by reason of such unauthorized discharge. The report shall not relieve or absolve any Person from civil liabilities or imposition of civil or criminal penalties. (Ord. No. 2010-103)

3.15 HAZARDOUS WASTE DISCHARGES

All Non-Domestic Users shall notify the District, the EPA Regional Waste Management Division Director, and State hazardous waste authorities in writing, of any discharge to the District's facilities of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261 or as otherwise defined by State statute or regulation. (Ord. No. 93-69, Sec. 2.10)

3.15.1 Such notification must include the name of the hazardous waste, the EPA hazardous waste number, and the type of the discharge (continuous, batch, or other). If the Non-Domestic User discharges such waste to the District's facilities, the notification shall also contain the following information, if known: (1) an identification of the hazardous waste constituents contained in the waste; (2) an estimation of the mass and concentration of such constituents in the waste stream

discharged during that calendar month; and (3) an estimation of the mass constituents in the waste stream expected to be discharged during the following twelve (12) months. (Ord. No. 93-69, Sec. 2.10) (Ord. No. 2013-111)

3.16 GREASE REMOVAL DEVICES AND SAND-OIL INTERCEPTORS

3.16.1 General.

Any type of business or establishment where grease or other objectionable materials may be discharged in unusual quantities into a public sewer system shall have a grease removal device or oil and sand interceptor of a size and design to be approved by the General Manager. Grease removal devices shall conform to District Standard Specifications and shall be required at restaurants and other commercial and /or Non-Domestic commercial food handling establishments. Grease Removal Devices shall be Grease Interceptors, Grease Traps or Automated Grease Traps as set forth in the District Standard Specifications. Oil and sand interceptors will be required at gas stations and auto repair establishments with floor drains located in service areas, auto or vehicle washing facilities, etc. (Ord. No. 93-69, Sec. 2.11)

3.16.2 Sand-Oil Interceptors.

Sand-Oil Interceptors shall conform to the District Standard Specifications and shall be situated on the User's premises and shall be so located as to be readily and easily accessible for cleaning and inspection. Buildings remodeled for use requiring interceptors shall be subject to these regulations. (Ord. No. 93-69, Sec. 2.11)

3.16.3 Waste discharges from fixtures and equipment in the above-mentioned types of establishments which may contain grease, oil, sand or other objectionable materials, including, but not limited to scullery sinks, pot and pan sinks, dishwashers, food waste disposals, soup kettles, and floor drains located in areas where such objectionable materials may exist, may be drained into the sanitary waste through grease traps and oil and sand interceptors where approved by the General Manager; provided, however, that toilets, urinals, washbasins and other fixtures containing fecal materials shall not flow through the grease trap or interceptor. (Ord. No. 93-69, Sec. 2.11)

3.16.4 New Facilities.

The owner of any newly constructed commercial, institutional or industrial facility which remodeling is permitted with one or more Grease-generating activities, including Food Handling Establishments, shall install, or cause to be installed, a Grease Removal Device for each Grease generating activity. The Device shall conform to the requirements of the District Standard Specifications and shall be of a size equal to or greater than the minimum size set forth in the applicable edition of the Uniform Plumbing Code adopted by the International Association of Plumbing and Mechanical Officials and the current California Plumbing Code to

which the owner is subject (Refer to Section 4.3.2). Grease Interceptors shall have a sampling access point located downstream of the Grease Interceptor. Grease Interceptors shall have a minimum pumping frequency of three months, or more frequently if necessary to ensure that grease does not enter sewers. (Ord. No. 2010-103)

3.16.5 Grease Blockage.

Any owner of a commercial, institutional or industrial generator of Grease, including food service facilities, served by a District Main Sewer found to have a Grease blockage, a history of Grease blockage or accelerated line maintenance resulting from Grease disposal shall install, or cause to be installed, upon notification by the District, a Grease Removal Device which meets the specifications contained in this Chapter and shall pay District's costs associated with same. (Ord. No. 2010-103)

3.16.6 Remodeled Facilities.

The owner of any commercial, institutional or industrial generator of Grease, including Food Handling Facilities, that performs a remodel, alteration and/or repairs, shall install or cause to be installed a Grease Removal Device pursuant to the requirements set forth in Section 3.16.4. (Ord. No. 2010-103)

3.16.7 Service and Record Keeping Requirements.

All Grease Removal Devices shall be installed on the premises where Grease is used or generated. The contents of all Grease Removal Devices shall be removed periodically as necessary to prevent violations of this Ordinance. At a minimum, the contents shall be removed every three (3) months. All Grease Removal Devices shall be kept in good repair, and shall be maintained in continuous operation. A log of all Grease removal activities shall be maintained at the facility showing the date of removal, the volume removed, name of the waste hauler and the disposition of the removed contents. The log shall be retained for a period of three (3) years, and shall be available for inspection by the District. (Ord. No. 2010-103) (Ord. No. 2013-111)

3.16.8 Compliance with Non-Domestic Wastewater Contribution Permits and Requirements.

Any Discharger that is issued a Wastewater Contribution Permit by the District shall comply with the terms and conditions specified in that Permit, including all items in District's standard terms and conditions attached to the Permit. (Ord. No. 2010-103)

3.16.9 Maintenance Required.

Grease traps and Sand-Oil Interceptors shall be maintained by the User in efficient operating condition by periodic removal of the accumulated grease, oil or sand. The use of chemicals to dissolve grease or oil is specifically prohibited. No such

accumulated grease, oil or sand shall be introduced into any drainage piping or public or private sewer. (Ord. No. 93-69, Sec. 2.11)

3.16.10 Abandoned Sand-Oil Interceptors shall be emptied and filled as required for abandoned septic tanks in the California Plumbing Code. (Ord. No. 93-69, Sec. 2.11)

3.17 ACCEPTANCE OF WASTEWATER FROM CLEANUP PROJECTS

Wastewater generated from the cleanup of spills, leaking underground storage tanks, contaminated soil or groundwater, monitoring wells or other similar sources shall not be discharged through direct or indirect connection to the District's sewer system unless a temporary Wastewater Contribution Permit is issued by the District. The District may approve the discharge of such Wastewater and issue such a permit only when, in its judgment, no reasonable alternative method of disposal is available. (Ord. No. 93-69, Sec. 2.12)

3.17.1 Whenever the discharge of such Wastewater is proposed, the applicant shall submit an analysis of the nature of the proposed discharge and alternative methods of disposal available, together with justification indicating that there is no reasonable alternative to discharge to the sewer system. Such analysis shall deal with environmental and liability factors, as well as financial impacts. (Ord. No. 93-69, Sec. 2.12)

3.17.2 When deemed necessary by the General Manager, the District may require that a comprehensive study and report on the proposed discharge be prepared by an engineering consultant hired by the District, at the applicant's expense. The study shall include the following:

3.17.2.1 An analysis of the nature of the proposed discharge.

3.17.2.2 An analysis of the alternative methods of disposal available to the applicant.

3.17.2.3 An analysis of the impact of the discharge on the District's collection, treatment and disposal facilities.

3.17.2.4 An analysis of the impact of the discharge on the District's ability to continue to meet its NPDES permit conditions.

3.17.2.5 Recommendations on appropriate limits for various constituents in the proposed discharge.

3.17.2.6 Recommendations on pretreatment requirements, if necessary.

3.17.2.7 Recommendations on an appropriate monitoring program.

3.17.2.8 Recommendations on appropriate permit fees and charges.

3.17.2.9 Any other relevant matters considered necessary to be included by the Manager.

3.17.2.10 The applicant's analysis of alternative methods of disposal, the above described recommendations, shall be submitted to the Board of Directors for a decision on whether or not a temporary discharge permit will be issued. (Ord. No. 93-69, Sec. 2.12)

3.17.2.11 If a temporary Wastewater Contribution Permit is granted for the discharge of such Wastewater, the User shall pay such fees and charges and meet such special conditions and requirements as determined by the District to specifically apply for that particular discharge. Such temporary discharge permit shall be considered a Wastewater Contribution Permit. Discharging Wastewater requiring pretreatment before the permit is in place may be cause for penalty and fine. (Ord. No. 93-69, Sec. 2.12) (Ord. No. 2013-111)

3.18 SWIMMING POOLS, SPAS, AND FOUNTAINS

3.18.1 It shall be unlawful for any person to discharge the contents of a swimming pool, spa or a fountain into a sanitary sewer except in the manner specified herein. The size of pipe carrying discharge water shall not be larger than two inches and shall not be under a head to exceed twenty (20) feet. If the water is discharged by pumping, the rate of flow shall not exceed twenty (20) gallons per minute. Each swimming pool or spa discharging to a sanitary sewer shall be equipped with an approved separator to capture filtering agents and an approved air gap to preclude any possibility of a backflow of sewage into the swimming pool or spa piping system. A permit shall be required pursuant to Chapter 5 of this Code. Pretreatment /testing for copper may be required prior to discharge at the discretion of the District. (Ord. No. 93-69, Sec.2.13) (Ord. No. 2013-111)

3.18.2 Unless the District issues a Permit for that purpose pursuant to Chapter 5 of this Code, Unpolluted Water shall not be discharged through direct or indirect connections to the District's Wastewater Facilities. The District may approve the discharge of such water only when the District determines that no reasonable alternative method of disposal is available. If a Permit is granted for the discharge of such water into a District Sewer, the Discharger shall pay the applicable charges and fees and shall meet such other conditions as required by the District. (Ord. No. 2010-103)

3.19 CAR, TRUCK, RECREATIONAL VEHICLE, AND BUS WASHES

The General Manager may require the applicant for a Wastewater Contribution Permit, which includes a car, truck, recreational vehicle, or bus wash rack, to provide facilities for reclamation and reuse of all or a portion of the water used in the wash process and the submittal of plans and specifications for the installation of such reclamation and reuse facilities acceptable to the Manager. (Ord. No. 93-69, Sec. 2.14)

3.20 STORMWATER AND UNPOLLUTED DRAINAGE

3.20.1 Storm water and all other unpolluted drainage shall be discharged to such drains as are specifically designated as storm drains, or to a natural drainage outlet. No leaders from roofs or surface drains for rainwater shall be connected to any sanitary sewer. No surface or subsurface drainage, rainwater, storm water, seepage, cooling water or unpolluted industrial process waters shall be permitted to enter the Wastewater System by any device or method whatsoever except that “Graywater” as defined in Section 17922.12 of the Health and Safety Code may be discharged as provided under the City or County Building Codes. (Ord. No. 93-69, Sec. 2.15) (Ord. No. 2010-103) (Ord. No. 2013-111)

3.20.2 Wastewater, Domestic or Industrial Waste.

Pursuant to the Clean Water Act Amendments all Wastewater shall be discharged to the sewer system and it is unlawful to discharge any Wastewater, other domestic waste, or industrial waste into storm drains, or other water courses whether natural or artificial and whether surface or subsurface or to the San Francisco Bay or other natural or artificial water courses. Unlawful discharges shall include, but are not limited to, discharges from toilets, sinks, industrial process, cooling systems, boilers, fabric cleaning, equipment cleaning, vehicle cleaning, construction activities, including, but not limited to, painting, paving, concrete placement, saw cutting and grading, swimming pools, spas and foundations unless specifically permitted by a discharge Permit by an appropriate agency. (Ord. No. 2010-103) (Ord. No. 2013-111)

3.20.3 Hazardous Materials.

It shall be unlawful to cause Hazardous Materials, domestic waste or Industrial Waste to be deposited in such a manner or location as to constitute a threatened discharge into Storm Drains or other water courses whether natural or artificial and whether surface or subsurface or to the San Francisco Bay. A “Threatened Discharge” is a condition creating a substantial probability of harm when the probability and potential extent of harm make it reasonably necessary to take immediate action to prevent, reduce or mitigate damages to Persons, property or natural resources. Domestic or Industrial Wastes that are no longer contained in a pipe, tank or other containers are considered to be threatened discharges unless they are actively undergoing cleanup. (Ord. No. 2010-103)

3.20.4 Conflict.

In the case of a conflict between the provisions of this Section and other provisions of this Code, this section will apply. (Ord. No. 2010-103)

3.20.5 Permit for connection of Drains.

A Permit authorizing the connection of any drain to the Sewer System shall be obtained as provided in Chapter 5 of this Code, prior to making the connection. (Ord. No. 2010-103)

3.20.6 Interior (Indoor) Floor Drains.

Interior (indoor) floor drains connected to the Sewer System may not be placed in areas where Hazardous Materials, hazardous wastes, Industrial Wastes, industrial process water, lubrication fluids, vehicle fluids or Wastewater from cleaning vehicles or equipment are used or stored, unless secondary containment is provided for all such materials and equipment. (Ord. No. 2010-103)

3.20.7 Exterior (Outdoor) Drains.

Exterior (outdoor) drains may be connected to the Sewer System only if the areas in which the drains are located are covered or protected from rainwater run-off by berms and/or grading, and appropriate Wastewater pre-treatment approved by the District is provided. Any loading dock area with a Sanitary Sewer drain must be equipped with a valve which is closed and is kept closed during periods of non-operation when the dock is not being used. (Ord. No. 2010-103)

3.21 AMALGAM SEPARATORS AND BEST MANAGEMENT PRACTICES FOR DENTAL OFFICES

All dental offices located within the District shall install, operate and maintain amalgam separators and shall implement and conform to mandatory Best Management Practices (BMPs). Requirements for amalgam separators and BMPs shall be as prescribed by the District Engineer. (Ord. No. 2010-101, Sec. 2.16)

3.22 FEES

It is the purpose of this chapter to provide for the recovery of costs from Users of the District's Wastewater disposal system for the implementation of the program established herein. The method of determination of and amounts of the applicable charges or fees are set forth in Chapter 7 of this Code. (Ord. No. 93-69, Sec.3.1)(Ord. No. 2010-103)

3.23 ADMINISTRATION

3.23.1 Permit Required for Wastewater Discharge.

It shall be unlawful to discharge without a District permit to any District facility any Wastewater except as authorized by the General Manager in accordance with the provisions of this Chapter. The District reserves the right to refuse to issue a permit for the discharge of non-domestic wastes which may be or could threaten to be

harmful to the District's Wastewater treatment and disposal facilities. (Ord. No. 93-69, Sec. 4.1)

3.23.2 Responsibility to Comply.

It shall be the responsibility of the User and/or discharger to comply with all of the provisions of this Chapter and the requirements of any permit issued pursuant hereto. The omission to act by the District and/or the failure of the District to take cognizance of the nature of the operation of the User and/or the properties of the User's Wastewater, shall not relieve the User of responsibility to comply with the conditions of this Chapter and any permit issued pursuant hereto, including, but not limited to, such requirements regarding permitting, the 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 this Chapter 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. (Ord. No. 93-69, Sec. 4.1)

3.23.3 Wastewater Contribution Permit Required.

Before connecting to or contributing to the District's facilities, all Non-Domestic Users proposing to connect to or to contribute to the District's facilities shall submit an application for a Wastewater Contribution Permit as set forth in Chapter 5. (Ord. No. 2010-103)

3.24 MONITORING FACILITIES

3.24.1 Requirements.

The District may require to be provided and operated at the User's own expense, monitoring facilities to allow inspection, sampling, and flow measurement of the building sewer and/or internal drainage systems. The monitoring facility should normally be situated on the User's premises, but the District may, when such a location would be impractical or cause undue hardship on the User, allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles. (Ord. No. 93-69, Sec. 4.5)

3.24.2 Adequate Room and Maintenance.

There shall be ample room in or near such sampling manhole or facility to allow accurate sampling and preparation of samples for analysis. The facility, sampling, and measuring equipment shall be maintained at all times in a safe and proper operation condition at the expense of the User. (Ord. No. 93-69, Sec. 4.5)

3.24.3 Construction Standards and Specifications.

Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the District's requirements and all applicable local construction standards and specifications. Construction shall be

completed within ninety (90) days following written notification by the District. (Ord. No. 93-69, Sec. 4.5)

3.25 INSPECTION AND SAMPLING

3.25.1 District to Inspect.

The District shall inspect the facilities of any User to ascertain whether the purpose of this General Regulation is being met and all requirements are being complied with. Persons or occupants of premises where Wastewater is created or discharged shall allow the District or their representative ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, records' examination or in the performance of any of their duties. (Ord. No. 93-69, Sec. 4.6)

3.25.2 Access to Water Board and EPA.

The Regional Water Quality Control Board and EPA shall have the right to set up on the User's property such devices as are necessary to conduct sampling inspection, compliance monitoring and/or metering operations. Where a User has security measures in force which would require proper identification and clearance before entry into their premises, the User shall make necessary arrangements with their security guards so that, upon presentation of suitable identification, personnel from the District, Regional Water Quality Control Board and EPA will be permitted to enter, without delay, for the purposes of performing their specific responsibilities. (Ord. No. 93-69, Sec. 4.6)

3.26 PRETREATMENT

3.26.1 Pretreatment Required.

Users shall provide necessary Wastewater treatment as required to comply with this General Regulation and shall achieve compliance with all Federal Categorical Pretreatment Standards within the time limitations as specified by the Federal Pretreatment Regulations. Any facilities required to pretreat Wastewater to a level acceptable to the District shall be provided, operated, and maintained at the User's expense. (Ord. No. 93-69, Sec. 4.7)

3.26.2 Detailed Plans and Operating Procedures.

Detailed plans showing the pretreatment facilities and operating procedures shall be submitted to the District for review and shall be acceptable to the District before construction of the facility. The review of such plans and operating procedures will in no way relieve the User from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the District under the provisions of this Chapter. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the District prior to the User's initiation of the changes. (Ord. No. 93-69, Sec. 4.7)

3.27 PUBLIC NOTIFICATION OF VIOLATIONS

3.27.1 District may Publish.

The District may determine it is in its best interest to publish in a local newspaper a notice identifying User(s) who were not in compliance with any Pretreatment Requirements or Standards during the preceding twelve (12) months. The notification shall also summarize any enforcement actions taken. (Ord. No. 93-69, Sec. 4.8) (Ord. No. 2018-121)

3.27.2 Records to be Made Available.

All records relating to compliance with Pretreatment Standards shall be made available to officials of the California or United States EPA and other appropriate governmental agencies when legally required. (Ord. No. 93-69, Sec. 4.8, rev. Ord. No. 2010-103) (Ord. No. 2018-121)

3.28 CONFIDENTIAL INFORMATION

3.28.1 Inspection Information to be Public Unless Otherwise Requested.

Information and data on a User obtained from reports, questionnaires, permit applications, permits and monitoring programs and from inspections shall be available to the public or other governmental agency without restriction unless the User specifically requests and is able to demonstrate to the satisfaction of the District that the release of such information would divulge information, processes or methods of production entitled to protection as trade secrets of the User. (Ord. No. 93-69, Sec. 4.9)

3.28.2 Trade Secrets.

When requested by the person furnishing a report, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public but shall be made available upon written request to governmental agencies for uses related to this General Regulation, the National Pollutant Discharge Elimination System (NPDES) Permit, State Disposal System Permit and/or the Pretreatment Programs; provided, however, that such portions of a report shall be available for use by the State or any state agency in judicial review or enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics will not be recognized as confidential information. (Ord. No. 93-69, Sec. 4.9)

3.28.3 Information accepted by the District as confidential shall not be transmitted to any governmental agency or to the general public by the District until and unless a ten (10) day notification is given to the User. (Ord. No. 93-69, Sec. 4.9)

3.28.4 The District shall not be legally responsible for the dissemination of confidential information governed by this section.

3.29 ENFORCEMENT

3.29.1 Enforcement Mechanisms.

Enforcement mechanisms available to the district for violations of the provisions of this Chapter are set forth in Chapter 10 of this Code. (Ord. No. 93-69, Sec. 5.1)