

ORDINANCE NO. 323

AN ORDINANCE OF THE CENTRAL CONTRA COSTA SANITARY DISTRICT
REVISING DISTRICT CODE CHAPTERS
10.04, 10.08, 10.12, 10.16, 10.24, 10.28, and 10.32

WHEREAS, the Central Contra Costa Sanitary District (Central San) has determined that there is a need to update certain provisions within Chapter 10 of the District Code; and

WHEREAS, a public hearing was noticed pursuant to Government Code Sections 50022.3 and 6066 for May 26, 2022, at 2:30 p.m. at the District Board of Directors Regular Meeting scheduled for that date; and

WHEREAS, a properly noticed public hearing was held on May 26, 2022, where all interested parties were given an opportunity to be heard, and thereupon the public hearing was closed; and

WHEREAS, District Counsel has reviewed these proposed Code revisions and concluded that adoption of these Code modifications does not constitute a California Environmental Quality Act (CEQA) Project as defined under Title 14 of California Code of Regulations; specifically, it does not constitute a Project pursuant to §§ 15378(b)(2), 4) and (5) because:

- i) this action is continuing administrative in nature, and deals with general policy and procedure making; and
- ii) it does not create any governmental funding mechanism or fiscal activity involving a commitment to any specific project; and
- iii) it is an organizational and administrative activity that will not result in any direct or indirect changes to the environment; and

WHEREAS, the Board of Directors duly considered all oral and documented evidence.

NOW, THEREFORE, the Board of Directors of the Central Contra Costa Sanitary District does ordain as follows:

The following sections of the District Code shall be amended to read as follows:

1. Amendment of Section 10.04.020

10.04.020 - Definitions.

Unless the context specifically indicates otherwise, the following terms and phrases, as used in this Ordinance, shall have the meanings hereinafter designated:

- A. Act or "the Act." The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et. seq.

B. Authorized Representative of Industrial User. An authorized representative of an industrial user may be:

(1) By a responsible corporate officer if the Industrial User is a corporation.

For the purpose of this paragraph, a responsible corporate officer means:

(i) a president, secretary, treasurer, or vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy- or decision-making functions for the corporation, or

(ii) The manager of one or more manufacturing, production, or operating facilities, provided, the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) By a general partner or proprietor if the Industrial User is a partnership or sole proprietorship respectively.

(3) By a duly authorized representative of the individual designated in paragraph (1) or (2) of this section if:

(i) The authorization is made in writing by the individual described in paragraph (1) or (2);

(ii) The authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the discharge originates, such as the position of plant manager, operator of a well, or well field superintendent, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and

(iii) The written authorization is submitted to the District.

C. Best Management Practices (BMPs). Schedules of activities, prohibitions of practices, maintenance or operating procedures, and other management practices to implement that which is listed in 40 Code of Federal Regulations Section 403.5(a)(1) and to prevent or reduce the pollution of "waters of the United States." BMPs also include treatment requirements, operating

procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage. Best Management Practices may be proposed by an individual user and accepted by the District or, as set forth in this Ordinance, mandated and set by the District.

- D. Biochemical Oxygen Demand (BOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedure, five (5) days at twenty degrees (20°) centigrade expressed in terms of weight and concentration (milligrams per liter, mg/l).
- E. Carbonaceous Biochemical Oxygen Demand (CBOD). The quantity of oxygen utilized in the biochemical oxidation of organic matter, excluding oxidation due to nitrogenous bacteria, under standard laboratory procedure, five (5) days at twenty degrees (20°) centigrade expressed in terms of weight and concentration (milligrams per liter, mg/l).
- F. Categorical Standards. National pretreatment standards which specify quantities or concentrations of pollutants or pollutant properties that may be discharged by industrial users in specified industrial subcategories.
- G. Class I Industrial User. Any nondomestic user who requires a significantly greater level of administrative services and/or oversight by the District Environmental Compliance Program than a Class II User, based on the unusual character of the wastewater due to its volume, strength, composition, or its derivation from a hazardous waste or substance, or the potential variability in the character of the wastewater, or on the potential for increased administrative cost to the District due to the unusual character of the waste.
- H. Class II Industrial User. Any nondomestic user of the District's facilities who (1) has a discharge flow of twenty-five thousand (25,000) gallons or more per average work day, or (2) contributes process wastewater which makes up 5% or more of the District treatment plant's average dry weather hydraulic or organic capacity; or (3) has in its wastes hazardous pollutants, or (4) is subject to national pretreatment standards, or (5) has in its untreated wastewater pollutants which are in excess of any pretreatment standard or requirement, including any standard identified in this ordinance or local limits set by resolution of the District Board, or (6) may, in the opinion of the District, have a reasonable potential for adversely impacting, either singularly or in combination with other contributing industries, the District's treatment plant or the ability of the District to meet the objectives of this Ordinance or for violating any pretreatment standard or requirement.
- I. Class III Industrial User. Any nondomestic user who may, in the opinion of the District, have an impact on the District's ability to meet the objectives of this Ordinance. This impact may be of a lesser degree than for a Class II Industrial User due to the volume, characteristics, or the nature of the process

- producing the waste. Any non-domestic user who generates hazardous waste, whether or not said waste is, in the normal course of the industrial process, discharged into the sanitary sewer system, may be considered a Class III Industrial User. A nondomestic user may be classified as a Class III Industrial User if any of the hazardous waste is being discharged into the sewer, or if, in the opinion of the District, there is a potential for this waste to be discharged into the sewer, even through accident in non-process or process of handling of the waste. This classification applies to, but is not limited to, those industrial users who are not designated as Class I or Class II Users and who are required to have a County Hazardous Waste Facility License. This Class III Industrial User category shall also include industrial users who store or use hazardous materials, whether or not a hazardous waste is produced in the industrial or commercial process if, in the determination of the District, a potential exists for a significant impact upon the District facilities due to a release of these materials into the environment. This classification also applies to those industrial users not designated as Class I or Class II Industrial Users who are required by statute or county regulations to have a Hazardous Materials Response Plan and Inventory. A Class III Industrial User shall also include all varieties of nondomestic users for which the General Pretreatment Regulations promulgated by the EPA under a 40 CFR 403.8(f)(2)(iii) may require the District to provide an Industrial User (IU) Notification regarding the applicability of RCRA requirements. Class III Industrial Users may be individually designated by the District based on the criteria set forth above or on categorization of the user as a member of a particular business category.
- J. Class IV Industrial User. Any non-domestic user who is not included within the definitions and parameters of Class I, Class II, or Class III Industrial Users.
- K. Collection System. The District pipelines, pump stations, manholes, and other similar facilities which accept, collect, and convey sanitary sewage to the Treatment Plant.
- L. Constituent. A pollutant parameter that may be subject to monitoring or other control measures by a user.
- M. Cooling Water. The water discharged from any use such as air conditioning, cooling, or refrigeration, or to which the only pollutant added is heat.
- N. Daily Maximum Limit. The maximum allowable discharge limit of a pollutant during a calendar day. Where Daily Maximum Limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

- O. Discharge or Indirect Discharge. The introduction of pollutants into a Publicly Owned Treatment Works from any non-domestic source regulated under section 307(b), (c) or (d) of the Act.
- P. Discharge Prohibition. Regulatory strategy to control pollutant sources by prohibiting the discharge to the sanitary sewer system rather than establishing numeric discharge limits.
- Q. District. Central Contra Costa Sanitary District.
- R. District Board. The Board of Directors for Central Contra Costa Sanitary District.
- S. District Facilities. All of the District's system of collecting, conveying, and treatment including, but not limited to, the collection system and treatment plant. This includes any publicly owned facility connected to the District's collection system which generates wastewater treated at the District treatment plant.
- T. Domestic Wastewater. Domestic wastewater shall mean the liquid, solid and water-carried waste derived from ordinary living processes of humans of such character as to permit satisfactory disposal, without special treatment, into the public sewer by means of a private conveyance system. The strength shall be considered to have no more than 300 milligrams per liter (mg/l) BOD and suspended solids.
- U. Environmental Protection Agency or EPA. The U.S. Environmental Protection Agency, or where appropriate, the term may also be used as a designation for the administrator or other duly authorized official of said agency.
- V. General Manager. The General Manager of the District or his duly authorized representative.
- W. Hazardous Pollutants. Any constituent or combination of constituents that is classified as hazardous under state or federal regulations or is included on the federal list of toxic pollutants as specified in CFR Title 40 Part 403.
- X. Holding Tank Waste. Any waste from holding tanks such as vessels, chemical toilets, campers, trailers, and vacuum-pump tank trucks.
- Y. Industrial User. Any contributor of industrial waste or wastewater.
- Z. Industrial Waste or Wastewater. All water-carried wastes and wastewater of the community, excluding domestic wastewater derived from any producing, manufacturing, processing, institutional, commercial, agricultural, or other

operation. Industrial wastewater may also include wastes of human origin similar to domestic wastewater which have been mixed with industrial wastes or wastewater prior to discharge to the District's facilities.

- AA. Instantaneous Limit. The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composite sample collected, independent of the industrial flow rate and the duration of the sampling event.
- BB. Interceptor. A containment device designed to intercept, trap, or otherwise prevent grease, sand, flammable liquids, or other potentially harmful substances from entering the District facilities.
- CC. Interference. An act that harms or disrupts the facilities, processes, or operations of the District; or has an adverse effect on the quality of the effluent, sludge, air emissions, or other residuals generated by the District's facilities; or has an adverse effect on the receiving waters; or is likely to endanger life, health, or property or otherwise cause a nuisance; or results in violation of the District's NPDES permit or other permits; or, in the opinion of the District, otherwise adversely affects the District's ability to meet the objectives of Section 10.04.010 of this Ordinance. Interference can include, but not be limited to, a discharge that causes or contributes to a violation of any requirement of the District's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued there under (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), and including State regulations contained in any State sludge management plan prepared pursuant to subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.
- DD. Mobile Service Provider. A person or business that provides mobile or non-stationary services to commercial or industrial activities within the District's service area that generate wastewater needing to be discharged into a sanitary sewer system. The person or business providing the service may or may not have a base of operation in the District's service area.
- EE. National Pretreatment Standard. Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act (33 U.S.C. 1317), which applies to industrial users.
- FF. National Pollution Discharge Elimination System or NPDES Permit. A permit issued pursuant to Section 402 of the Act (33 U.S.C. 1342).

- GG. New Industrial User. A person who has not contributed or caused to be contributed industrial waste or wastewater into District facilities from a given building, structure, facility, or installation. A "new source," as defined below, is included within the meaning of "new industrial user."
- HH. New Source. A building, structure, facility, or installation from which there is, or may be a discharge of pollutants, construction of which began after the publication of the proposed pretreatment standards pursuant to Section 307(c) of the Clean Water Act, which will apply to the source if the standards are promulgated, in accordance with that section provided that: (1) the source is constructed at a site at which no other source is located; (2) the source totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or (3) the production or wastewater-generating process of the source are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant and the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered. The standards contained in 40CFR403.3(m)(2) and (3) are incorporated by reference. See also New Industrial User and New User, *supra*.
- II. New User. A person who has not contributed or caused to be contributed waste or wastewater into District facilities from a given building, structure, facility, or installation. A "new source," as defined above, is included within the meaning of "new user."
- JJ. Notice of Violation. A document informing the user that it has violated the District Source Control Ordinance and appropriate corrective action must be taken.
- KK. Ordinance. The term "this Ordinance" and/or "Source Control Ordinance" and similar uses of the term "Ordinance" shall refer to the entirety of Title 10 of the Central Contra Costa Sanitary District Code, including any and all amendments thereto.
- LL. Pass Through or Passes Through. A discharge that exits the District wastewater system in quantities or concentrations that, alone or with discharges from other sources, have the reasonable potential to cause a violation of the District's NPDES permit.
- MM. Person. Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity, or their legal representatives, agents, or assigns. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.

- NN. pH. The logarithm (base 10) of the reciprocal of the concentration of hydrogen ions expressed in moles per liter of solution.
- OO. Pollutant. Includes sewage or any characteristic of sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any commercial producing, manufacturing, or processing operation of whatever nature.
- PP. Pollution. An alteration of the quality of the waters of the State by waste to a degree which unreasonably affects (1) such waters for beneficial use or (2) facilities which serve such beneficial uses or which create a hazard to the public health.
- QQ. Pretreatment or Treatment. The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutants, or the alteration of the nature of pollutant properties in wastewater to a less harmful state prior to or in lieu of discharging or otherwise introducing such pollutants into District facilities. The reduction of alteration can be obtained by physical, chemical, or biological processes, or process changes by other means, except as prohibited by 40 CFR Section 403.6(d).
- RR. Pretreatment Requirement. Any substantive or procedural pretreatment requirement, other than a National Pretreatment Standard, applicable to industrial users.
- SS. Pretreatment Standard. Any regulation of the District, State, or EPA containing pollutant discharge limits or other procedural or substantive requirements of the user.
- TT. Process Wastes or Wastewater (Discharges). See Industrial Waste or Wastewater defined above in part "Z" of this chapter.
- UU. Publicly Owned Treatment Works (POTW). A treatment works as defined by section 212 of the Act, which is owned by a State or municipality (as defined by section 502(4) of the Act). This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. The term also means the municipality as defined in section 502(4) of the Act, which has jurisdiction over the Indirect Discharges to and the discharges from such a treatment works.
- VV. Slug Discharge. A discharge capable of causing adverse impacts to the District, 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

facilities. A slug discharge is considered to be a discharge of a non-routine, episodic nature, including, but not limited to, an accidental spill or a non-customary batch discharge. Batch discharges are intentional, controllable discharges that occur periodically within an industrial user's process (typically the result of a non-continuous 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

- WW. Significant Industrial User (SIU). Any industrial user classified as a Class I or Class II industrial user shall be a Significant Industrial User under the federal pretreatment standards.
- XX. Significant Noncompliance (SNC). Any violation of pretreatment standards or requirements that, in the opinion of the District, constitutes significant noncompliance. This shall include, but not be limited to, instances of chronic violations of wastewater discharge limits, slug discharges, violations of compliance schedule milestones, failure to provide compliance data, failure to accurately report noncompliance, and any other violation or group of violations as more particularly set forth in Section 10.16.110 of this Ordinance.
- YY. Special Discharge Permit. A permit that authorizes temporary discharges to the District's sanitary sewer system from sources that are not able to be discharged to a municipality's storm drain system including but not limited to: groundwater remediation system, groundwater monitoring well purge water, construction dewatering, pool discharges, tank test water, temporary discharges of foundation drains or area drains while permanent solutions for pollutants are developed, and water from reservoirs to enable cleaning. The Special Discharge Permit will specify the conditions for acceptance of the wastewater.
- ZZ. Standard Industrial Classification (SIC). A classification pursuant to the Standard Industrial Classification Manual issued by the Executive Office of the President, Office of Management and Budget.
- AAA. State. State of California.
- BBB. Storm Water. Any flow occurring during or following any form of natural precipitation and resulting therefrom.
- CCC. Suspended Solids. The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquids, and which is removable by laboratory filtering.
- DDD. Trap. A containment device used for trapping substances and to prevent grease, sand, or flammable liquids from entering the District facilities.

- EEE. Treatment Plant. Any facility owned by the District that is designed to provide treatment to wastewater.
- FFF. User. Any person who contributes or causes the contribution of wastewater into District facilities.
- GGG. Warning Notice. A document informing a user of a condition that is either a minor violation, or if left unabated would become a violation that identifies corrective actions. Failure to correct the conditions identified in a Warning Notice can result in issuance of a Notice of Violation.
- HHH. Waste Hauler. A transporter of wastes that transports the wastes to an authorized disposal/recycling facility provided that appropriate permits/licenses are obtained by the accepting facility or agency.
- III. Wastewater. The liquid and water-carried industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any groundwater, surface water, and storm water that may be present, whether treated or untreated, which is contributed into or permitted to enter the District's facilities.
- JJJ. Wastewater Discharge Permit. As set forth in Section 10.12.040 of this Ordinance.
- KKK. Waters of the State. All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, reservoirs, aquifers, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface or underground, natural or artificial, public or private, which are contained within, flow through, or border upon the State or any portion thereof.
- LLL. Zero Discharge. A practice of excluding the discharge from entering the District facilities. Zero discharge can be applied to all process discharges from a user or for specific process discharges.

2. Amendment of Section 10.04.030

10.04.030 - Abbreviations.

The following abbreviations shall have the designated meanings:

BMPs	-	Best Management Practices
BOD	-	Biochemical Oxygen Demand
CBOD	-	Carbonaceous Biochemical Oxygen Demand
CCR	-	California Code of Regulations
CFR	-	Code of Federal Regulations
COD	-	Chemical Oxygen Demand
EPA	-	Environmental Protection Agency
L	-	Liter
IU	-	Industrial User
mg	-	Milligrams
mg/L	-	Milligrams per Liter
NOV	-	Notice of Violation
NPDES	-	National Pollutant Discharge Elimination System
POTW	-	Publicly Owned Treatment Works
SDP	-	Special Discharge Permit
SIC	-	Standard Industrial Classification
SIU	-	Significant Industrial User
USC	-	United States Code
TSS	-	Total Suspended Solids
TTO	-	Total Toxic Organic
ug/L	-	Micrograms per Liter

3. Amendment of Section 10.08.020

10.08.020 - General Discharge Prohibition.

No user shall contribute or cause to be contributed, any pollutant or wastewater which will pass through the District's facilities or interfere with the operation or performance of the District's facilities. This prohibition includes, but not limited to, any type of pollutant or wastewater as set forth in the prohibition sections of this Ordinance. These general prohibitions apply to all users of the District's facilities whether or not the user is subject to national pretreatment standards or any other national, state, or District pretreatment standards or requirements.

A user shall have an affirmative defense in any enforcement action brought against it alleging a violation of the general prohibitions, including a violation of the specifically prohibited effects or characteristics, where the user can demonstrate (1) that the user did not know or have reason to know that its discharge, alone or in conjunction with a

discharge or discharges from other sources, would result in a violation of this Ordinance, including a prohibited effect or prohibited characteristic ; and (2) the user was in compliance with the existing limits for each pollutant in its discharge that resulted in a violation, or if there were no such existing limits, the user's discharge directly before and during the violation did not change substantially from the user's prior discharges which occurred when the District remained in compliance with its NPDES permit and with applicable requirements for sewage sludge use or disposal.

4. Amendment of Section 10.08.040

10.08.040 - Prohibited Substances or Characteristics

A user shall not discharge, or cause to be discharged, directly or indirectly to a District facility any of the following:

A. 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 damage to District facilities or to be injurious to human health and safety or to the operation of District facilities. At no time shall a waste stream exceed a closed cup flash point of less than one hundred forty degrees (140 °) Fahrenheit or sixty degrees (60 °) Centigrade using the test method specified in 40 CFR Part 261.21. Also, at no time shall two (2) successive readings on a combustible gas 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. The meter shall be properly calibrated in accordance with the manufacturer's instructions using pentane as the calibration standard. The materials which may be prohibited if they cause explosive or fire dangers as defined herein include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, peroxides, chlorates, perchlorates, bromates, carbides, hydrides, sulfides, or any other substance which is a fire or explosion hazard.

B. Any solid or viscous substance in amounts or concentrations which may cause or threaten to cause obstruction to the flow in a sewer or pass-through of, or interference with, the operations of any District facilities such as, but not limited to, feathers, ashes, cinders, sand, spent lime, stone or marble dust, metal, glass, straw, shavings, grass clippings, soil, rags, spent grains, spent hops, waste paper, wood, plastic, tar, asphalt residues, residues from refining or processing of fuel or lubricating oil, petroleum oil, non-biodegradable cutting or machine oils, products of mineral origin, mud, cement grout, grinding or polishing wastes, 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, or whole blood.

C. Any wastewater having a pH less than 5.5 or greater than 11.5, or wastewater having any other corrosive property capable of causing damage or hazard to structures, equipment, humans, or animals.

D. Any wastewater containing hazardous 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 human or animal health or safety, create an adverse effect on the waters of the State, or to exceed the limitations set forth in a national pretreatment standard.

E. Any wastewater having a temperature which will inhibit biological activity in the treatment plant resulting in interference or pass through, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed forty degrees (40°) Centigrade (one hundred four degrees (104°) Fahrenheit) or with a temperature at the point of discharge to the District's collection system which exceeds sixty-five degrees (65°) Centigrade (one hundred fifty degrees (150°) Fahrenheit).

F. Any pollutants, including oxygen- demanding pollutants (CBOD, COD, etc.) released at a flow rate and/or pollutant concentration that alone or in combination with others, may cause interference or pass through. Regardless of whether a slug load causes or will cause interference or pass through.

G. Any discharge which results in toxic gases, vapors, or fumes in a quantity that may cause acute worker health and safety problems within any District facility.

H. Any noxious or malodorous liquids, gases, or solids.

I. Any wastewater containing any radioactive wastes or isotopes exceeding any limits set forth in 10 CFR 20.2003.

J. Any storm water, groundwater, rainwater, street drainage, subsurface drainage, yard drainage, diatomaceous earth filter backwash, or swimming pool drainage, 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 not discharged to the sewer.

K. Any unpolluted water, including but not limited to cooling water, process water or blow-down from cooling towers or evaporative coolers, or any other unpolluted water unless a permit for such has been obtained from the District prior to the discharge. The District may approve the discharge of such water only when no reasonable alternative method of disposal is available or such alternative, in the determination of the District, is unacceptable.

L. Any septic tank waste, holding tank waste, portable toilet waste, grease interceptor waste, or oil and sand interceptor waste, unless a permit is issued by the District, or unless such sludge or waste is transported to the District by a permitted waste hauler in accordance with the regulations set forth in Chapter 10.28 of this Ordinance.

M. Any waste defined as hazardous, by any definition set forth in federal and/or state statutes or regulations, unless such waste has been delisted or decertified by the appropriate federal or state agency, and/or a variance has been granted by the appropriate federal or state agency, including provisions for discharge to a District facility, and said variance provisions are approved by the District.

N. Any substance, waste, wastewater, or constituent thereof as may be specifically prohibited or prohibited by concentration levels as may be set forth in local limits adopted by resolution of the District Board and a copy of said standards having been placed on file at the District office.

O. Any substance, waste, wastewater, or constituent thereof which may by itself or in combination with other discharges cause the District to violate any permit conditions related to toxicity of the effluent or otherwise cause or contribute to the potential for toxic substances being released from District facilities into the environment in toxic amounts.

P. The following constituents are subject to a discharge prohibition standard in lieu of setting numeric discharge limits. The presence of these constituents documented through approved analytical methods shall be a violation of this section and be subject to corrective actions by the user to control the discharge of the constituent present. Wastewater discharge permits may establish discharge prohibition(s) for constituents not included in this section for specific Industrial Users.

- a. Cyanide for unpermitted users
- b. Dioxin compounds
- c. Polychlorinated Biphenyls (PCBs)
- d. Tributyltin (TBT)
- e. Dieldrin
- f. 4,4'-DDE
- g. Perchloroethylene wastes and wastewaters from dry cleaner operations

5. Amendment of Section 10.08.055

10.08.055 - Documentation of Proper Disposal/Recycling.

All industrial users, waste haulers and mobile service providers shall maintain complete and accurate records documenting proper disposal of wastes, hazardous waste, and wastewater that is generated in the District's service area and transported from the original site of generation for disposal or recycling. The minimum documentation required shall include:

- A. The location where the waste, hazardous waste, or wastewater was generated;
- B. The transporter's name and phone number;

C. Description and volume of the waste, hazardous waste, or wastewater;
and

D. Name, location, and phone number of the facility where the waste,
hazardous waste, or wastewater was disposed or recycled.

6. Amendment of Section 10.08.090

10.08.090 - District's Right of Revision.

The District reserves the right to establish by ordinance or resolution more stringent limitations or requirements on discharges to the District's wastewater facilities if deemed necessary to comply with the objectives presented in this Ordinance. 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.

7. Amendment of Section 10.08.110 [A and B]

10.08.110 - Slug Discharges
Sections A and B only

A. All users shall be prohibited from allowing slug discharges, as elsewhere defined herein, from entering the District's facilities.

B. Each user shall provide protection from slug discharges of restricted materials or other substances regulated by this Ordinance. Facilities to prevent slug discharges of restricted materials shall be provided and maintained at the user's own cost and expense.

8. Amendment of Section 10.08.130

10.08.130 - Best Management Practices (BMPs) to Control Discharges.

Industrial Users can employ Best Management Practices (BMPs) to effectively control the discharge of pollutants to the District's facilities. The District may establish BMPs for specific industrial users through condition(s) in the permit or permit contract. The District may establish BMPs for a business activity that would apply to entire groups of businesses such as vehicle service facilities or food service facilities. BMPs for business activities will be communicated to the affected industrial users through informational materials distributed during inspections, direct mailing, or the District's website. Industrial users shall be responsible for complying with the business activity BMPs after being informed by the District of their applicability to the industrial users' operations. Industrial Users subject to BMPs as a means of complying with the standards of this Ordinance shall maintain documentation to demonstrate compliance with the applicable BMP standards.

9. Amendment of Section 10.12.040 [A-5]

10.12.040 - Wastewater Discharge Permit.
Section A, sub-paragraph 5.

5. Average daily and fifteen (15)-minute peak wastewater flow rates, including daily, monthly, and seasonal variations if any. Flow rates shall be provided for each regulated process stream.

10. Amendment of Section 10.12.040 [A-10.b.]

10.12.040 - Wastewater Discharge Permit.
Section A, sub-paragraph 10. b.

b. Not later than fourteen (14) days following each date in the schedule and the final date for compliance, the user shall submit a progress report to the General Manager or their designee including, as a minimum, whether or not the user complied with the increment of progress to be met on such date and, if not, the date on which the user expects to comply with the increment of progress, the reason for delay, and the steps being taken by the user to return the construction to the schedule established.

11. Addition to Section 10.12.040 C

10.12.040 - Wastewater Discharge Permit.
Section C; Add new sub-paragraph 28.

28. Identification of the enforcement actions that can be taken in response to documented conditions of non-compliance including, but not limited to, applicable civil and criminal penalties.

12. Amendment of Section 10.12.040 F

10.12.040 - Wastewater Discharge Permit.
Section F.

F. Permit Modifications.

When a new National Categorical Pretreatment Standard is promulgated, the wastewater discharge permit or permit contract of users subject to such standard shall be revised to require compliance with such standard within the time for compliance prescribed by such standard or within ninety (90) days, whichever is shorter. However, when the time for compliance prescribed by such standard is longer than ninety (90) days, the users subject to such standard may apply to the General Manager or his designee for an extended time for compliance in a wastewater discharge permit or permit contract. The General Manager or his designee may grant such an extension up to the time for compliance set forth in the National Categorical Pretreatment Standards.

Where a user, subject to a national pretreatment standard, has not previously submitted an application for a wastewater discharge permit as required by Section 10.12.050.B. of this Ordinance, the user shall apply for a wastewater discharge permit within one hundred eighty (180) days after the promulgation of the applicable national pretreatment standard. In addition, the user with an existing wastewater discharge permit or permit contract shall submit to the General Manager or their designee within one hundred eighty (180) days after the promulgation of an applicable federal pretreatment standard the information required by Section 10.12.040.A.

In the event the District determines that it is necessary in order to comply with the objectives of the Ordinance to impose more stringent limitations or requirements on discharges to the District's wastewater facilities than are set forth in an existing permit (for reasons other than issuance of a new national pretreatment standard), the District shall have the right to require such reasonable modifications of an existing permit to incorporate such more stringent limitations or requirements. In the event such permit modification is required, the user shall be provided with reasonable time to make such modifications to its processes or procedures as may be required to meet the more stringent limitations and requirements. After consultations with the user, a Compliance Schedule Agreement shall be issued which would set forth a reasonable schedule for the user to comply with the more stringent standards. If the permit modification will require construction or acquisition of equipment related to pretreatment, the Compliance Schedule Agreement will provide for up to one hundred eighty (180) days to comply; however, this period may be extended for a period not to exceed an additional one hundred eighty (180) days upon determination by the General Manager/Chief Engineer or their designee that good cause exists for an additional period. To the extent that the user remains in compliance with the permit conditions in effect prior to amendment during the compliance period, the user shall not be liable pursuant to the terms of this Ordinance for noncompliance with the more stringent standards or requirements during the period of the Compliance Schedule Agreement; provided that the user is also complying with the terms of said Compliance Schedule Agreement.

13. Amendment of Section 10.12.050 E

10.12.050 - Reporting Requirements.
Section E.

E. Periodic Compliance Reports.

1. Class I and II Industrial Users shall submit a report covering a six (6) month reporting period to the District twice a year, or more frequently representing a shorter reporting period as specified in the permit or permit contract. Class III Industrial Users may be required to submit periodic compliance reports depending on the nature of their discharge. Periodic compliance reports shall be submitted within forty-five (45) days of collection of the wastewater samples or by the due date specified in the permit. The compliance report shall contain such information as may be deemed by the District

to be necessary to ensure compliance with the provisions of this Ordinance. Compliance reports shall, at a minimum, contain the following:

- a. The nature and concentration of pollutants which are limited by pretreatment standards or requirements or which are specified in the permit or permit contract for each regulated waste stream.
- b. A record of average daily flow for the reporting period for each regulated waste stream.
- c. Such other wastewater effluent data as the user has obtained since the last compliance report, whether or not that data is specifically required by the user's permit or permit contract.
- d. Methods utilized by the user in collecting the wastewater sample for analysis, including but not limited to the sampling device(s) used, the sampling period, the amount of each sample collected, sample handling and preservation techniques used, and date of sample delivery to the laboratory for analysis.
- e. In the event any sample from a discharge indicates that a constituent is in violation of the allowable concentration levels as set forth in the user's permit or permit contract, the user shall inform the District within twenty-four (24) hours of becoming aware of the violation, repeat the sampling and pollutant analysis for the parameter in violation, and submit in writing the results of this second analysis within thirty (30) days of the discovery of the first violation. The initial sampling and analysis report shall be submitted within forty-five (45) days of the initial sampling date with a cover report setting forth the causes of the violation, the remedial actions taken to date in regard to the violation, and the scheduled additional actions which will be implemented to prevent a reoccurrence.

2. The District may also at any time require a signed statement by the user setting forth management practices and/or material usage practices which have an effect on the nature, volume, and quality of the wastewater discharge and/or which potentially will affect the ability to comply with pretreatment standards requirements.

3. The District may impose mass limitations on users where the imposition of mass limitations are appropriate. In such cases, the report required under subparagraph (a) above shall indicate the mass of pollutants regulated by pretreatment standards or requirements in the effluent of the user. These reports shall contain the results of all sampling and analysis of the discharge, including the flow, concentration, and mass of pollutants regulated by the applicable pretreatment standard or requirement. The user shall provide the actual average production rate of the regulated processes during the reporting period.

4. Categorical Industrial Users granted a waiver from monitoring for pollutants subject to national categorical standards authorized under 40 CFR 403.12(e)(2). This certification shall include the following statement:

“Based on my inquiry of the person or persons directly responsible for managing compliance with the Pretreatment Standard for 40 CFR _____ [specify applicable National Pretreatment Standard part(s)], I certify that, to the best of my knowledge and belief, there has been no increase in the level of _____ [list pollutant(s)] in the wastewaters due to the activities at the facility since filing of the last periodic report under 40 CFR 403.12(e)(1).”

14. Amendment of Section 10.12.060 B

10.12.060 - Monitoring.
Section B.

B. Sampling Procedures.

All sampling and testing undertaken for the purpose of compliance with the sampling and reporting requirements of this Ordinance shall be undertaken in the manner set forth herein. Except as otherwise provided in this section or as otherwise agreed in writing by the District, samples for pH, cyanide, sulfide, phenols, oil and grease, and volatile organics shall consist of grab samples. When required, a composite grab sample shall consist of a minimum of four (4) grab samples for the referenced constituents throughout the entire process discharge period. For all other pollutants, composite samples shall be taken through flow proportional composite sampling techniques or time proportional composite sampling as specified in the permit or permit contract, unless the permit or permit contract specifically authorizes alternative grab or composite grab techniques. Time-proportional composite sampling shall occur with a sampling frequency of at least one sample each hour throughout the entire process discharge period, or a twenty-four (24) hour period as required by the District. Each regulated waste stream shall be sampled and analyzed separately unless the user's permit or permit contract allows for sampling and analyzing the combined waste streams.

The methods of obtaining the sample shall be specified by the District in the user's permit or permit contract. As an alternative, a sampling program proposed by the user shall be submitted to the District for review prior to initiating said program. The District may state special sampling requirements as needed to ensure compliance with this Ordinance.

15. Amendment of Section 10.12.060 D

10.12.060 - Monitoring.
Section D.

D. Sampling Records.

For each sampling event, the user shall record and maintain the following information:

1. The date, exact place, method, and time of sampling and the names of the person or persons taking the samples.
2. Sample bottle type.
3. Sample preservation used.
4. The dates analyses were performed.
5. Chain of custody of sample.
6. Who performed the analyses.
7. The analytical techniques/ methods used.
8. The results of such analyses.

16. Amendment to Section 10.12.070

10.12.070 - Signatory Requirements.

All applications and reports from all Industrial Users, and other information submitted to the District from Significant Industrial Users to document compliance with the permit, permit contract or this Ordinance must contain the following certification statement:

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

This statement shall be signed by an authorized representative of the industrial user as defined in Section 10.04.020 B and 40 CFR 403.12(l)(1-4).

17. Amendment to Section 10.12.110

10.12.110 - Records Retention.

All records relating to compliance with pretreatment requirements or standards, including documentation associated with complying with Best Management Practices, shall be made available to officials of the EPA, State, and District, or their authorized representatives. These records shall be retained for a minimum of three (3) years from the date of the compliance report to which these records are applicable or three (3) years from the date any investigation or enforcement action undertaken by the District, State, or EPA has been concluded, except when there is unresolved litigation regarding the user or the District to which such records are relevant, or a request of the General Manager of the District for a longer retention, in which cases the records shall be retained until the litigation is concluded (including the expiration of all periods of limitation and of all appeals) or as requested by the General Manager.

18. Amendment to Section 10.12.130

10.12.130 - Permit by Rule for Community Carwash Fundraisers.

Notwithstanding other provisions of this Title 10 prohibiting discharges without obtaining a District permit, a temporary carwash conducted for the purposes of raising funds for a community organization will be deemed to have a permit by this rule authorizing the discharge of wastewater to the sanitary sewer system if the criteria of this Section are met. For purposes of this Section, a community organization is any non-profit organization exempt from certain federal income taxes under 25 U.S.C. § 501(c), any registered youth organization or church or school group.

A community organization is authorized to discharge pursuant to this Section 10.12.130 without prior approval or formally obtaining a permit from the District provided that it complies with best management practices for car washes. A list of the best management practices for charity car washes is provided on the District's website at www.centrsan.org or may be obtained by contacting personnel in the District's Environmental Compliance Program.

19. Amendment to Section 10.16.050

10.16.050 - Assessment of Charges for Obstruction or Damage to District Facilities or Operations.

When a user's discharge, whether due to negligence, accident, spill, or otherwise, causes an obstruction, damage, or any other impairment to the District's operation or facilities, the District may impose a charge on the user for the cost to clean or repair the facility, or costs incurred to resume normal operations. An administrative service fee of twenty-five percent (25%) of the District's non-personnel costs may be added to these charges. The total amount shall be paid within forty-five (45) days of invoicing by the

District. If it can be shown that the user's discharge caused or significantly contributed to the District violating its discharge requirements or incurring additional expenses or suffering loss or damage to the operation or facilities, then the user shall be responsible for any costs or expenses, or a prorated portion of such expenses, including assessments or penalties imposed by other agencies or the court on the District.

20. Amendment to Section 10.16.110 A

10.16.110 - Responding to Significant Noncompliance.
Section A.

A. Violations of Wastewater Discharge Limits.

1. Chronic Violations. Violations in which 66 percent or more of all the measurements taken for the same pollutant parameter during a six (6) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined by 40 CFR 403.3(l)

2. Technical Review Criteria Violations. Violations in which 33 percent or more of all of the measurements taken for the same pollutant parameter during a six (6) month period equal or exceed the product of the numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 40 CFR 403.3(l) multiplied by the applicable TRC (TRC=1.4 for BOD, TSS, fats, oil, and grease, and 1.2 for all other pollutants except pH).

3. Other Effluent Limit Violations. Any other violation of a Pretreatment Standard or Requirement as defined by 40 CFR 403.3(l) (daily maximum, long-term average, instantaneous limit, or narrative standard) that the District determines has caused, alone or in combination with other discharges, interference (e.g., slug loads) or pass-through (including adverse effect on any toxicity testing); or endangered the health of the sewage treatment personnel or the public.

4. Danger to Human Health or Welfare. This criterion includes any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment and has resulted in the POTW's exercise of its emergency authority to halt or prevent such a discharge.

21. Amendment to Section 10.16.110 C

10.16.110 - Responding to Significant Noncompliance.
Section C.

C. Failure to Provide Proper Data.

Failure to provide, within forty-five (45) days after the due date, required reports such as baseline monitoring reports, ninety (90)-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;

22. Amendment to Section 10.24.010

10.24.010 - Purpose.

It is the purpose of this Chapter to provide for both the recovery of costs from users of the District's facilities for the implementation of the Environmental Compliance and related programs established herein and to provide for a sewer service fee to be imposed on all nonresidential dischargers to the District sewage system with regard to the Environmental Compliance and related programs. It is also the purpose of this Chapter to provide for the recovery of costs from the users of those programs. The applicable charges or fees shall be set forth in the District's Schedule of Operation and Maintenance Charges and Fees.

23. Amendment to Section 10.24.020

10.24.020 - Sewer Service Charges.

All users shall pay a user charge for the District wastewater disposal services. This sewer service charge shall be in addition to the fee imposed on certain users for the administration of the Environmental Compliance Program as set forth elsewhere in this Chapter. The sewer service charge shall reflect the quantity, quality, and flow of the wastewater of the user and will be based on the District's operating costs to intercept, treat, and dispose of the wastewater.

The sewer service charge shall be set from time to time by the District Board.

24. Amendment to Section 10.24.030

10.24.030 - Scope of Charges and Fees for Source Control Program.

The District may adopt charges and fees to compensate the District for its activities under the Environmental Compliance Program which may include:

- A. Setting up and operating the District's pretreatment program, septage program, industrial user notification program, and slug discharge program.
- B. Monitoring, sampling, inspection, and surveillance procedures.
- C. Reviewing accidental discharge procedures and construction.
- D. Processing permit applications.
- E. Implementation of administrative and legal enforcement measures.
- F. Other fees as the District may deem necessary to carry out the requirements of the programs contained herein.

These fees relate solely to the matters covered by this Ordinance and are separate from all other fees chargeable by the District. These fees and charges may include staff costs as well as legal, consulting, and laboratory costs, associated with the District activities in implementation of these programs.

25. Amendment to Section 10.24.050

10.24.050 - Reinstatement Deposit.

Permit or permit contract users that have been subject to enforcement proceedings may be required to deposit with the District an amount determined by the General Manager, or their designee, prior to permission being granted for further discharges to District facilities. The deposit shall be provided as a security to ensure that the requirements of this title are complied with, and all fees and charges associated with the user's permit or permit contract are paid. The security may be returned after one (1) year, provided that the user has not been subject to any enforcement actions or enforcement fees within that one (1) year period. The deposit shall be cash or other security acceptable to the District.

26. Amendment to Section 10.28.020 A

10.28.020 - Waste Hauler Discharge Permit.
Section A.

A. Permit Term. Waste hauler discharge permits shall be issued for a period not to exceed five (5) years.

27. Amendment to Section 10.28.030

10.28.030 - Cash Deposit - Security.

The Board finds that in order to ensure compliance of each waste hauler with the provisions of this Ordinance, and to further ensure payment of fees and charges for the discharge of trucked-in waste, a cash deposit, or other security acceptable to the District shall be required of each permittee. The cash deposit shall be in an amount of one thousand dollars (\$1,000.00). However, if the General Manager, or their designee, determines the cash deposit should be increased in order to protect the interest of the District based on the nature of the current operations of a permittee or the prior history of compliance with the waste hauler program requirements, including, but not limited to those set forth in Section 10.20.020 C. above, then the General Manager, or their designee may increase such cash deposit or security to an amount sufficient to protect the interests of the District. The security amount shall not exceed five thousand dollars (\$5,000.00), without prior Board approval of said security amount.

A. Time for Payment. The cash deposit or acceptable security shall be posted prior to the issuance of the permit. To the extent the District draws on such cash deposit or security for costs, fees, payments, or penalties, as authorized hereunder, the permittee shall deposit with the District such additional funds as may be required to bring their cash deposit or security up to the total amount required under the permit prior to the continued discharge of waste. If the permittee fails to maintain a sufficient deposit with the District to meet its permit conditions, the District may suspend the permit (and permission to discharge) until such time as a sufficient deposit or security has been tendered and accepted.

B. Forfeiture of Deposit. All or a portion of the cash deposit or acceptable security may be forfeited to the District if any of the following actions occur:

1. The permittee knowingly provides false information on any application, permit, or manifest form;
2. The permittee discharges a nondomestic waste which does not comply with this Ordinance, including the provisions of local limits and the general and specific prohibitions contained herein;
3. Permittee disposes of a waste in an unlawful manner in any location within the District's service area;
4. A permittee becomes delinquent in making payment of applicable charges and fees for discharge of waste; and/or
5. A permittee otherwise fails to comply with provisions contained in this Ordinance or the District Code.

28. Amendment to Section 10.32.010

10.32.010 - Interceptors Required.

All nondomestic users shall be required to install and maintain a grease, oil, and sand interceptor when the General Manager, Chief Engineer or their designee finds that it is necessary for the proper handling of (a) liquid waste containing grease, (b) flammable wastes, (c) sand, or (d) other harmful constituents which may be properly eliminated from the District's facilities by use of an interceptor or trap. An interceptor is not required for a building used solely for residential purposes so long as there exists no common food preparation facility. An interceptor shall be required when the wastewater flow from the building is anticipated to contain grease, flammable substances, sand, or other harmful ingredients in amounts or concentrations which would be in violation of a pretreatment standard or, in the discretion of the District, present the possibility of causing or contributing to the fouling of or the blockage of or other damage to the District's facilities.

29. Amendment to Section 10.32.020

10.32.020 - Administration of Interceptor Program.

The District shall administer an interceptor program which is intended to prevent grease, sand, flammable liquids, and other substances which are likely to block or create a hazard within the District's facilities from entering the system through use of interceptors or traps. The District may require any nondomestic user to install an interceptor or trap according to the guidelines set forth in the District's Standard Specifications or other program prior to connection to the District or at any time after connection to the District if the District discovers or determines subsequent to the connection that the building, facility, or operation of that user produces a waste with characteristics that would require installation of a trap or interceptor pursuant to this Ordinance. The installation of a proper interceptor or trap device shall be the responsibility of the parcel owner and the entity which applies for the connection or industrial user permit, and the owner/proprietor of the business or entity whose operations cause or contribute to the necessity for an interceptor or traps. The District shall determine whether a grease trap, grease interceptor, or other interceptor is required on a case-by-case basis based on an evaluation of objective criteria including but not limited to factors such as those listed hereunder:

- A. The type of facility (a restaurant, bakery, cheese factory, yogurt shop, gas station, lube facility, etc.).
- B. The volume of the user's business or operation (such as number of meals served, number of seats, hours of operation).
- C. Size and nature of facilities (including kitchen facilities) based on size, type, number of fixtures, and type of processing or cooking equipment used.
- D. The type of service provided or operation undertaken (such as dine-in meal service versus carry-out meal service).
- E. The type of foods or other materials used in the cooking, processing, or manufacturing operations carried on within the user's facility.
- F. The overall potential for grease-laden, flammable, or sand-laden discharges.
- G. The existence of devices, procedures, or processes which are designed to minimize the amount of grease, sand, oil, or other flammable liquids from entering the sewer system.

The design, location, and procedures for operation of a required interceptor or trap shall be approved by the District. Such approval shall be obtained prior to the users connection of the facility to the District's facilities, in the event of new construction or remodeling. In instances where a user has already connected and the District

determines that an interceptor or trap must be installed, the user shall promptly provide for the installation of the interceptor or trap within a reasonable time frame (as may be set by the District), including providing such design plans and operational plans as may be required. The installation of an interceptor or trap as required by this Ordinance on an existing user facility shall occur within reasonable time not to exceed one hundred (100) days after the user has been provided notice of the requirement that an interceptor or trap be installed. This one-hundred-day limit may only be extended by written agreement of the District.

30. Addition of Section 10.32.025

10.32.025 - Interceptor/Trap Installation Variance Procedure

The District recognizes conditions may exist that prevent the installation of an interceptor for a particular location (e.g. conflict with existing utilities). The District's Environmental Compliance Program shall administer an Interceptor/Trap Installation Variance Program that establishes criteria and procedures to consider an Industrial User's request for alternatives to a determination that an interceptor/trap is required for the process discharges.

31. Amendment to Section 10.32.030

10.32.030 - Interceptor Maintenance Procedures and Program.

Any user who is required by the District and/or this Ordinance to install and/or operate an interceptor or trap device, shall be required to adequately maintain the interceptor or trap device so that such device is in proper working order at all times. Grease and oil interceptors shall be cleaned by a licensed and permitted waste hauler on a periodic basis so as to assure that the interceptor will operate as designed at all times.

Any users who are required to install or have in operation an interceptor or traps pursuant to this Ordinance, shall be required to have a plan of operation or program for their facility which is intended to ensure that the interceptor or trap operates as designed to prevent grease, oil, sand, or other harmful constituents from entering the District's facilities. These procedures may include adoption of kitchen practices to minimize the grease-laden garbage which ultimately enters the facility's drains and floor traps and/or other such procedures as may be required for the proper operation of the interceptors.

32. Amendment to Section 10.32.035

10.32.035 - Interceptor/Trap Maintenance Standards.

Maintenance standards shall be conducted by users in order to ensure the proper operation of interceptors and traps. If the operations of a specific user modify the need to follow the specified standards, the user can request a variance from the District in

writing on the form provided by the District. Unless the District issues a written variance to a user, the user is responsible for meeting the specified minimum maintenance standards of this section:

A. Access to interceptors and traps shall be maintained to allow inspection and maintenance to be performed. Inspections shall be performed at appropriate frequency to ensure adequate operation of the interceptor or trap and to evaluate effectiveness of Best Management Practices to control sources of pollutants.

B. Interceptors shall be operated so that the accumulated grease and solid waste does not meet or exceed twenty-five (25) percent of the unit's capacity. Determinations shall normally be made by measuring the depth of the layers within a unit.

C. Interceptors shall be cleaned at least once every 90 days. Interceptor cleaning shall be conducted to pump all the liquid and solid contents of the unit, and the sides will be cleaned of any substantial build-up of grease and solid wastes.

1. Incidental use separators (e.g. sand/oil interceptors serving parking garages, grease traps serving only a trash enclosure without a wash station) shall be cleaned at least once every year). Less frequent cleaning shall be subject to District approval through the Interceptor/Trap Maintenance variance.

D. Traps shall be cleaned according to the manufacturer's recommended frequency (e.g. daily, weekly) when conducted by user's employees, and shall be pumped of all the liquid and solid contents using a licensed and permitted waste hauler at least once every 90 days.

1. The user may clean smaller traps in lieu of using a licensed and permitted waste hauler at least once every 90 days provided that all the standards for cleaning traps are met, including, but not limited to, removal of all liquids and solids and not decanting wastes. The user shall document the proper disposal of the wastes removed from the trap as required in section 10.32.035 G.

E. Decanting of wastes removed from an interceptor or trap is prohibited when a licensed and permitted waste hauler is used to clean a unit. Wastes removed from the interceptor or trap shall not be reintroduced into the unit cleaned or any other connection to the District's sewer collection system unless the location is specifically authorized in a current waste hauler permit.

F. Introduction of enzymes, microbes, chemicals, or other materials to interceptors and traps for the treatment of grease, oils or accumulated materials in the interceptor or trap is prohibited. Use of such materials to treat drain lines served by an interceptor (not traps) are acceptable provided the dosage is appropriate for the drain line cleaning and not for the removal of grease from the interceptor.

G. The user shall maintain records documenting proper maintenance of the interceptor or trap. The disposal location (name, address, phone number for off-site facilities) for wastes removed from an interceptor or trap shall be recorded and made available for inspection upon request.

33. Finding of No "Project"

The District Board's action in adopting the proposed Code revisions does not constitute a Project as envisioned by CEQA, as this action is consistent with defined circumstances which do not constitute a Project pursuant to the provisions of Title 14 15378(b)(2), (4) and (5).

34. Effective Date

This Ordinance shall be a general regulation of Central San and shall be published once in the *Contra Costa Times* and *San Ramon Valley Times*, newspapers of general circulation within the District Boundary and shall be effective on June 17, 2022. This Ordinance shall be kept on file with the Secretary of the District.

PASSED AND ADOPTED by the Board of Directors of the Central Contra Costa Sanitary District on the 2nd day of June 2022, by the following vote:

AYES: Members: Hockett, Lauritzen, McGill, Pilecki, Williams
NOES: Members: None
ABSENT: Members: None

David Williams
David R. Williams
President of the Board of Directors
Central Contra Costa Sanitary District
County of Contra Costa, State of California

COUNTERSIGNED:

Katie Young
Katie Young
Secretary of the District
Central Contra Costa Sanitary District
County of Contra Costa, State of California

Approved as to form: Kenton L. Alm
Kenton L. Alm, Esq.
Counsel for the District