

ORDINANCE OF THE BOARD OF DIRECTORS OF THE SEWER AUTHORITY MID-COASTSIDE, COUNTY OF SAN MATEO, CALIFORNIA

ORDINANCE NO. 19-01

ORDINANCE AMENDING SEWER AUTHORITY MID-COASTSIDE ORDINANCE REGULATING SEWAGE AND NON-DOMESTIC WASTES DISCHARGED INTO THE SEWER AUTHORITY MID-COASTSIDE SYSTEM AND REPEALING CONFLICTING ORDINANCES

The Board of Directors of the Sewer Authority Mid-Coastside, County of San Mateo, California does ordain that its Non-Domestic Wastewater Source Control Program is hereby amended to read as follows:

NON-DOMESTIC WASTEWATER SOURCE CONTROL PROGRAM

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ARTICLE I. GENERAL

Section 1.0 Purpose.

The purpose of these Regulations are to:

- (a). Establish uniform requirements for non-domestic discharges into the wastewater interceptor, treatment and disposal system used and owned jointly with other public entities as parties to the certain joint exercise of powers agreement entitled "An Agreement Creating the Sewer Authority Mid-Coastside," dated February 3, 1976, as amended, whereby there was established the Sewer Authority Mid-Coastside (herein, Authority), by and between the Montara Sanitary District, Granada Sanitary District and the city of Half Moon Bay (each referenced herein as Agency);
- (b). Provide for and regulate the disposal of non-domestic wastewater into the sanitary sewer system of each Agency in such a manner and to such extent as may be reasonably necessary to maintain and to increase the ability of such system to handle and dispose of non-domestic wastewater without decreasing the ability of such system to handle and dispose of all sanitary sewage;
- (c). Improve opportunities to recycle and reclaim treated effluent and wastewater sludge, gases, and other byproducts of the treatment process;
- (d). Protect the physical structures of said sanitary sewer system and the efficient functioning of its component parts;

- (e). To protect both Publicly Owned Treatment Works personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
- (f). To comply with all applicable State and Federal laws, including the Clean Water Act (Title 33 United States Code [U.S.C.] section 1251 et seq.) and the General Pretreatment Regulations (Title 40 of the Code of Federal Regulations [CFR] Part 403);
- (g). Provide for the assessment and collection of various fees and other charges reasonably necessary for the implementation, administration and enforcement of the non-domestic wastewater source control program;
- (h). To enable the Authority to comply with its National Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other Federal or State laws to which the Publicly Owned Treatment Works is subject;
- (i). To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will pass through the Publicly Owned Treatment Works, inadequately treated, into receiving waters or atmosphere, or otherwise be incompatible with the Publicly Owned Treatment Works;
- (j). To prevent the introduction of pollutants into the Authority and Agencies' facilities that will interfere with their operation.

Section 1.1 Definitions

- (a). General.

Words, phrases or terms not specifically defined in this section, and having a technical or specialized meaning shall be defined as set forth in the latest edition of "Standard Methods for the Examination of Water and Wastewater," published by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.

References to waste constituents and characteristics shall have the meanings ascribed thereto in the aforesaid "Standard Methods for the Examination of Water and Wastewater," and measurements thereof shall be as set forth in such publication, or as established by federal or state regulatory agencies.

- (b). Specific definitions. The following words or phrases wherever used in this Ordinance shall have the following meanings unless the context otherwise requires:

(1) Agency. Refers to Montara Water & Sanitary District, Granada Community Services District or the City of Half Moon Bay, each of which entered into the "Agreement Creating the Sewer Authority Mid-Coastside" dated February 3, 1976, as amended, to establish uniform requirements for non-domestic discharges into the wastewater interceptor, treatment and disposal system used and owned jointly with other public entities.

(2) Authority. The Sewer Authority Mid-Coastside, a public entity established by that certain agreement entitled "An Agreement Creating the Sewer Authority Mid-Coastside," dated February 3, 1976, as amended, and any successor entity thereof.

(3) Best Management Practices (BMPs). Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Article II of this Ordinance. BMPs 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

(4) Building sewer. A sewer conveying the wastewater of a User from a residence, building, or other structure to a community sewer (and thereby the sanitary sewer system) owned by an Agency, including direct connections to such a community sewer (and sanitary sewer system). Building sewers, or portions thereof, are sometimes referred to as “service laterals.” Ownership and maintenance of the building sewer is the responsibility of the property owner.

(5) Discharger. Any person discharging non-domestic waste.

(6) Domestic wastewater. Any waterborne waste of the type naturally resulting from flushing and washing waste products from residences (including but not limited to: kitchens, bath and laundry facilities) and from personal sanitary conveniences (toilets, showers, bathtubs, fountains, non-commercial lavatories, and similar fixtures), provided that the discharge concentrations are below the limits set forth below under the heading ‘Domestic Wastewater Maximum Concentration Limits.’ Examples of wastewater excluded from this definition are wastewater from commercial, industrial, or agricultural facilities, and wastewater from institutional laundries or food service/preparation facilities.]

(7) Domestic Wastewater - Maximum Concentration Limits. Used to characterize wastewater as non-domestic if discharge concentrations are above the limits. All values except settleable solids and pH are expressed in mg/L.

Constituent	Concentration
Solids, total	1200
Dissolved, total	850
Fixed	525
Volatile	325
Suspended, total	350
Fixed	75
Volatile	275
Settleable solids, mL/L-hr	20
Biochemical oxygen demand, 5-day, 20°C	400
Total Organic Carbon (TOC)	290
Chemical Oxygen Demand (COD)	1000
Nitrogen (total as N)	85
Organic	35
Free Ammonia	50

Nitrites	0
Nitrates	0
Phosphorus (total as P)	15
Organic	5
Inorganic	10
Chlorides	350
pH	6 to 9
Oil and grease (animal or vegetable origin)	200
Oil and grease (mineral or petroleum origin)	100

(8) Fats, Oils, and Grease. Grease, oil, fat or other ether soluble matter derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules, and shall include each of the following two types:

- A. Dispersed grease, which means grease which is not floatable grease;
- B. Floatable grease, which means grease which floats on the surface of quiescent sewage water or other liquid or which floats upon dilution of the liquid with water.

(9) Holding tank waste. Any waste from sewage or waste disposal holding tanks such as are associated with vessels, chemical toilets, campers, trailers, motor homes, septic tanks and vacuum pump tank trucks.

(10) Interference. A discharge that, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and therefore, is a cause of a violation of the Authority's NPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent State or local regulations: section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act..

(11) Manager. The manager of Sewer Authority Mid-Coastside, or his/her designated representative.

(12) Medical Waste. Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

(13) National Pretreatment Standards. Any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307 (b) and (c) of the Act,

which applies to Users. This term includes both the general and specific prohibitions found in 40 CFR 403.5 and the National Categorical Standards.

(14) Non-Domestic Source. Any residential or commercial Discharger which discharges or could potentially discharge nondomestic wastewater, and any industrial Discharger.

(15) Non-Domestic Wastewater. Wastewater from a residential, industrial, or commercial Discharger which exceeds domestic wastewater maximum concentration limits as defined in this section, prohibited wastewater as defined by Article II of this Ordinance, wastewater classified in Section 1.2 below, or wastewater from an industrial Discharger.

(16) Pass-through. A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the Authority's NPDES permit, including an increase in the magnitude or duration of a violation..

(17) Person. Any individual, firm, company, partnership, association, private corporation, trust, estate, public corporation or governmental entity, authority or agency, and the officers, agents, or employees thereof.

(18) pH. A measure of the acidity or alkalinity of a solution, expressed in standard units.

(19) Pollutant. Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, medical wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, industrial, municipal, and agricultural wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, biological oxygen demand, chemical oxygen demand, toxicity, or odor).

(20) Premises. The location of the process, storage, discharge, or business actions of any person creating wastewater and/or discharging to the POTW as defined below.

(21) Publicly Owned Treatment Works or POTW. A treatment works, as defined by section 212 of the Act (33 U.S.C. section 1292), which is owned by Sewer Authority Mid-Coastside. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances, which convey wastewater to a treatment plant.

(22) Requirement of law or other requirements of law. Any pertinent provision of the Federal Water Pollution Control Act as amended by the Federal Water Pollution Control Act Amendments of 1972 (Public Law 92-500, 33 U.S.C. 1151 et seq.), or of any statute, ordinance, rule, regulation, order, directive, or of the Authority's National Pollutant Discharge Elimination System (NPDES) permit, or of any amendments thereto.

(23) Sewage. Human excrement and gray water (household showers, dishwashing operations, etc.).

(24) Total Suspended Solids or Suspended solids. The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and that is removable by laboratory filtering.

(25) Unpolluted water. Water to which no constituent has been added, either intentionally or accidentally, which would render such water unacceptable to an Agency or to the Authority for disposal to storm or natural drainages, or directly to surface waters.

(26) User. A source who contributes or causes a contribution of wastewater, including domestic waste, into the sanitary sewer system.

(27) Wastewater. Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.

(28) Wastewater Treatment Plant or Treatment Plant. That portion of the POTW which is designed to provide treatment of municipal sewage and industrial waste.

Section 1.2 Non-domestic wastewater source control program.

The Authority shall have the authority to regulate all discharges to, and other uses of, the POTW in order to ensure compliance with the National Pretreatment Standards and all provisions of this Ordinance. Users shall be classified for wastewater disposal purposes in accordance with the activities conducted upon their premises, as determined by the Authority. The purpose of classification is to facilitate the regulation of Users on the basis of each User's waste quality, quantity and flow, and the recovery of equitable and appropriate fees. Categories of Users addressed are:

(a). Any User meeting the definition of a Significant Industrial User as defined in 40 CFR 403.3(v).

(b). Any User who, in the opinion of the Authority, may have an impact on the Authority's ability to meet the objectives of this Ordinance and who is not appropriately classified in (a), (c) or (d) of this section. The following criteria shall be used to determine if a User meets this classification and the term of the permit:

(i) wastewater flow rate;

(ii) wastewater characteristics, actual and/or potential;

(iii) quantity and type of hazardous wastes generated at the facility;

(iv) potential for spills to the sanitary sewer system from the facility and the impact of such spills if they should occur; and

(v) size and complexity of the facility, to the degree that this affects the effort required to verify compliance with Authority requirements.

(c). Any User performing business activity which has been designated by the Authority as a category of concern. This designation shall be based on the criteria listed above in (b), taking into consideration the cumulative effect of all Users in the category under

consideration. Examples of business activities that may be designated are dental offices, agricultural activities discharging wastewater into a building sewer, or vehicle maintenance and repair facilities.

(d) Dischargers of contaminated groundwater and similar discharges.

(e) Discharger that exceeds domestic wastewater maximum concentration limits.

ARTICLE II. PROHIBITIONS

Section 2.0 General prohibitions.

No User shall discharge wastes or wastewater into the sanitary sewer system if it contains substances or has characteristics which cause, threaten to cause or are capable of causing, either alone or by interaction with other substances:

(a). A fire or explosion hazard;

(b). Obstruction of flow in, or injury to, the sanitary sewer system, or any portion thereof;

(c). Danger to life or safety of persons;

(d). Conditions inhibiting or preventing the effective maintenance or operation of the sanitary sewer system;

(e). Strong or offensive odors, air pollution, or any noxious, toxic or malodorous gas or substance, or gas-producing substances;

(f). Interference with the wastewater treatment process or overloading of the sanitary sewer system,;

(g). Interference with any wastewater reclamation process which does or may operate in conjunction with the sanitary sewer system, or overloading or a breakdown of such process, or excessive reclamation costs, or any product of the treatment process which renders such reclamation process impracticable or not feasible under normal operating conditions;

(h). A detrimental environmental impact, or a nuisance wherever located, or a condition unacceptable to any public agency having regulatory jurisdiction over operation of the sanitary sewer system;

(i). Discoloration, or any other adverse condition in the quality of the effluent from the sanitary sewer system such that receiving water quality requirements established by any statute, rule, regulation, ordinance or permit condition cannot be met by the Agency or Authority;

(j). Conditions at or near the sanitary sewer system, or any portion thereof, which cause, or may cause, the Agency or the Authority to be in violation of the requirements of law;

(k). Pollutants introduced into the sanitary sewer system which cause Pass-Through or Interference with the operation or performance of the POTW.

- (l). Damage to SAM facilities.

Section 2.1 Storm drainage and groundwater.

No User shall discharge, cause to be discharged or permit to be discharged, any storm water, groundwater, rainwater, street drainage, subsurface drainage or yard drainage, either directly or indirectly into the sanitary sewer system, unless a permit therefor is issued by the Authority. Authority may issue such permit only upon receiving authorization of the Agency and a finding by the Manager that no reasonable alternative method of disposal of such water is available.

Section 2.2 Unpolluted water.

No User shall discharge, cause to be discharged or permit to be discharged any unpolluted water, including, but not limited to, cooling water, process water or blow-down water from cooling towers or evaporative coolers, either directly or indirectly into the sanitary sewer system, unless a permit therefor is issued by the Authority and upon authorization of the Agency.

Section 2.3 Garbage grinders.

No User shall discharge, cause to be discharged or permit to be discharged waste from garbage grinders into the sanitary sewer system, provided, however, that:

- (a). Waste generated in preparation of food normally consumed on the premises which cannot be disposed of as solid waste may be so discharged;
- (b). Except as provided in subsection A of this section, discharge from a garbage grinder may only be made pursuant to a permit issued by the Manager;
- (c). No food waste disposal unit shall be connected to or discharged into any grease trap or grease interceptor. Garbage grinders from which wastes are permitted under either subsection A or B of this section, shall be of such design and capacity to shred wastes used therein such that all waste particles shall be carried freely under normal flow conditions into and through the sanitary sewer system.

Section 2.4 Point of discharge.

No User shall discharge, cause to be discharged or permit to be discharged any wastes or wastewater, or any object, material or other substance directly into a manhole or other opening in the sanitary sewer system other than wastes or wastewater through an approved building sewer; provided, however, that wastes or wastewater may be discharged into the sanitary sewer system by means other than through an approved building sewer pursuant to a permit therefor issued by the Authority and upon authorization of the Agency.

Section 2.5 Holding tank waste.

No User shall discharge, cause to be discharged or permit to be discharged any holding tank waste into the sanitary sewer system; provided, however, that:

- (a). Such discharges may be made into facilities designed to receive such wastes and approved by the Authority;
- (b). Such discharges shall be made pursuant to a permit issued by the Authority and authorized by the Agency. Unless otherwise provided by the Authority and authorized

by the Agency, a separate permit shall be required for each separate holding tank waste discharge.

Section 2.6 Radioactive wastes.

No User shall discharge, cause to be discharged or permit to be discharged, any radioactive wastewater into the sanitary sewerage system, except when the User is authorized to use radioactive material by the Nuclear Regulatory Commission or other governmental agency empowered to regulate the use of radioactive materials and when the wastewater is discharged in strict conformity with current Nuclear Regulatory Commission regulations and recommendations for safe disposal and in compliance with all rules and regulations of State and local regulatory agencies and a permit therefor has been issued by the Manager.

Section 2.7 Water softening waste.

Any discharge from any water conditioning device equipment or system serving an industrial discharger or commercial discharger which discharges salts or dissolved salts or solids into the sanitary sewer system is prohibited unless a permit is issued by the Authority and upon authorization of the Agency.

Section 2.8 Wastewater strength.

No User shall cause to be discharged or permit to be discharged into the sanitary sewer system, any wastewater containing any of the following constituents in excess of the maximum allowable concentrations established in this section:

Pollutant	Maximum Concentration
Arsenic	0.10 mg/1
Cadmium	0.11 mg/1
Chromium	2.77 mg/1
Copper	3.88 mg/1
Lead	0.69 mg/1
Mercury	0.01 mg/1
Nickel	3.98 mg/1
Silver	0.43 mg/1
Zinc	2.61 mg/1
Cyanide	1.20 mg/1
Phenolic Compounds (non-chlorinated)	5.0 mg/1
Chlorinated Phenolics	1.20 ug/1
Aldrin and Dieldrin	0.72 ug/1
Chlordane and related compounds	1.08 ug/1
DDT and Derivatives	0.36 ug/1
Endrin	0.72 ug/1
HCH	1.44 ug/1
PCBs	1.08 ug/1
Toxaphene	2.52 ug/1

Section 2.9 Additional limitations.

No User shall discharge, cause to be discharged or allow to be discharged into the sanitary sewer system:

- (a). Any wastewater or any part thereof, any liquid, solid, vapor, gas or thing having or developing a temperature of 150°F (65°C) or more, or which may cause the temperature at the sewage treatment plant to exceed 104°F (40°C);
- (b). Any wastewater or other waste containing more than 200 mg/1 of oil or grease of animal or vegetable origin;
- (c). Any wastewater or other waste containing more than 100 mg/1 of oil or grease of mineral or petroleum origin;
- (d). Any wastewater or other waste containing a pH lower than 6.0 ,or having a corrosive property capable of causing damage or hazard to structures or equipment of the sanitary sewer system or any portion thereof, or greater than 12.5 (any discharge having a pH of 12.5 or more is considered a hazardous waste);
- (e). Any sand, grit, straw, metal, glass, rags, feathers, paper, tar, plastic, wood, leaves, garden clippings, manure, dead animals, offal or any other solid or viscous substance capable of causing obstruction to the flow in the sanitary sewer system, or which in any way interferes with the proper operation of the sanitary sewer system;
- (f). Any wastewater or other waste containing a toxic or poisonous substance, not otherwise specifically prohibited in this Ordinance, in sufficient quantities to constitute a hazard to humans or animals, or to create a hazard in the sanitary sewer system, or to injure or interfere with the operation thereof;
- (g). Any wastewater containing suspended solids, not otherwise specifically prohibited under the provisions of this Ordinance, the characteristics or quantity of which require unusual attention, treatment or expense in handling or treating such material in the sanitary sewer system, or any portion thereof;
- (h). The use of diluting waters to meet the requirements or limitations on wastewater strength of this section or Section 2.8 is prohibited.
- (l) Medical Wastes, except as specifically authorized by the Manager in an individual wastewater discharge permit.

Section 2.10 Specific discharge limitations.

Notwithstanding the limitations upon the characteristics or quantity of wastewater discharged, caused to be discharged or permitted to be discharged into the sanitary sewer system pursuant to this article, the Authority may, in connection with the issuance of permits pursuant to the provisions of Article IV of this Ordinance, establish additional or different specific limitations on wastewater strength upon a finding by the Authority, that:

- (a). The limitations set forth in this article may not be sufficient to protect the operation of the sanitary sewer system, or any portion thereof, or that the waste or wastewater proposed to be discharged otherwise constitutes a hazard to, or an

unreasonable burden upon, such operation or otherwise causes or significantly contributes to violation of the Authority's NPDES permit; or

(b). The limitations set forth in this article may be unreasonably restrictive when applied to a specific industry; imposing a less stringent limitation will not cause or contribute to violation of any state or federal requirement of law; and the less stringent limitation will not result in a pass through, interference or prevention of sludge disposal or use; or

(c). State or federal pretreatment standards are established more stringent than the standards set forth in this article; or

(d). Specific standards have been established by the state or federal government for a specific category of industrial discharger, more stringent than the standards set forth by this article, which would supersede the limitations set forth in this article, with respect to such category.

Section 2.11 Best Management Practices. The Manager may require best management practices (BMPs) as an alternative to numeric limits that are developed to protect the POTW, water quality and sewage sludge.

ARTICLE III. PERMITS, REPORTS AND ADMINISTRATION

Section 3.0 Permits.

Users may be subject to wastewater discharge permit requirements depending on the volume, characteristics, and/or origin of their wastewater discharge. The Manager may require Users to obtain individual wastewater discharge permits as necessary to carry out the purposes of this ordinance. When requested by the Manager, a User must submit information on the nature and characteristics of its wastewater within 30 days of the request. The Manager is authorized to prepare a form for this purpose and may periodically require Users to update this information.

Permits required or authorized pursuant to the provisions of this article shall be subject to reasonable fees and conditions determined necessary or appropriate by the Authority and the Agency in order to carry out the provisions of, and ensure compliance with, this Ordinance, or of any other requirements of law. No such permit shall be issued by the Manager until all applicable fees and charges established pursuant to this Ordinance have been paid.

Section 3.1 Application for permit.

(a). All Dischargers required to obtain an individual wastewater discharge permit must submit a permit application. The application shall be in writing in such form as the Manager shall require, shall be submitted to the Manager, and may include the following:

(i). The name and address of the applicant;

(ii). The name and address of the discharging facility including the name of the operator and owners;

- (iii). The name and address of the property owner, if other than the owner of the discharging facility;
- (iv). List of any environmental control permits held by or for the facility;
- (v). A brief description of the nature, average rate of production and standard industrial classification of the operation(s) carried out by the Discharger;
- (vi). Flow measurement showing the average daily and maximum daily flow from each process stream;
- (vii). Wastewater constituents and characteristics, including, but not limited to, those categories thereof described in Article II of this Ordinance, the presence and amount of which shall be determined by a state-approved laboratory competent to test and describe such constituents and characteristics, and approved by the manager;
- (viii). The time, duration and volume of the proposed wastewater discharge;
- (ix). The average and daily peak wastewater flow rates proposed to be discharged, including weekly, monthly and seasonal variations, if any;
- (x). The numbers of employees per shift and shift schedules;
- (xi). Hours of operation;
- (xii). Site plans, floor plans, mechanical and plumbing plans, in detail necessary or appropriate to show and to describe all sewers and appurtenances by size, location and elevation;
- (xiii). A description of the activities, facilities and plant processes conducted, or proposed to be conducted on the premises, including, but not necessarily limited to, all materials manufactured, fabricated or processed, and the types of materials which are or could be discharged into the sanitary sewer system;
- (xiv). Identification of permitted discharge standards applicable to each process and type of product;
- (xv). A statement, reviewed by an authorized representative of the Discharger and certified to be a qualified professional in the field of wastewater pretreatment, indicating whether permitted standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O and M) and/or additional pretreatment is required for the Discharger to meet the permitted discharge standards and requirements;
- (xvi). If additional pretreatment and/or O and M will be required to meet the permitted discharge standards, the schedule by which the industrial discharger will provide such additional pretreatment and/or O and M. The completion date in this schedule shall not be later than the compliance date established for the applicable permitted discharge standard;
- (xvii). Such other information deemed necessary by the Manager to determine the effect upon the sanitary sewer system of the proposed discharge or activities

related thereto, or otherwise reasonably necessary to enable the manager to carry out the provisions of this Ordinance or any other requirements of law.

(d). The Manager will evaluate the data furnished by the Discharger and may require additional information. Within 30 days of receipt of a complete permit application, the Manager will determine whether to issue a wastewater discharge permit. The Manager may deny any application for a wastewater discharge permit. The Agency shall be notified of all permits issued.

Section 3.2 Permit conditions.

(a). Permits authorized under this article shall be subject to all provisions and requirements set out in this Ordinance, and to all other requirements of law.

(b). Permits authorized under this article may include any or all of the following:

(i). The allowable average and maximum wastewater constituents and characteristics thereof permitted to be discharged into the sanitary sewer system (the permitted discharge standards);

(ii). Limitations upon time and rate of wastewater discharge, or requirements for flow regulations and equalization thereof;

(iii). Requirements for the installation and maintenance of inspection, sampling or testing facilities, including Authority and Agency access to such facilities;

(iv). Pretreatment requirements, including device specifications and maintenance schedule;

(v). Specifications for monitoring programs which may include, but shall not necessarily be limited to, sampling locations, frequency and method of sampling, number, types and standards for tests, and reporting schedule;

(vi). Requirements for submission of technical or wastewater discharge reports;

(vii). Requirements for maintaining plant records relating to the wastewater discharge as specified by the manager, and providing for access of the manager thereto; provisions that such records shall be made available for copying and inspection;

(viii). Compliance schedules;

(ix). Requirements for notifying the Manager of any new introduction of wastewater constituents or any substantial change in the volume or character of the wastewater constituents being introduced into the wastewater stream;

(x). Requirements and plans for protection against accidental, unanticipated or non-routine discharges;

(xi). Requirements for notification of accidental discharge;

(xii). Requirements for notification of change of any information applicable to the permit or permit application;

- (xiii) Installation of technology, as specified by the Manager;
- (xiv) Requirements to implement best management practices.
- (xv). Such other conditions, requirements or provisions deemed appropriate by the manager to ensure compliance with the provisions of this Ordinance or other requirements of law.

Section 3.3 Duration of permits.

A permit authorized under this article shall be effective for the period described therein, but, in any event, for no longer than five years. Such period described in the permit may be for a term less than a year, may be expressed in years or may be stated to expire on a specific date.

A Discharger with an expiring wastewater discharge permit shall apply for wastewater discharge permit reissuance by submitting a complete permit application, in accordance with Section 3.1 of this ordinance, a minimum of 60 days prior to the expiration of the Discharger's existing wastewater discharge permit. Issuance of a new permit will be subject to a permit renewal fee.

A permittee shall notify the manager in the event of any change in the information previously supplied on the permit application form. In the event any such change could alter the permittee's quality or quantity of discharge, the permittee shall notify the manager in writing of such proposed change or changes at least thirty days prior to the making of such change or changes. Failure to do so shall be deemed a violation of the permit and this Ordinance.

Every permit shall be subject to modification, amendment or other change by the Manager during the term of the permit, as determined necessary by the Manager, in order to obtain compliance by the Discharger with the requirements of this Ordinance, or other requirements of law. To the extent practicable, the Manager shall give written notice to a permittee of any proposed modifications, changes or amendments to the Discharger's permit not less than thirty days prior to the effective date of such change, modification or amendment. To the extent reasonably necessary or appropriate, the Manager may specify a time schedule for compliance with any new conditions, provisions or requirements established by modification, change or other amendment to a permit. The Manager may revoke a wastewater discharge permit for good cause, including, but not limited to, the following reasons: Failure to notify the Manager of significant changes to the wastewater prior to the changed discharge; Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application; Falsifying self-monitoring reports and certification statements; Tampering with monitoring equipment; Refusing to allow the Manager timely access to the facility premises and records; Failure to meet effluent limitations; Failure to pay fines; and Failure to pay sewer charges.

Permittees must retain all records and documentation pertinent to permit monitoring, sampling, etc., for no less than five years.

Section 3.4 Non-assignability of permit.

A permit shall be personal to each permittee, and shall relate only to the use or operation described therein.

No Discharger shall, and it shall be unlawful to, assign, reassign, transfer, sell, lease, sublet or otherwise transfer a permit, or any interest therein, to any person other than the permittee, or to use, cause to be used or permit to be used, such permit in connection with a different premises, a different operation than that specified in such permit or a new expanded, modified operation.

Section 3.5 Refusal to issue permit.

The Manager may refuse to issue a permit if any one or more of the following conditions exist:

- (a). The application is not accompanied by the appropriate fee;
- (b). The application for a permit contains misleading or false information;
- (c). The issuance of the permit would result in the endangerment of public health or safety;
- (d). The issuance of the permit would cause the Authority to violate any permit conditions or regulations of the state and/or federal government;
- (e). The applicant has not provided sufficient safeguards to prevent accidental discharge to the sanitary sewer system.

If the Manager refuses to issue a permit, the Manager shall notify the applicant and Agency and set forth the reasons for such refusal.

Section 3.6 Discharge reports.

Upon a determination by the Manager that such information is necessary or appropriate in order to reasonably carry out the provisions of this Ordinance, the Manager may require that any Discharger discharging, causing to be discharged, permitting to be discharged or proposing to discharge wastewater into the sanitary sewer system shall file a periodic discharge report, the cost of which shall be borne by such Discharger. Such report may include, but shall not necessarily be limited to, information relating to the nature of manufacturing, fabricating or other processes, potable or recycled water volumes, wastewater volumes, rates of flow, mass emission rates, production quantities, hours of operation, number and classification of employees or other information relating to the generation of waste, including wastewater constituents and characteristics, of the pertinent wastewater discharge. The Manager may also require that such reports include the chemical constituents and quantity of liquid or gaseous materials stored on the premises relating to such discharge, even though such materials are not normally discharged into, or become a part of the wastewater in, the sanitary sewer system. Such reports shall be in addition to self-monitoring reports required by regulatory agencies other than the Authority or the Agency. The reports authorized

and required under this section shall be filed with the Manager at periods specified in the issued permit.

Section 3.7 Protection against accidental discharges.

Every Discharger shall provide protective measures against accidental or unauthorized discharges into the sanitary sewer system of those prohibited wastes, wastewater constituents or characteristics, or volumes set forth in Article II of this Ordinance, or as may be otherwise set forth in any permit issued pursuant to this Ordinance. Such measures shall consist of operational or other procedures and/or facilities as determined reasonably necessary or appropriate by the Manager. All costs of such measures shall be borne by the Discharger.

The Manager may specify standard procedures and/or facilities for each classification of Discharger, and, to the extent so specified, the Manager is authorized and directed to require the institution and use of such procedures, and the installation and construction of such facilities for each such classification. Alternatively, the Manager may require any Discharger to propose standard procedures and/or facilities, which proposals shall be submitted to the Manager for review, with such supporting plans, specifications, data, explanations or other matters as may reasonably be required by the Manager in order to ascertain the effectiveness of the procedures and/or facilities proposed. The Manager may require such revisions, amendments, modifications or other changes to such proposals, or approval, or reject the same, as the Manager deems reasonably necessary or appropriate in order that such proposals ensure protection against accidental or unauthorized discharge.

Section 3.8 Public information.

All information and data a Discharger obtained from reports, questionnaires, permit applications, permits, monitoring programs, inspections or from other sources provided or required under the provisions of this Ordinance shall be available to the public or other governmental agencies without restriction unless the Discharger requests in writing that such information be maintained confidential, and establishes to the satisfaction of the manager that the disclosure of the information to other persons would result in unfair competitive disadvantage to the Discharger. In no event shall wastewater constituents, characteristics, or other effluent data, as defined at 40 CFR 2.302 be deemed confidential information.

Notwithstanding the foregoing, information approved by the Manager as confidential shall be available for use by the Agency, Authority, the state, the federal government or any agency of such entities, in connection with enforcement proceedings, or any judicial proceedings to which the Discharger is a party. Subject to the foregoing, information accepted by the manager as confidential shall not be transmitted to the general public, or to any governmental agency, until and unless prior written notification is given to the Discharger.

Section 3.9 Special agreements.

Notwithstanding anything in this Ordinance to the contrary, the Manager may enter into an agreement, and recover costs relating thereto, with any Discharger, relating to treatment, pretreatment or other matters in furtherance of the provisions and purposes of this Ordinance, when unique, unusual or extraordinary circumstances require such special agreement; provided, however, that no such agreement shall authorize an

extension of the final dates for compliance with required federal standards or waive such standards. All special agreements the Authority enters into shall be first authorized by the Agency.

Section 3.10 Fees and deposits.

The Agency and/or Authority, may, by resolution, establish a uniform schedule of fees and a method of establishing an estimated deposit to be imposed upon and collected from applicants or Dischargers to defray the costs of processing and issuing permits hereunder, and the costs of the following services:

- (a). Permit application review (Section 3.1);
- (b). Pretreatment device review (Section 4.2);
- (c). Grease trap/grease interceptor review (Section 4.3);
- (d). Review of proposals for protection against accidental discharges (Section 3.7);
- (g). Special agreements (Section 3.9);
- (h). Such other services as are required to be performed to implement permit;
- (i). Such services as are required to be performed to insure that any terms and conditions in a permit have been complied with, including, but not limited to, monitoring, inspections, sampling and administration;
- (j). Permit renewal fee;
- (k). Inspections for compliance with Article II of this ordinance.

The fees adopted by the Authority Board of Directors from time to time pursuant to this section shall be adjusted by the Authority Manager, subject to the review of the Authority Board of Directors, as of July 1st of each fiscal year, commencing July 1, 2020, by the annual change in the Consumer Price Index, all urban consumers, all items for the San Francisco Bay Area, published by the United States Department of Labor, Bureau of Labor Statistics (the "Index"), in the manner described in the sentences that follow.

For each resolution establishing fees pursuant to this section on or after April 30, 2019, the Index published for the last day of April of the fiscal year immediately preceding the fiscal year the fees thus established will become effective shall be referred to as the "Beginning Index."

The Index published for the last day of April immediately preceding the next annual adjustment date, commencing with the fiscal year after the fees became effective, shall be referred to as the "Extension Index." The fee adjustment shall be set by multiplying the then current fees by a fraction, the numerator of which shall be the Extension Index and the denominator of which shall be the Beginning Index. Notwithstanding the foregoing, in no case shall any increase be less than 3% per year, rounded off to the nearest dollar. If the Index is discontinued by the Bureau of Labor Statistics, the index designated by the Bureau of Labor Statistics as replacing the Index shall be used.

Section 3.11 Collection of fees.

Fees imposed by the Authority and/or Agency's resolution shall be collected by Authority and the Agency by any means available to them. In addition, the Agency may collect such fees through the county property tax rolls pursuant to Section 5473 of the Health and Safety Code of the state of California.

Section 3.12 Delinquent fees.

Fees which are not paid when due shall be assessed a penalty for delinquent payment as follows:

- A. A basic penalty of ten percent of the delinquent charges shall be assessed.
- B. A penalty of one and one-half percent per month of the delinquent charges and unpaid basic penalty shall be assessed.
- C. In addition to subsections A and B of this section, the Discharger may be subject to the additional enforcement action as identified in Article V of this Ordinance.

Penalties as described above will not be assessed if fees are collected through the county property tax rolls.

ARTICLE IV. MONITORING, INSPECTIONS AND PRETREATMENT

Section 4.0 Monitoring facilities.

The Manager may require a Discharger to construct, operate and maintain, at the Discharger's own expense, monitoring, sampling or metering facilities or other equipment to allow inspection, sampling and flow measurement of the Discharger's building sewer or internal drainage systems, or waste or wastewater discharges. Such monitoring, sampling or metering facilities or equipment shall be located on the Discharger's premises; provided, however, that the Manager may allow such equipment or facility to be constructed upon public property adjacent to the Discharger's premises upon a determination by the Manager that the location of such equipment or facilities upon the Discharger's premises would be impracticable or cause unnecessary or undue hardship. In the event that the Manager makes the foregoing determination, the Discharger shall obtain permission for such installation or construction, and for the maintenance and operation of such facilities or equipment, from the governmental agency having jurisdiction over such public property.

Monitoring, sampling or metering facilities or equipment to be provided, installed, maintained and operated pursuant to the provisions of this section shall be so situated and constructed and installed as to permit safe and immediate access by the Manager; provided, however, that the Manager may, at the option of the Discharger, secure such equipment or facilities with a lock furnished by the Authority, at the expense of the Discharger. The Discharger shall provide sufficient space, as determined by the Manager, at or near such equipment or facilities so as to allow ready and accurate monitoring, inspecting and sampling. Such equipment and facilities, and the sampling and measuring equipment to be maintained and operated in connection therewith, shall be so maintained and operated at all times in a safe and proper condition, by and at the expense of the Discharger.

Monitoring, sampling or metering equipment or facilities to be furnished pursuant to the provisions of this section shall be provided in accordance with all reasonable requirements of the Manager relating thereto, and all applicable construction standards and specifications of the Authority. Installation and construction of such facilities or equipment shall be completed and the facilities or equipment fully operational within ninety days following written notification requiring such installation or construction from the Manager.

Section 4.1 Inspection and sampling.

The Manager shall have the right to enter the premises of any User to determine whether the User is complying with all requirements of this ordinance and any wastewater discharge permit or order issued hereunder. Users shall allow the Manager ready access to all parts of the premises for the purposes of inspection, sampling, monitoring or performing any or all of the duties reasonably necessary or appropriate in carrying out or enforcing the provisions of this Ordinance, or any permit issued pursuant to this Ordinance.

The Manager shall have the right to set up on the Discharger's premises, or require installation of, such devices as are necessary to conduct sampling and/or metering of the Discharger's operations.

In the event a Discharger has established security measures requiring identification and clearance prior to entry onto such Discharger's premises, the Discharger shall furnish and provide such identification or clearance to the Manager so as to permit ready access of the Manager to the premises for the purposes described in this section.

Section 4.2 Pretreatment.

Dischargers shall provide wastewater treatment as necessary to comply with this ordinance and shall achieve compliance with all applicable Federal standards, local limits and the prohibitions under Article II of this Ordinance. Such pretreatment facilities shall be provided, operated and maintained at the Discharger's expense.

Detailed plans describing such facilities and operating procedures shall be submitted to the Manager for review, and such plans shall be in a form acceptable to the Manager before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the Discharger from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the Authority under the provisions of this ordinance.

Any proposed cessation of use, or alteration, modification or other change to approved pretreatment facilities or any portion thereof, or any change in method of operation thereof, shall be reported to the Manager prior to commencement thereof, and shall be subject to the approval of the Manager.

Section 4.3 Grease trap/grease interceptors.

(a). Any type of business or establishment where grease or other objectionable materials may be discharged into a public or private sewer main or disposal system shall have a grease interceptor of a size and design to be approved, first by the Agency, and by the Manager.

- (b). Each grease interceptor shall be so installed and connected that it shall be at all times easily accessible for inspection, cleaning and removal of intercepted grease.
- (c). The grease interceptor shall be situated on the Discharger's premises, but the Authority may, when such location would be impractical or cause undue hardship on the Discharger, allow the facility to be constructed in the public street or sidewalk area, subject to applicable city or county codes related thereto, and located so that it will not be obstructed by landscaping or parked vehicles.
- (d). Buildings remodeled for use requiring grease interceptors shall be subject to these regulations.
- (e). Waste discharge from fixtures and equipment in the above-mentioned types of establishments which may contain grease or other objectionable materials including, but not limited to, scullery sinks, pot and pan sinks, dishwashers, soup kettles and floor drains located in areas where such objectionable materials may exist, may be drained into the sanitary waste through the interceptor when approved by the Manager; provided, however, that toilets, urinals, wash basins and other fixtures containing fecal material shall not flow through the interceptor.
- (f). The interceptor shall be maintained in efficient operating condition at all times by periodic removal of the accumulated grease. The use of chemicals to dissolve grease is specifically prohibited. No such accumulated grease shall be introduced into any drainage piping or public or private sewer.
- (g). Abandoned grease interceptors shall be emptied and filled in accordance with applicable city or county requirements for abandoned septic tanks.

Section 4.4 Wastewater volume determination.

- (a). General. For the purposes of this Ordinance, unless otherwise provided pursuant to the provisions of this article, volumes of wastewater produced by Non-domestic Dischargers shall be determined upon the basis of volumes of potable water, including all sources of nonwastewater, used by, or furnished to, a Discharger.
- (b). Metering. Upon application of a Non-domestic Discharger, and upon a finding by the Manager that a significant portion of potable water or nonwastewater, received by the Discharger from any metered source does not flow into the sanitary sewer system because of the principal activity of the Discharger, or by reason of removal of wastewater by other means, the Manager may authorize determination of the volume of wastewater discharge to be made by an appropriate metering device. Upon such determination by the Manager, a metering device, of a type approved by the Manager and the Agency, shall be installed at the Discharger's expense. Such metering device shall measure either the amount of wastewater discharged into the sanitary sewer system or the amount of potable water or nonwastewater diverted from the sanitary sewer system. Upon installation, such meters shall be maintained and tested periodically for accuracy in accordance with requirements established by the Manager, all of which maintenance and testing shall be at the expense of the Discharger.
- (c). Exceptions--Estimated Volume. In lieu of use of a metering device as specified in subsection B of this section and upon a determination by the Manager that it would be unnecessary or impracticable to install, maintain or operate such metering device,

wastewater volume discharged by a Discharger into the sanitary sewer system may be based upon an estimate thereof determined by the Manager. The determination of such estimated wastewater volume shall be based upon such factors as the number of fixtures through which wastewater flows into the sanitary sewer system from the Discharger's premises, seating capacity of buildings or improvements upon the premises, the population equivalent associated with the premises, annual production of goods and services related to the premises, or other factors reasonably relating to water use, wastewater volume calculations and/or diversions of wastewater flow from the sanitary sewer system. Wastewater volume based on potable water use may be adjusted based upon an estimate of the volume of potable water put to irrigation use as determined by the Manager.

ARTICLE V. ENFORCEMENT

Section 5.0 Responsibility.

The Authority, its officers, employees or agents, are authorized to act as enforcement agents of the Agency, for and on behalf of the Agency, with power to inspect and issue notices for violations of the provisions of this Ordinance, and to prosecute violations of any of the provisions of this Ordinance (including, without limitation, levying of fines, disconnection of service, revocation of permits and civil and criminal court actions).

The Authority shall bill the Agency for all costs and expenses incurred by the Authority in the implementation and enforcement of this article, and the Agency shall, within thirty days after the receipt of the bill from the Authority, pay same.

Section 5.1 Unauthorized discharges.

(a). Notification. In the case of any discharge, including, but not limited to, accidental discharges, discharges of a nonroutine, episodic nature, including, but not limited to an accidental spill or a noncustomary batch discharge (sometimes called a "Slug Discharge" or "Slug Load"), that might cause Pass-Through, Interference, or other potential problems for the POTW, or in any other way violate this Ordinance, local limits, or the User's wastewater discharge permit conditions, the Discharger shall immediately telephone and notify the Manager of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the User.

(b) Within five (5) days following such discharge, the Discharger shall, unless waived by the Manager, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the Discharger to prevent similar future occurrences. Such report shall not relieve any Discharger of liability for any expense, loss or damage suffered or incurred by the Agency or Authority, directly or indirectly, by reason of such unauthorized discharge. Such report shall not relieve or absolve any Discharger from civil liabilities, or imposition of civil or criminal penalties in any manner whatsoever.

(c). Liability. A Discharger found by the Authority to be in violation as described in subsection (a) of this section shall be liable for the cost of all monitoring, inspection, sampling and other necessary services incurred at public expense as a result of the violation. The Discharger may also be liable for other public expenditures as described in this article.

(d). Notices to Discharger Employees. A notice shall be permanently posted on the Discharger's bulletin board or other prominent place advising employees who to call in the event of a discharge described in paragraph (a), above. Employers shall ensure that all employees, who could cause such a discharge to occur, are advised of the emergency notification procedure.

Section 5.2 Cease and desist orders.

Upon a determination by the Manager that a discharge of waste or wastewater has occurred, or is occurring, or is about to occur, in violation of any provision of this Ordinance or of any provision of any permit issued pursuant to this Ordinance, the Manager may issue an order to the Discharger to cease and desist such discharge or practice, or operation likely to cause such discharge, and further order such Discharger to:

(a). Immediately comply with all requirements; and

(c). Take appropriate remedial or preventative action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge. Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the Discharger.

Section 5.3 Time schedules.

Upon a determination by the Manager that a discharge of waste or wastewater has occurred, or is occurring, or is about to occur in violation of the provisions of this Ordinance, or in violation of any provision of a permit issued pursuant to this Ordinance, the Manager may require the Discharger to submit for approval subject to such modifications, and to such terms and conditions as the Manager reasonably deems necessary or appropriate, a detailed time schedule of specific actions which the Discharger shall take in order to eliminate or prevent such violation or violations.

Section 5.4 Emergency corrections.

The Authority is authorized to spend public funds and to enter upon private or public property in order to perform emergency corrections. Emergency corrections are those corrections which the Manager deems necessary in order to correct, eliminate or abate a condition upon such premises which threatens to cause, causes or caused damage to the sanitary sewer system, or which otherwise threatened to cause, causes or caused a violation of any provision of this Ordinance, or of any permit issued pursuant to this Ordinance, or of any other requirement of law, provided that the Manager first determines that such damage causes or will cause, an injury to the public health, safety or welfare. Before proceeding with emergency corrections, Authority will give the responsible Discharger and property owner, if other than the Discharger, an opportunity to do so.

In the event any such repairs, construction or other public work is performed by or caused to be performed by the Authority, on any such premises, the Discharger responsible for the occurrence or condition giving rise to such work, the occupant and the owner of the premises shall be liable, jointly and severally to the Agency and Authority for such public expenditures.

If such Discharger or property owner shall fail to pay the full amount of such public expenditures within thirty days after billing therefor by the Authority, Authority shall then

notify the property owner, and bill the Agency and the Agency shall, within thirty days after receipt of the bill from the Authority, pay same. The Agency may, hereafter, collect same in any manner available to it. Should the property owner fail to pay, the Agency may, by order entered upon its minutes, declare that such amount, and the administrative expenses incurred by the Agency or Authority, or both, incident to such expenditures, shall be transmitted to the county assessor and county tax collector by copy of the order so providing, certified by the Agency. Upon making such order, the unpaid amount shall constitute a lien upon the premises, and the amount thereof shall be added to the next succeeding tax bill against such property, and shall be collected at the same time and in the same manner as general property taxes are collected, and shall be subject to the same penalties and procedure in case of delinquency.

Section 5.5 Damages to sewage facilities.

In the event damages are caused to the sanitary sewer system or any portion thereof, by reason of a waste or wastewater discharge from any premises in violation of the provisions of this Ordinance, or of any permit issued pursuant to this Ordinance, or of any other requirement of law, the Discharger responsible for the occurrence or condition giving rise to such damages, and the property owner shall be liable, jointly and severally, to the Agency and Authority for the full amount thereof.

If such Discharger or property owner shall fail to pay the full amount of such damages within thirty days of billing therefor by the Authority and/or Agency, Authority and/or the Agency may proceed in accordance with, and the Discharger shall be subject to, the provisions set forth in Section 5.4 of this Ordinance.

Section 5.6 Termination of service.

Subject to the provisions of this section, Authority may advise Agency to terminate sanitary sewage services to any premises from which waste or wastewater have been discharged, are being discharged or are threatened to be discharged in violation of any provision of this Ordinance, or of any permit issued pursuant to this Ordinance, or of any other requirement of law. Termination of service shall be in accordance with the termination procedures of the Agency then in effect.

Section 5.7 Revocation of permits.

Authority may revoke any permit issued pursuant to the provisions of this Ordinance for good cause, including, but not limited to the following reasons:

- (a). Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- (b). Failure to report significant or substantial changes in the operations conducted upon the premises to which the permit pertains, or significant or substantial changes in wastewater constituents, characteristics, or volumes discharged from such premises;
- (c). Refusing to permit, reasonable access to the premises to which the permit pertains; or
- (d). Violation of any term, condition or provision of the permit or this Ordinance.

Section 5.8 Falsification of information.

It shall be unlawful for any person knowingly to make any false statement, representation, record, report, plan or other document filed with the Manager pursuant to the provisions of this Ordinance, or of any permit issued pursuant to this Ordinance, or who knowingly tampers with or otherwise renders inaccurate any monitoring device or equipment installed and operated pursuant to the provisions of this Ordinance or of any permit issued pursuant to this Ordinance.

Section 5.9 Public nuisance.

Any discharge, or threatened discharge, or any condition which is in any manner in violation of the provisions of this Ordinance, or of any permit issued pursuant to this Ordinance, or of any order or directive of the Authority authorized by this Ordinance, shall be, and the same is declared to be unlawful and a public nuisance. Such nuisance may be abated, removed or enjoined, and damages assessed therefor, in any manner provided by law.

Section 5.10 Misdemeanor.

Any person violating or causing the violation of any provision of this Ordinance, or of any permit issued pursuant to this Ordinance, shall be guilty of a misdemeanor, and upon conviction thereof, shall be punishable by a fine of not more than one thousand dollars, or by imprisonment in the county jail for a term not exceeding thirty days, or by both such fine and imprisonment. Every day such violation continues shall constitute a separate offense.

Section 5.11 Remedies Nonexclusive.

The remedies provided for in this Ordinance are not exclusive, and shall be in addition to any or all other remedies available to the Agency. The Manager is empowered to take more than one enforcement action against any noncompliant User.

Section 5.12 Appeals.

(a). Any Discharger, permittee, applicant, property owner or other person aggrieved by any decision, action, finding, determination, order or directive of the Manager, made and authorized pursuant to the provisions of this Ordinance, or any permit issued pursuant to this Ordinance, or interpreting or implementing the same, may file a written request with the Manager for reconsideration thereof within ten days of such decision, action, finding, determination or order, setting forth in detail the facts supporting such Discharger's or person's request for reconsideration. The Manager shall render a final decision within ten days of the receipt of such request for reconsideration.

(b). Any Discharger, permittee, applicant, property owner or other persons aggrieved by the final decision of the Manager who has sought reconsideration pursuant to paragraph (a) immediately preceding may appeal such decision to the Authority Board of Directors by filing a written notice of appeal with the Authority within ten days of notification by the Manager of the final decision. The written notice of such appeal shall set forth in detail the facts and reasons supporting the appeal. The appeal shall be heard by the Authority Board of Directors within thirty days from the date of filing of the notice of appeal. The appellant, the Manager and such other persons as the Authority Board of Directors may deem appropriate, shall be heard at the hearing on such appeal. Upon conclusion of the hearing, or within thirty days thereafter, the Authority Board of Directors may affirm, reverse, or modify the final decision of the

Manager as the Authority Board of Directors deems just and equitable, and in furtherance of the provisions, purposes and intent of this Ordinance. During the pendency of any such appeal the final decision of the Manager shall remain in full force and effect. The decision by the Authority Board of Directors on the appeal shall be final.

* * * * *

This Ordinance shall be published once in a newspaper published in the territory of the Authority and shall be effective upon expiration of the week of publication.

The foregoing Ordinance was introduced at a regular meeting of the Board of Directors of the Sewer Authority Mid-Coastside held on the 10th day of June, 2019, and passed and adopted at a regular meeting of the Board of Directors held on the 8th day of July, 2019, by the following vote:

AYES
NOES
ABSTAIN

Chair of the Board of Directors
Sewer Authority Mid-Coastside
San Mateo County, California

Uniform Schedule of Fees

The charge payable to the Authority for every inspection, re-inspection for any reason including but not limited to non-compliance, sampling or re-sampling of a business for any reason including but not limited to non-compliance, and for every instance in which the District inspector is present at a business establishment to determine environmental compliance shall be as follows:

<u>Inspection Type</u>	<u>Fee</u>
Food Service Establishment Inspection	\$135
Dental Facility Inspection	\$135
Permitted Industrial User Inspection	\$270
Permitted Industrial User Sampling	\$270 plus lab processing costs
Auto Service Facility Sampling	\$450