

**SECTION 6 SEWER COLLECTION SYSTEM**

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**Section 6**      **SEWER COLLECTION SYSTEM**  
Regulation of Wastewater Discharge and Facilities

**6.1**      **GENERAL PROVISIONS**

**6.1.1**      **Administration**

The District constructs, owns and operates sewer and wastewater facilities to serve domestic, industrial, and commercial customers. The following provisions apply to wastewater discharges within the District's boundaries, and to other discharges from tributaries to the District's wastewater facilities.

The District shall administer, implement, and enforce these provisions and all applicable regulations. The District shall establish procedures necessary for the administration of these regulations, and may modify such procedures as conditions require and may be amended only by ordinance of the Board of Directors of the District.

**6.1.2**      **Penalties for Violations**

The District shall enforce these regulations in accordance with the following provisions:

**6.1.2.1**      **Public Nuisance**

Discharge of wastewater in any manner that is in violation of these regulations, or any order issued by the District as authorized herein, is hereby declared a public nuisance and shall be corrected or abated as directed by the District. Any person creating such a public nuisance is guilty of a misdemeanor and may be referred for criminal prosecution.

**6.1.2.2**      **Injunction**

Whenever a discharge of wastewater is found to be in violation of these provisions, or otherwise causes or threatens to cause a condition of contamination, pollution, or nuisance, the District may petition the Superior Court for the issuance of a temporary restraining order, preliminary injunction, permanent injunction, or all, as may be appropriate to restrain such discharge.

**6.1.2.3**      **Falsifying Information**

The District shall consider it a violation of these regulations for any person to knowingly falsify any statement, representation, record, report, plan, or other document filed with the District; or to tamper with or knowingly render inaccurate any monitoring device or method required under these regulations. Such person shall be subject to penalties for violation of these regulations.

**6.1.2.4**      **Termination of Sewer Service**

In addition to other statutes or rules authorizing termination of service for delinquency in

payment for sewer service, the District may revoke any Industrial Wastewater Discharge Permit issued pursuant to these regulations. The District may also terminate the sewer service to any property, if a violation of any provision of this section is found to exist, or if any wastewater discharge into the District's sewer system causes or threatens to cause a condition of contamination, pollution, or nuisance.

When deemed necessary for the preservation of public health or safety, or for the protection of public or private property, the District may suspend or terminate sewer service to any person using the sewer system in a manner endangering the public health or safety, or public or private property. If such endangerment shall be imminent, the District may act immediately to suspend sewer service without notice or warning to said discharger. In terminating service, the District may sever all pertinent connections to the public sewer.

#### **6.1.2.5 Penalties**

- a) The District may, at its sole discretion, direct its General Counsel to seek, in San Diego County Superior Court, civil penalties against any person who violates any provision of these regulations regarding use of the sewer system, or conditions of their Industrial or Food Establishment Wastewater Discharge Permit; or who discharges wastewater that causes pollution; or who violates any cease-and-desist order, prohibition, effluent limitation, or national pretreatment standard for wastewater discharge.
- b) The District may, at its sole discretion, direct its General Counsel to seek criminal penalties for any intentional violation of any provision of these regulations regarding use of the sewer system, or conditions of their Industrial or Food Establishment Wastewater Discharge Permit, or who discharges wastewater that causes pollution; or who violates any cease-and-desist order, prohibition, effluent limitation, or national pretreatment standard for wastewater discharge.

#### **6.1.2.6 Cost Recovery**

A person violating any of these provisions, or who discharges wastewater that causes a deposit, obstruction, damage, or any other impairment to the District's sewer system shall become liable for all expense, loss, or damage sustained by the District by reason of such violation or discharge.

Any person violating these provisions, or who discharges wastewater through a privately owned sewer lateral (PLSD), will be responsible for the clean-up and remediation of the discharge and affected areas. If the discharger is non-responsive or uncooperative, the District may clean-up and remediate the wastewater discharge. The party responsible for the violation will be charged for the actual labor, materials and equipment used.

In addition to such penalties, the District may recover reasonable attorneys' fees, court costs, court reporters' fees and other expenses of litigation by means of an appropriate lawsuit or other remedy against the person or discharger found to have violated these regulations or any Industrial or Food Establishment Wastewater Discharge Permit issued.

### **6.1.3 Notice and Appeal Procedure**

Any notice required to be given by the District under these regulations regarding wastewater discharge shall be in writing, and shall be served in person or by registered or certified mail. If served by mail, the notice shall be sent to the last address known to the District. Where the address is unknown, service may be made upon the owner of record of the property involved.

Notice shall be deemed to have been given at the time of deposit, postage prepaid, in a receptacle regularly serviced by the United States Postal Service.

Any person found to be violating any provision of these rules and regulations shall be served by the District with written notice stating the nature of the violation. Within thirty (30) days after the date of the notice, unless the General Manager determines that a shorter time is necessary due to the nature of the violation, correction of a violation or a plan for the satisfactory correction thereof shall be submitted to the District.

If the violation is not corrected, or a satisfactory correction plan is not submitted within the specified time, the District may order such person to show cause for enforcement action not to be taken. The District may propose any enforcement action reasonably necessary to abate the violation.

### **6.1.4 Time Limits**

Any time limit provided in any written notice or in any provision of these regulations may be extended only by a written directive of the District.

### **6.1.5 District's Right of Inspection**

Adequate identification shall be provided by the District for its inspectors and other authorized personnel, who shall identify themselves upon entering any property for inspection purposes.

The District, at its discretion, shall be permitted to inspect the premises of any facility involved directly or indirectly with the discharge of wastewater into the sewer system, and shall take samples of any such wastewater discharge, for the purpose of ensuring that such facilities are maintained and operated properly and are adequate to comply with the provisions of these regulations. Access to such facilities shall be given to authorized personnel of the District at all reasonable times, including those occasioned by emergency conditions.

These facilities shall include but not be limited to sewer pipelines, wastewater pumping stations, pollution control plants, industrial processing activities, food establishments, and other operations discharging grease, oil, or other constituents at levels that may cause sewer blockages, any facilities that generate, convey, and pretreat industrial wastewater, and all similar wastewater facilities.

The owner or operator of a wastewater facility to be inspected shall promptly remove any permanent or temporary obstruction to ready access, at the written or verbal request of the District, and such obstruction shall not be replaced.

The District shall have the right to inspect and copy pertinent records of an industrial wastewater discharger relating to wastewater discharge or pretreatment operations, including inventories, chemical usage, material sources, hazardous materials manifests and disposal records, treatment and operations log books, and materials invoices.

## **6.2 SYSTEM REGULATIONS**

### **6.2.1 Purpose of Regulating Use of Sewer Service System**

The purpose of this section is to provide:

- a) The maximum public benefit from the District's sewer collection system through adequate regulation of its use and the discharge of wastewater into the system,
- b) Equitable distribution of the District's costs among the users, and
- c) Procedures for complying with wastewater discharge requirements placed upon the District by other regulatory bodies.

### **6.1.2 Scope of Sewer Collection System Regulations**

This section shall be interpreted in accordance with the definitions set forth herein, and its provisions shall apply to the direct or indirect discharge of all waste into the District's sewer system.

This section also provides for regulation of:

- a) The quantity and quality of discharged wastes,
- b) The degree of any waste pretreatment required,
- c) The approval of plans for sewer facility construction,
- d) The issuance of permits for industrial wastewater discharge and food establishment wastewater discharge, and the fixing of fees and charges for such permits, and
- e) The establishment of penalties for violation of these rules and regulations.

### **6.2.3 Conditions for Wastewater Disposal**

Wastewater discharged to the District Sewer shall not:

- a) Damage structures,
- b) Create nuisances such as odors,
- c) Menace public health,
- d) Impose unreasonable collection, treatment, or disposal costs to the District,
- e) Interfere with wastewater treatment processes,
- f) Exceed quality requirements set by regulatory government agencies, or
- g) Detrimentially affect the local environment.
- h) Constitute an illicit discharge as defined by State Water Resource Control Board Order No. 2006-0003, Revised Monitoring and Reporting Program (WQ 2013-0058-EXEC), and Regional Water Quality Board Order No. R9-2015-0002, R9-2007-0005, and, as may be applicable, R9-2009-0037.

#### **6.2.4 Wastewater Recycling and Reuse**

The District is committed to a policy of wastewater recycling and reuse, in order to provide an alternate source of water supply, and reduce overall costs of wastewater treatment and disposal. The recycling of wastewater through secondary and tertiary treatment processes may necessitate more stringent quality requirements for wastewater dischargers than those required by agencies which regulate the District.

#### **6.2.5 Industrial Wastewater Discharge**

The District must comply with stated policies of the Federal government and meet increasingly higher standards for recycled water quality. Accordingly, this section provides for the regulation of industrial wastewater dischargers, and establishes quantity and quality limitations on industrial wastewater discharges. The District also establishes methods of cost recovery from processing any wastewater discharges that impose inequitable collection, treatment, or disposal costs on the District.

The District encourages industrial wastewater dischargers to establish recovery and reuse procedures designed to meet their specific discharge limitations, rather than rely upon general procedures designed solely to meet wastewater discharge standards. Such methods shall provide for beneficial reuse of otherwise wasted resources of industrial wastewater treatment wherever feasible.

Optimum use of the District's wastewater facilities may require certain industrial wastewater to be discharged during periods of low flow in the sewer system. Periods of low flow are defined as the hours between 10 p.m. and 6 a.m. Periods of high flow are defined as the hours between 8 a.m. and 8 p.m.

### 6.3 DEFINITIONS OF WASTEWATER TERMS

- A. Unless otherwise defined herein, terms relating to water and wastewater shall be as adopted 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 Environment Federation.
- B. Other terms not herein defined are defined as being the same as set forth in the latest adopted applicable editions of the California Codes applicable to building construction adopted pursuant to the California Building Standards Law or as set forth in the Federal Water Pollution Control Act, the Porter-Cologne Water Quality Control Act, or any order issued pursuant thereto, if so defined.
- C. Subject to the foregoing provisions, the meaning of various terms as used in this section shall be as follows:

**"Alternative grease removal technology"** - Automatically operated mechanical device specifically designed to remove grease from the waste stream.

**"Best Management Practices (BMPs)"** - Any program, process, operating method, schedule of activities, prohibitions of practices or measure that controls, prevents, removes, or reduces an unwanted waste stream.

**"BOD"** - Biochemical Oxygen Demand as determined by procedures in Standard Methods.

**"Change in Operations"** - Any change in the ownership, food types, or operational procedures that have the potential to increase the amount of FOG generated and/or discharged by Food Service Establishments in an amount that alone or collectively causes or creates a potential for SSOs to occur.

**"COD"** - Chemical Oxygen Demand as determined by procedures in Standard Methods.

**"Discharger"** - Any person who discharges or causes a discharge of wastewater directly or indirectly to a public sewer. Responsible party.

**"District"** - Padre Dam Municipal Water District

**"District Sewer"** - A sewer system owned and operated by the District.

**"Domestic Wastewater"** - The liquid and water-borne wastes derived from humans in dwelling units, said wastes being of such character as to permit satisfactory disposal into a public sewer or private disposal system without special treatment.

**"Effluent"** - Customer=s sewage flow or wastewater discharge into District=s sewer collection system, or discharge of treated wastewater from District=s Recycled Water Facility.

**"Existing Discharger"** - A wastewater discharger in existence on the effective date of the ordinance establishing this section of these Rules and Regulations.



**"FOG"** - Fats, Oils and Greases. Any substance such as a vegetable or animal product that is used in, or is a byproduct of, the cooking or food preparation process, and that turns or may turn viscous or solidifies with a change in temperature or other conditions.

**"FOG Control Program Manager"** - The individual designated by the District to administer the FOG Control Program. The FOG Control Program Manager is responsible for all determinations of compliance with the program, including approval of discretionary variances and waivers.

**"Food Establishment"** - Facilities defined in California Uniform Retail Food Service Establishments Law (CURFFL) Section 113785, and any commercial entity within the boundaries of the District, operating in a permanently constructed structure such as a room, building, or place, or portion thereof, maintained, used, or operated for the purpose of storing, preparing, serving, or manufacturing, packaging, or otherwise handling food for sale to other entities, or for consumption by the public, its members or employees, and which has any process or device that uses or produces FOG, or grease vapors, steam, fumes, smoke or odors that are required to be removed by a Type I or Type II hood, as defined in CURFFL Section 113785. A limited food preparation establishment is not considered a Food Service Establishment when engaged only in reheating, hot holding or assembly of ready to eat food products and as a result, there is no wastewater discharge containing a significant amount of FOG. A limited food preparation establishment does not include any operation that changes the form, flavor, or consistency of food.

**"Food Establishment Wastewater Discharge (FEWD) Permit"** - A permit issued by the District subject to the requirements and conditions established by the District authorizing the permittee or discharger to discharge wastewater into the District's facilities or into sewer facilities which ultimately discharge into a District facility.

**"Garbage/Food Grinder"** - Any device installed in the plumbing or sewage system for the purpose of grinding food waste or food preparation by products for the purpose of disposing it in the sewer system.

**"Grease Interceptor"** - A multi-compartment device that is constructed in different sizes and is generally required to be located, according to the California Plumbing Code, underground between a Food Service Establishment and the connection to the sewer system. These devices primarily use gravity to separate FOG from the wastewater as it moves from one compartment to the next. These devices must be cleaned, maintained, and have the FOG removed and disposed of in a proper manner on regular intervals to be effective.

**"Grease Trap"** - A grease control device that is used to serve individual fixtures and have limited effect and should only be used in those cases where the use of a grease interceptor or other grease control device is determined to be impossible or impracticable.

**"Grease Removal/Control Device"** - Any grease interceptor, grease trap or other mechanism, device, or process, which attaches to, or is applied to, wastewater plumbing fixtures and lines, the purpose of which is to trap or collect or treat FOG prior to it being discharged into the sewer system. "Grease Removal/Control Device" may also include any other proven method to reduce FOG subject to the approval of the District.

**"Industrial Discharger"** - An industry that discharges wastewater that can be classified in one of four categories according to the type and source of discharge.

**"Industrial Wastewater"** - All wastewater, excluding domestic wastewater, that results from any production, manufacturing, processing, institutional, commercial, service, agricultural, or other similar activities and operations including wastes of human origin similar to domestic wastewater originating in the facility.

**"Industrial Wastewater Discharge Permit"** - A permit issued to an industrial wastewater discharger pursuant to these regulations.

**"Inspector"** - A person authorized by the District to inspect any existing or proposed wastewater generation, conveyance, processing, and disposal facilities.

**"Manifest"** - That receipt which is retained by the generator of wastes for disposing recyclable wastes or liquid wastes as required by the District. A copy of all manifests must be kept onsite for a period of at least one year from the date on the manifest.

**"Mass Emission Rate"** - The weight of material discharged to a public sewer during a given time interval.

**"NPDES"** - The National Pollutant Discharge Elimination System; the permit issued to control the discharge of liquids or other substances or solids to surface waters of the United States as detailed in Public Law 92-500, Section 402.

**"Permittee"** - A person who has received a FEWD or Industrial Wastewater Discharge Permit to discharge wastewater into the District's sewer facilities subject to the requirements and conditions established by the District.

**"PLSD"** - Private Lateral Sewer Discharge; a discharge of wastewater through a privately owned sewer lateral.

**"Responsible Party"** - business owner, property owner, property management, water and/or sewer account holder, waste discharger, or resident at a commercial or residential property.

**"Sampling Vault"** - The last point downstream on a grease trap or interceptor that is specially constructed to allow inspection and sampling of effluent prior to discharge.

**"Self-Monitoring Program"** - The procedure by which the industrial discharger measures, samples, analyzes, and reports the quantity and quality of wastewater discharge and its compliance or non-compliance with the FEWD and/or Industrial Wastewater Discharge Permit requirements.

**"Sludge"** - Precipitated solid matter separated from liquid wastewater during the sewage treatment process.

**"SSO"** - Sanitary Sewer Overflow

**"Standard Methods"** - The procedures for sampling and testing wastewater described in the current edition of Standard Methods for the Examination of Water and Wastewater, as published by the American Public Health Association, the American Water Works Association, and the Water Environment Federation.

**"Suspended Solids"** - Any insoluble material contained as a component of wastewater, and capable of separation from the liquid portion of said wastewater by laboratory filtration, as determined by the appropriate testing procedure or procedures in Standard Methods.

**"Treatment Facilities"** - Structures, equipment and related appurtenances actually used in the processing or recycling of wastewater.

**"Twenty-five percent (25%) Rule"** - Requirement for grease interceptors to be maintained such that the combined FOG and solids accumulation does not exceed 25% of the design hydraulic depth of the grease interceptor. This is to ensure that the minimum hydraulic retention time and required available hydraulic volume is maintained to effectively intercept and retain FOG discharged to the sewer system.

**"Waste"** - The content of wastewater and any and all other such materials, including liquid, solid, gaseous, or radioactive substances of human or animal origin or other source associated with human habitation; or useless byproducts resulting from any producing, manufacturing, or processing operation of any nature, including such substances placed within any containers prior to and for the purpose of disposal.

**"Wastewater"** - Waste and water, whether treated or untreated, discharged into or permitted to enter a public sewer.

**"Wastewater Characteristics"** - Measurements of wastewater constituents, and other properties including volume, flow rate, and other properties that define, classify, or measure the quantity and quality of wastewater.

**"Wastewater Constituents"** - The individual chemical, physical, bacteriological, microbiological, or radiological constituents of wastewater, and such other properties that define, classify, or measure the quality of wastewater.

**"Wastewater System or Facilities"** - Any and all structures, equipment and related appurtenances used for collecting, conveying, pumping, treating, and disposing of wastewater.

**"Weir"** - A device placed in the wastewater flow to divert and/or measure the flow rate.

Note: Commonly used symbols for chemical elements are used throughout this section.

## 6.4 INDUSTRIAL WASTEWATER

### 6.4.1 Categories of Industrial Wastewater

**Category 1** - Industries that discharge wastewater generated from a process that is subject to EPA Categorical Standards.

**Category 2** - Industries engaged in activities resulting in the discharge of toxic wastewater or other wastewater that is not regulated by the EPA, including but not limited to the following activities:

- a) Treatment, storage, and disposal of hazardous wastes (TSDF's)
- b) Manufacturing of chemical or microbiological products
- c) Formulation of solvents, lubricants, paints, or inks
- d) Industrial laundries
- e) Processing of Ag or Ag/Cr based photo-sensitive materials
- f) Cleaning of boat hulls, large metal fabrications, or salvage
- g) Radiator repair, auto body sanding, or furniture stripping
- h) Silk-screen, offset, or lithographic printing
- i) Chemical laboratory work
- j) Cleaning vehicle engines, chassis, or other parts
- k) Cleaning parts in a non-automotive machine shop by solvent, hot caustic, jet washer, pressure spray, or steam cleaning

**Category 3** - Industries discharging non-toxic wastewater, including but not limited to industries:

- a) Discharges common in household wastes
- b) Laundering linens and non-industrial clothing
- c) Vehicle exterior body washing
- d) Food establishments and industries with a potential FOG discharge that do not otherwise fall within Category 1 or 2.

**Category 4** - Industries using chemicals that are not discharged with wastewater into the District's sewer system.

#### **6.4.2 Industrial Wastewater Discharge Permits**

Any person, commercial or industrial customer, municipality, sanitation district, or governmental agency proposing to discharge industrial wastewater into a District sewer shall obtain an Industrial Wastewater Discharge Permit from the District. Such industrial wastes shall include all wastewater discharges regulated by Federal or State of California mandates, or local or District ordinances, or discharges which interfere with the operation and maintenance of the sewer system and wastewater treatment facilities. Industrial wastewater dischargers will be responsible for payment of all applicable fees prior to authorization of industrial wastewater discharge. Industrial Wastewater Discharge Permit fees may be the responsibility of any of the following associated with the discharge; Industrial wastewater discharger, property owner, property management company, tenant, or account holder.

The District has a cooperative agreement with the City of San Diego for administering Industrial Wastewater Discharge Permits. Industrial Wastewater Discharge Permit applications are processed by the City of San Diego and upon issuance are routed through the District to the Permittee. The City of San Diego also provides monitoring services to check for compliance with Industrial Wastewater Discharge permits.

#### **6.4.2.1 Industrial Wastewater Discharge Permit Requirements**

The Industrial Wastewater Discharge Permit for Industrial Wastewater Discharge may require:

- a) Limitation of the volume discharged;
- b) Restriction of peak flow discharges;
- c) Pretreatment of industrial wastewater prior to discharge;
- d) Discharge of certain wastewater only to specified sewers of the District;
- e) Relocation of the point of discharge;
- f) Prohibition of discharge of certain wastewater constituents;
- g) Restriction of discharge to certain hours of the day;
- h) Payment of additional charges to defray increased costs of the District created by the wastewater discharge; and
- i) Such other conditions as may be required to achieve a reduction or elimination of industrial waste.

No person shall discharge industrial wastewater in excess of the quantity or quality limitations set by the Industrial Wastewater Discharge Permit for Industrial Wastewater Discharge. Anyone desiring to discharge wastes or use wastewater facilities that are not in conformance with terms of the Industrial Wastewater Discharge Permit must apply to the District for an amendment to the Industrial Wastewater Discharge Permit.

#### **6.4.2.2 Discharge Standard Limitations**

All industrial discharges into the District's sewer system shall comply, at a minimum, with the effluent discharge standards or limitations described in this Section. The District may require more stringent effluent discharge standards, or may apply special permit provisions, with concurrence of the Board of Directors.

#### **6.4.2.3 Special Industrial Wastewater Discharge Permit Provisions**

The customer may appeal in writing to the District for relief of the foregoing effluent standards for Category 2 or Category 3 industrial wastewater discharge. The District may grant an appeal if the following criteria can be demonstrated:

- a) That the discharger is unable to meet the District's effluent standards by means of reasonable modifications to the discharging facility;
- b) That the requested variance will not directly impact the operation of any District wastewater treatment plant, cause the wastewater or sludge of such plant to violate applicable requirements, or harm plant facilities or personnel; and
- c) That the easing of any effluent standards will not violate any Federal pretreatment requirements.

#### **6.4.2.4 Industrial Wastewater Self-Monitoring Discharge Reporting Provisions**

The District may require any industrial wastewater discharger to file periodic self-monitoring discharge reports. Such reports may include but are not limited to the type of process used, volume of discharge, exact point of sampling, rates of flow, mass emission rate, production quantities, hours of operation, or other information relating to the generation of wastewater, including wastewater constituents and characteristics. Such reports may also include the chemical constituents and quantity of liquid or gaseous materials stored on site, even though they may not normally be discharged.

The District may also require industrial wastewater dischargers to provide baseline monitoring reports, compliance time schedule reports, and final compliance reports. Dischargers may be required to provide results of periodic measurements and self-monitoring reports of their discharge, including chemical analyses and flow.

#### **6.4.3 Industrial Wastewater Discharge Application and Permit**

##### **6.4.3.1 Application Information Requirements**

Applicants for Industrial Wastewater Discharge Permits shall complete and file an application form, which shall be accompanied by all applicable fees.

The applicant may be required to submit for evaluation, the following information:

- a) Name, address, and Standard Industrial Classification number of applicant;
- b) Name of person responsible for payment of fees, which person may be the industrial wastewater discharger, property owner, property management company, tenant, account holder, or responsible party.
- c) Volume of wastewater to be discharged;
- d) Wastewater constituents and characteristics including, but not necessarily limited to effluent standard limitations and prohibited substances, as determined by a laboratory approved by the District;
- e) Time and duration of discharge;
- f) Average and 30-minute peak wastewater flow rates, including daily, monthly, and seasonal variation, if any;

- g) Description of activities, facilities, and plant operations on the premises, including all materials, processes, and types of materials which are being or could be discharged; and
- h) Any other information deemed necessary by the District in order to evaluate the application.

#### **6.4.3.2 Application Review and Approval**

The District will review the application, and may require the applicant to provide additional information in order to complete the review. Additionally, the District may require an on-site inspection of the wastewater discharge system, pretreatment systems, and any other systems relating to the wastewater discharge.

Upon final approval, the District will issue an Industrial Wastewater Discharge Permit to all Category 2 and Category 3 industrial dischargers within the service area of the District, subject to terms and conditions provided.

#### **6.4.3.3 Industrial Wastewater Discharge Permit Conditions**

Industrial Wastewater Discharge Permits shall be subject to all provisions of this section and all other regulations, user charges, and fees established by the District. The conditions of Industrial Wastewater Discharge permits shall be uniformly enforced by the District in accordance with provisions of this section and all applicable local, State, and Federal regulations.

Industrial Wastewater Discharge Permits issued by the District do not authorize the commission of any act causing injury to the property of another, nor do they protect the discharger from any liabilities under Federal, State, or local laws, nor do they guarantee the discharger a capacity right in the District's sewer system.

A copy of the Industrial Wastewater Discharge Permit shall be maintained at the discharger's business location, so as to be available at all times to its personnel.

The terms and conditions of the Industrial Wastewater Discharge Permit may be subject to modification by the District in accordance with any applicable Federal, State or local law or regulation. Except for modifications required to protect the public health, safety or welfare, which may be required immediately, The discharger shall be informed of any proposed changes in the Industrial Wastewater Discharge Permit at least thirty (30) days prior to the effective date of change. Any modifications or new conditions in the Industrial Wastewater Discharge Permit shall include a reasonable time schedule for compliance.

#### **6.4.3.4 Duration of Industrial Wastewater Discharge Permits**

Industrial Wastewater Discharge Permits for Industrial Wastewater Discharge shall be issued for a specified period not to exceed five (5) years. It is the responsibility of the Permittee to ensure renewal of the Industrial Wastewater Discharge Permit prior to expiration.

#### **6.4.3.5 Industrial Wastewater Discharge Permits not Transferrable**

Industrial Wastewater Discharge Permits are not transferrable. Any sale, lease, transfer, or assignment of the premises or operation, for which an Industrial Wastewater Discharge Permit was issued, shall require a new Industrial Wastewater Discharge Permit. An Industrial Wastewater Discharge Permit shall be issued only for a specific use or operation and any new or modified conditions of operation may require an amended or new Industrial Wastewater Discharge Permit.

#### **6.4.3.6 Revocation of Industrial Wastewater Discharge Permit**

The District may revoke the Industrial Wastewater Discharge Permit of any discharger who is found to be in violation of this section of the Rules and Regulations or any applicable local, State, or Federal regulations. An Industrial Wastewater Discharge Permit may also be revoked on the basis of the following reasons:

- a) Failure to factually report the wastewater constituents and characteristics of its discharge;
- b) Failure to report significant changes in operations;
- c) Refusal to grant reasonable access to the premises for the purpose of inspection or monitoring; or
- d) Violation of a condition of the Industrial Wastewater Discharge Permit;
- e) Failure to pay service charges, penalties, fines, or other outstanding liabilities;
- f) Violation of any provision in this Section.

#### **6.4.3.7 Industrial Wastewater Discharge Permit Fees**

A fee will be charged to and collected annually from all Category 1, 2, and 3 dischargers. The fee is established to cover the annual expense of inspecting and sampling industrial wastewater discharge. The fee will be established and subject to modification by ordinance of the Board of Directors. Prior to any change in the established fee by an ordinance of the Board, a notice of such proposed change shall be posted and published by the District, in accordance with the California Government Code. *Refer to Section 10 of these Rules and Regulations regarding fees and charges for the amount of the Industrial Wastewater Discharge Permit fee.*

The City of San Diego levies fees for the monitoring and testing program (Section 6.4.2) and bills Permittee directly.



## 6.5 INDUSTRIAL WASTEWATER MONITORING AND RECORD KEEPING REQUIREMENTS

### 6.5.1 Industrial Wastewater Self-Monitoring Facilities

Under terms of an Industrial Wastewater Discharge Permit, the District may require the discharger to install and maintain a self-monitoring facility for the purpose of measuring flow rate and total volume, and sampling the discharge for chemical or biological analysis.

The monitoring and sampling facility shall be constructed in accordance with the District's requirements, and shall be completed within ninety (90) days following written notification by the District, unless a time extension is granted.

Such facility shall consist of a calibrated flume, weir, flow meter, or similar measuring device, and automatic proportional flow sampling equipment and/or automatic analysis and recording equipment.

In lieu of wastewater flow measurement, the District may accept records of water usage, and may determine peak and average flow rates for the specific industrial wastewater discharge by computing an adjusted flow volume on the basis of suitable factors.

#### 6.5.1.1 Location of Monitoring Facilities

Industrial wastewater discharge monitoring facilities shall be situated on the discharger's premises. However, when such a location would be impractical or cause undue hardship on the user, the District may allow the facility to be constructed in the public street or sidewalk area. Such facility shall not be obstructed by landscaping or parked vehicles, and shall be subject to approval by the local zoning and land use agency.

#### 6.5.1.2 Self-Monitoring Reports

Dischargers who must take periodic measurements of industrial wastewater flows and constituents shall provide the minimum number of measurement reports required, and according to the schedule established in the Industrial Wastewater Discharge Permit. Each report shall contain the date, signature, title, and these words: "I declare under penalty of perjury that the foregoing is true and correct."

#### 6.5.1.3 District Access to Monitoring Facilities

Industrial wastewater dischargers who are required to provide monitoring facilities shall allow the District or its representatives ready access at reasonable times to all parts of their premises for purpose of sampling or performing any necessary duties. All sampling, analysis, and flow measurement procedures, equipment, results, and records shall be subject to inspection by the District at all reasonable times.

The District shall have the right to install on the discharger's premises any devices necessary to conduct sampling or metering operations. Dischargers shall allow entry of District personnel, upon presentation of suitable identification.

### 6.5.2 Standards and Guideline Resources

All flow measurements, sampling, analysis, and reporting shall be performed in accordance with applicable procedures approved by the District, and approved by the Environmental Protection Agency under Title 40, CFR, Part 136, "Guidelines Establishing Test Procedures for Analysis of Pollutants Under the Clean Water Act," as amended at a laboratory certified for such testing by the State Department of Health Services.

The industrial discharger is referred to the following resources for selection, installation, calibration, and operation of flow measurement devices and sampling technique:

- a) "A Guide to Methods and Standards for the Measurement of Water Flow," U.S. Department of Commerce, National Bureau of Standards, NBS Special Publication 421, May 1975, 97 pp. (Available from the U.S. Government Printing Office, Washington, D.C. 20402. Order by SD Catalog No. C13.10:421.)
- b) "Water Measurement Manual," U.S. Department of Interior, Bureau of Reclamation, Third Edition, Revised Reprint, 2001, 327 pp. (Available from the U.S. Government Printing Office, Washington, D.C. 20402. Order by Catalog No. 127.19/2:W29/2, Stock No. S/N 24003-0027.)
- c) "Flow Measurement in Open Channels and Closed Conduits," U.S. Department of Commerce, National Bureau of Standards, NBS Special Publication 484, October 1977, 982 pp. (Available in paper copy or microfiche from National Technical Information Service (NTIS) Springfield, VA 22151. Order by NTIS No. PB-273-535/5ST.)
- d) "NPDES Compliance Sampling Manual," U.S. Environmental Protection Agency, Office of Water Enforcement, Publication MCD-51, 1977, 140 pp. (Available from the General Services Administration (8FFS), Centralized Mailing Lists Services, Building 41, Denver Federal Center, Denver, CO 80225.)
- e) "Standard Methods for the Examination of Water and Wastewater".

The Federal Regulations for Industrial Wastewater and Pretreatment requirements are contained in Title 40CFR, Part 403.

### 6.5.3 Retention of Industrial Wastewater Discharge Records

All dischargers subject to terms of an Industrial Wastewater Discharge Permit shall retain and preserve all records and books, including any and all summaries thereof, which relate to monitoring, sampling, and chemical analysis conducted by or on behalf of such discharger in connection with its industrial wastewater discharge. Such records shall include all related documents, memoranda, reports, correspondence, and computer data, and shall be retained for a period of not less than three (3) years.

All records pertaining to matters subject to any administrative action, or other enforcement or litigation activities initiated by the District, shall be retained and preserved by the discharger until all such activities are concluded, and until all periods of limitation relating to any and all appeals have expired.

## 6.6 INDUSTRIAL WASTEWATER DISCHARGE REQUIREMENTS

### 6.6.1 Pretreatment of Industrial Wastewater

Dischargers shall ensure that wastewater to be discharged is acceptable under the limitations established before discharging to any public sewer.

Any facilities required to pretreat wastewater to a level acceptable to the District shall be provided and maintained at the sole expense of the discharger. Detailed plans, compliance schedules, and operating procedures shall be submitted to the District for review and approval prior to construction of the facility.

The approval of such plans and operating procedures will in no way relieve the discharger from the responsibility of modifying the facility, in order to produce an effluent acceptable under the provisions of this section. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and approved by the District. No discharger shall increase the quantity of water used in their process of doing business, or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with any local, State, or Federal discharge standard.

The District shall have the authority to impose on any industrial wastewater discharger appropriate compliance schedules for installation of specific pretreatment equipment, filing of reports, and achievement of specific discharge conditions, including target parameter concentrations.

### 6.6.2 Protection from Accidental Discharge

#### 6.6.2.1 Safeguards Required

Each industrial wastewater discharger shall provide safeguards and protection from accidental discharge of prohibited materials or other substances regulated by this section. Facilities to prevent accidental discharge of prohibited materials shall be provided and maintained at the discharger's sole expense.

#### 6.6.2.2 Accidental Discharge Procedures

In the case of an accidental discharge, it is the responsibility of the Permittee to immediately notify the District. The notification shall include location of discharge, type of waste, the concentration and volume, and corrective actions taken.

Within five (5) days following an accidental discharge, the discharger shall submit to the District a detailed written report, describing the cause of the discharge and the measures to be taken to prevent similar future occurrences. Such notification shall not relieve the discharger of any expense, loss, damages, or other liability which may be incurred as a result of damage to the wastewater systems, fish kills, or any other damage to persons or property; nor shall such notification relieve the Permittee of any fines, civil penalties, other liability, or other reporting requirements which may be imposed by this Section or other applicable law, including but not limited to the reporting requirements in Water Code section 13271 and 13272.

A notice shall be permanently posted in a prominent place on the premises of the discharger, advising employees who may cause, allow, or observe any accidental discharge of proper emergency notification procedures.

**6.6.3 Prohibited Discharge Substances**

The concentration or amount of any constituent considered as excessive or unreasonable will be determined by the results of technical evaluation and the actions of regulatory agencies. The list of regulated constituents indicates specific limits, as currently established. Constituents listed without specific limits are wastes that may be subject to future regulation.

**6.6.3.1 Pretreatment Standards for Facilities Existing Prior to 7-15-82**

This subsection applies to any industrial wastewater discharger who was discharging on or before 7/15/82.

- a. Category I Industries, except for Job Shops and Independent Printed Circuit Board Manufacturers must achieve the following pretreatment standards:

Pollutant or pollutant property	Concentration Milligrams per liter (mg/L)	
	Maximum for any one day	Monthly Average Shall not exceed
Cadmium (T)	0.69	0.26
Chromium (T)	2.77	1.71
Copper (T)	3.38	2.07
Lead (T)	0.69	0.43
Nickel (T)	3.98	2.38
Silver (T)	0.43	0.24
Zinc (T)	2.61	1.48
Cyanide (T)	1.20	0.65
Total Toxic Organics (TTO)	2.13	-----
Note: T=Total		

- b. Alternatively, for industrial facilities with cyanide treatment, upon agreement between a source subject to those limits and the pollution control authority, the following amenable cyanide limit may apply in place of the total cyanide limit specified in paragraph above.

Pollutant or pollutant property	Concentration Milligrams per liter (mg/L)	
	Maximum for any one day	Monthly Average Shall not exceed
Cyanide (A)	0.86	0.32

No user introducing wastewater pollutants into the Padre Dam System under the provisions of this subpart shall augment the use of process wastewater as a partial or total substitute for adequate treatment to achieve compliance with this standard.

- c. An existing source submitting a certification in lieu of monitoring must implement the toxic organic management plan approved by Padre Dam.
- d. An existing source subject to this subpart shall comply with a daily maximum pretreatment standard for Total Toxic Organics (TTO) of 4.57 mg/L.

**6.6.3.2 New Source Performance Standards**

This subsection applies to any industrial wastewater discharger who began discharging after 7/15/82.

- a. Category I Industries must achieve the following performance standards:

NSPS	Concentration, Milligrams per liter (mg/L)	
	Maximum for any one day	Monthly Average Shall not exceed
Pollutant or pollutant property		
Cadmium (T)	0.11	0.07
Chromium (T)	2.77	1.71
Copper (T)	3.38	2.07
Lead (T)	0.69	0.43
Nickel (T)	3.98	2.38
Silver (T)	0.43	0.24
Zinc (T)	2.61	1.48
Cyanide (T)	1.20	0.65
Total Toxic Organics (TTO)	2.13	-----
Oil & Grease	52	26
TSS	60	31
pH	(1)	(1)
(1) Within 6.0 to 9.0		
(T) = Total		

- b. Alternatively, for industrial facilities with cyanide treatment, and upon agreement between a source subject to those limits and Padre Dam, the following amenable cyanide limit may apply in place of the total cyanide limit specified in paragraph (a) of this section:

	Concentration Milligrams per liter (mg/L)	
	Maximum for any one day	Monthly Average Shall not exceed
Pollutant or pollutant property		
Cyanide (A)	0.86	0.32

- c. No user subject to the provisions of this subpart shall augment the use of process wastewater or otherwise dilute the wastewater as a partial or total substitute for adequate treatment to achieve compliance with this limitation.

- d. An existing source submitting a certification in lieu of monitoring must implement the toxic organic management plan approved by Padre Dam.

**6.6.3.3 Pretreatment Standards for New Sources (PSNS)**

This subsection applies to any industrial wastewater discharger who began discharging after 7/15/82.

- a. Category I Industries that introduce pollutants into the Padre Dam System must achieve the following pretreatment standards for new sources (PSNS):

Pollutant or pollutant property	Concentration, Milligrams per liter (mg/L)	
	Maximum for any one day	Monthly Average Shall not exceed
Cadmium (T)	0.11	0.07
Chromium (T)	2.77	1.71
Copper (T)	3.38	2.07
Lead (T)	0.69	0.43
Nickel (T)	3.98	2.38
Silver (T)	0.43	0.24
Zinc (T)	2.61	1.48
Cyanide (T)	1.20	0.65
Total Toxic Organics (TTO)	2.13	-----
Note: (T) = Total		

- b. Alternatively, for industrial facilities with cyanide treatment, and upon agreement between a source subject to those limits and Padre Dam, the following amenable cyanide limit may apply in place of the total cyanide limit specified in paragraph (a) of this section:

Pollutant or pollutant property	Concentration Milligrams per liter (mg/L)	
	Maximum for any one day	Monthly Average Shall not exceed
Cyanide (A)	0.86	0.32

- c. No user subject to the provisions of this subpart shall augment the use of process wastewater or otherwise dilute the wastewater as a partial or total substitute for adequate treatment to achieve compliance with this limitation.
- d. An existing source submitting a certification in lieu of monitoring must implement the toxic organic management plan approved by Padre Dam.

#### 6.6.3.4 Standard Maximum Effluent Concentrations

All Category 1, 2 and 3 industries must meet the following maximum effluent concentrations:

#### STANDARD MAXIMUM EFFLUENT CONCENTRATIONS

CONSTITUENT	Units	Value	CONSTITUENT	Units	Value
BOD (1)	mg/L	1000	Manganese	mg/L	3.0
TSS (2)	mg/L	1000	MBAS (5)	mg/L	1.5
Ammonia	mg/L	50.0	Mercury	mg/L	2.0
Antimony	mg/L	2.0	Nickel	mg/L	4.1
Arsenic	mg/L	2.0	Nitrogen, Nitrate as N	mg/L	45
Barium	mg/L	10.	Nitrogen, Total as N	mg/L	60
Beryllium	mg/L	2.0	Oil and Grease	mg/L	300
Boron	mg/L	2.0	Phenol	mg/L	25
Chloride	mg/L	400	Phosphorus, Total as P	mg/L	30
Chlorinated Hydrocarbons	mg/L	ND (4)	Selenium	mg/L	2.0
Chlorine Residual	mg/L	100	Sodium (percent)	%	60%
Color	units	100	Sulfate	mg/L	500
Flash Point	EF	>140°F	Sulfide (dissolved)	mg/L	1.0
Iron	mg/L	3.0	Thallium	mg/L	2.0
Lead	mg/L	0.03	TDS (6)	mg/L	(7)
<b>Notes:</b>					
(1) BOD: Biochemical Oxygen Demand			(6) TDS: Total Dissolved Solids		
(2) TSS: Total Suspended Solids			(7) Not more than 300 mg/L greater than the monthly average concentrations in the domestic water supplied by the District.		
(3) mg/L: Milligrams per Liter					
(4) ND: Non-detectable					
(5) MBAS: Methylene Blue Active Substance					

#### 6.6.3.5 General Requirements

Unless approval has been obtained from the District, no person shall discharge or cause to be discharged into a public sewer which directly or indirectly connects to the District's sewer system, the following:

- a) Any liquid, solid or gaseous substance that would cause or tend to cause flammable or explosive conditions in the wastewater system.
- b) Any liquid, solid, or gaseous substance containing toxic or poisonous solids, liquids, or gases in such quantities that alone or in combination with other substances may create a health hazard for humans, animals, or the local environment, and may interfere detrimentally with wastewater treatment processes, or may cause a public nuisance, or cause any hazardous condition to occur in the wastewater system.
- c) Any matter having a pH factor lower than 5.5 or greater than 10.0, or having any corrosive or other detrimental characteristic that may cause injury to wastewater treatment or maintenance personnel, or may cause damage to

structures, equipment, or other physical facilities of the wastewater system.

- d) Any solids or viscous substances or other matter of such quality, size, or quantity that may obstruct the wastewater flow in the sewer, or may be detrimental to proper wastewater treatment plant operations.
- e) Any storm water, ground water, street drainage, subsurface drainage, roof drainage, yard drainage, water from outdoor fountains, ponds or lawn sprays, or any other outdoor collected water.
- f) Any discharge having a temperature higher than 150 degrees Fahrenheit (65 degrees Celsius), or a temperature that causes the influent to the wastewater treatment plant to exceed 85 degrees Fahrenheit (30 degrees Celsius).
- g) Any discharge that create odors.
- h) Any discharge containing over 1.0 mg/L of dissolved sulfides, iron, pickling wastes, or plating solutions.
- i) Any discharge with a pH factor high enough to cause alkaline incrustation on sewer walls.
- j) Any discharge releasing, promoting, or causing the promotion of toxic gases.
- k) Any discharge requiring an excessive quantity of chlorine or other chemical compound to be used for disinfection purposes.
- l) Any deionized water, steam condensate, distilled water, or single-pass cooling water.
- m) Any radioactive discharge, except under the following circumstances:
  - i) When the discharger is authorized to use radioactive materials by the State Department of Health or other governmental agency empowered to regulate the use of radioactive materials; and
  - ii) When the matter is discharged in strict conformity with current California Radiation Control Regulations (California Administrative Code, Title 17), and the Nuclear Regulatory Commission regulations and recommendations for safe disposal; and
  - iii) When the discharger is in compliance with all rules and regulations of all other applicable regulatory agencies.
- n) Any discharge producing excessive discoloration in the wastewater treatment plant effluent.
- o) Any toxic materials, including but not limited to all heavy metals, cyanide, phenols, chlorinated hydrocarbons, and other organic compounds, unless limited to a concentration that complies with all local, State, and Federal



discharge limitations, and does not interfere with the operation of the wastewater facilities.

- p) Any wastes having BOD concentrations greater than 5,000 mg/L or COD concentrations greater than 10,000 mg/L or non-decomposable organic contents.
- q) Any excessive amounts of organic phosphorous type compounds.
- r) Any waste containing substances that may precipitate, solidify, or become viscous at temperatures between 50 and 85 degrees Fahrenheit.
- s) Any waste producing excessive discoloration of wastewater or treatment plant effluent.
- t) Any water added for purposes of diluting wastes which would otherwise exceed applicable maximum concentration limitations.
- u) Any waste prohibited by Federal standards from being discharged to the sewer system.
- v) Any other wastes that may be specifically prohibited by the District.
- w) No user subject to the provisions of this subpart shall augment the use of process wastewater as a partial or total substitute for adequate treatment to achieve compliance with this limitation.

#### **6.6.4 Garbage Grinders Limitations**

Discharges from garbage grinders, except that for discharges which are generated in preparation of food normally consumed on the premises, shall not be discharged into the sewer. The District may issue a FEWD or Industrial Wastewater Discharge Permit for other specific garbage grinder uses, on condition that the discharger undertakes whatever self-monitoring is required to determine the equitable sewer service charges, based upon the waste constituents and characteristics.

Such grinders must shred the waste to a degree that all particles will be carried freely under normal flow conditions prevailing in the District's sewer system. Garbage grinders shall not be used for grinding plastic, paper products, inert materials, or garden refuse for discharge to the sewer system.

#### **6.6.5 Point of Discharge Limitations**

Discharge of any substances directly into a manhole or an opening into a sewer pipeline other than a sewer lateral connection approved by the District is prohibited, unless an Industrial Wastewater Discharge Permit for such direct discharges has been obtained from the District, upon written application and payment of applicable charges and fees.

#### **6.6.6 Prohibition of Discharge from Septic Tank Pump Trucks**

Dumping or discharging into the District's sewer system, or into facilities discharging directly or indirectly into the sewer system, any materials from a vacuum truck, septic tank or "cess-pool" pump truck or other liquid waste transport truck, including the contents of a septic tank, seepage pit, interceptor, or cesspool, and any industrial or other liquid wastes is prohibited.

#### **6.6.7 Excessive Industrial Wastewater Discharges**

Industrial wastewater discharges shall not exceed the limitations allowed by the discharger's Industrial Wastewater Discharge Permit or the amounts reported to the District. If measurements or other investigations reveal an excessive flow rate, flow quantity, or chemical oxygen demand, or the presence of excess suspended solids, the discharger shall be subject to assessment of delinquent sewer service charges, modification of future charges, and amendment of the Industrial Wastewater Discharge Permit in addition to any other remedy available to the District.

The findings of the District shall be confirmed by a minimum of two additional twenty-four (24) hour flow samples and flow measurements obtained by the District, with the cost of sampling and analysis borne by the discharger. Such data, together with any other relevant information obtained by the District or presented by the discharger, shall be used to establish accurate measurements, as required to determine the proper amount of future sewer service charges and the delinquent charges to be assessed.

Additionally, the discharger shall apply to the District for an amended FEWD or Industrial Wastewater Discharge Permit, adjusting the terms accordingly.

In the absence of other evidence, a discharger who violates terms of an existing FEWD or Industrial Wastewater Discharge Permit shall be presumed to have been discharging at the determined values of the constituent or constituents in question over the preceding three (3) years, or since the District's previous verification of quantity parameters, whichever period is shorter.

#### **6.6.8 Wastewater Facilities Capacity**

If the District lacks sufficient capacity in its wastewater facilities, the District may require existing industrial wastewater dischargers to restrict their discharge until additional capacity becomes available. The District may refuse service in locations where the District's available capacity is not adequate to accommodate the proposed quantity or quality of such discharge.

Persons desiring to establish an operation which would discharge industrial wastewater into the District's wastewater treatment facilities may request the District to recommend suitable areas.

## **6.7 WASTEWATER DISCHARGE FROM FOOD ESTABLISHMENTS**

### **6.7.1 Food Establishment Wastewater Discharge (FEWD) Permits**

The intent of the program is to facilitate the maximum beneficial public use of the District's sewer services and facilities while preventing the discharge of excess grease and oil into the wastewater collection system, to minimize the potential of formation of blockages to the flow of wastewater as a result of grease accumulations and to eliminate sewage spills that may result from such blockages.

All food establishments including, but not limited to, restaurants, delis, ice-cream parlors, commercial kitchens, etc. desiring to discharge wastewater into the District's sewer system shall obtain a Food Establishment Wastewater Discharge (FEWD) Permit from the District.

### **6.7.2 Subject to Industrial Wastewater Limitations**

Wastewater discharged into the District's sewer system from establishments engaged in preparing food for public consumption shall be subject to the limitations for Industrial Wastewater Discharge, as set forth earlier in these Rules and Regulations, including but not limited to Section 6.3.2 (Penalties for Violations) and 6.3.3 (Notice and Appeal Procedure), and such other conditions and requirements as may be specified in the Food Establishment Wastewater Discharge Permit.

The FEWD permit for discharging wastewater from a food establishment shall be subject to all provisions of this section and all other regulations, user charges and fees, as established by ordinance of the Board of Directors of the District.

Food establishments which do not discharge FOG to the sanitary sewer system may be exempt from FEWD Permit requirements that include the installation of a Grease Removal Device (GRD). This exemption is at the sole discretion of the District and the establishments are still subject to inspection and other FEWD Permit requirements.

### **6.7.3 FEWD Permit Requirements**

The Food Establishment Wastewater Discharge Permit may require pretreatment of wastewater prior to discharge, restriction of peak flow discharges, discharge of certain wastewater only to specified sewers of the District, or relocation of the point of discharge. Such requirements may also include prohibition of discharge of certain wastewater components, restriction of discharge to certain hours of the day, payment of additional charges to defray increased costs of the District created by the wastewater discharge, and such other conditions as may be required to achieve the purpose of this section.

Discharge of industrial wastewater in excess of the quantity or quality limitations or other requirements set by the Food Establishment Wastewater Discharge Permit is prohibited.

### **6.7.4 Applications for Food Establishment Discharge Permits**

Applicants of a Food Establishment Wastewater Discharge Permit shall complete and file with the District an application in the form prescribed by the District.

#### **6.7.4.1 Information Requirements**

The applicant may be required to submit, for evaluation, the following information:

- a) Name and address of applicant;
- b) Service and site address;
- c) Volume of wastewater to be discharged;
- d) Name and address of property owner or lessor and the property manager where the Food Service Establishment is located.
- e) Time of daily food preparation operations;
- f) Description of food preparation, type, and number of meals served, clean-up procedures, dining room capacity, number of employees, and size of kitchen; and
- g) Applicants may be required to submit site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, FOG control device, grease interceptor or other pretreatment equipment and appurtenances by size, location, and elevation for evaluation.
- h) Any other information deemed necessary by the District to evaluate the application.

#### **6.7.4.2 Application Review and Approval**

The District will review the FEWD Permit application, and may require the applicant to provide additional information in order to complete the review. Additionally, the District may require an on-site inspection of the wastewater discharge system, pretreatment systems, and any other systems relating to the wastewater discharge.

Upon final approval and payment of the FEWD Permit fee(s), the District will issue a Food Establishment Wastewater Discharge (FEWD) Permit, subject to terms and conditions of these Rules and Regulations. Refer to Sections 6.4 and 10.8.2 for fee information.

#### **6.7.4.3 Duration of FEWD Permits**

FEWD Permits shall be issued for a specified period not to exceed five (5) years. A FEWD permit may be valid for less than a year or may be issued to expire on a specific date. It is the responsibility of the Permittee to ensure renewal of the FEWD Permit prior to expiration.

#### **6.7.4.4 Terms and Conditions of FEWD Permits**

The terms and conditions of the Food Establishment Wastewater Discharge Permit may be subject to modification by the District, in accordance with any changes in the discharge standard limitations or the prohibited discharge substances described. Except for

modifications required to protect the public health, safety or welfare, which may be required immediately, the discharger shall be informed of any proposed changes in the FEWD Permit at least thirty (30) days prior to the effective date of change. Any modifications or new conditions in the FEWD Permit shall include a time schedule for compliance as determined by the District.

#### **6.7.4.5 FEWD Permits not Transferrable**

Any sale, lease, transfer, or assignment of the premises or operation for which a Food Establishment Wastewater Discharge Permit was issued shall be reported to the District prior to the change and shall require a new FEWD Permit.

A FEWD Permit shall be issued only for a specific use or operation, and any new or modified conditions of operation shall require an amended or new permit.

#### **6.7.4.6 Revocation of FEWD Permit**

The District may revoke the FEWD Permit of any discharger who is found to be in violation of this section of the Rules and Regulations. A Food Establishment Wastewater Discharge Permit may also be revoked on the basis of the following violations:

- a) Failure to install grease pretreatment devices as required by the FEWD Permit;
- b) Failure to fulfill reporting requirements or pretreatment maintenance as required by the permit;
- c) Refusal to grant reasonable access to the premises for the purpose of inspection or monitoring;
- d) Violation of a condition of the FEWD Permit;
- e) Establishment causes interference, sewer blockages, or SSOs within the District's collection or treatment system;
- f) Failure to make timely payment of all amounts owed to the District for user charges, fees, or any other fees imposed pursuant to this ordinance;
- g) Knowingly provides a false statement, representation, record, report, or other document to the District;
- h) Falsifies, tampers with, or knowingly renders inaccurate any monitoring device or sample collection method;
- i) Failure to comply with the terms and conditions of FEWD Permit suspension or CSA;
- j) Discharges effluent to the District's sewer system while FEWD permit is suspended.

#### **6.7.4.7 Compliance Schedule Agreement (CSA)**

- a) Upon determination that a Permittee is in noncompliance with the terms and conditions specified in its FEWD Permit or any provision of this Section, or needs to construct and/or acquire and install a grease control device or grease interceptor, the FOG Control Program Manager may require the Permittee to enter into a CSA.
- b) The issuance of a CSA may contain terms and conditions including but not limited to requirements for installation of a grease control device, grease interceptor and facilities, submittal of drawings or reports, audit of waste hauling records, best management and waste minimization practices, payment of fees, or other provisions to ensure compliance with this Section.
- c) The FOG Control Program Manager shall not enter into a CSA until such time as all amounts owed to the District, including user fees, noncompliance sampling fees, or other amounts due are paid in full, or an agreement for deferred payment secured by collateral or a third party, is approved by the FOG Control Program Manager.
- d) If compliance is not achieved in accordance with the terms and conditions of a CSA during its term, the FOG Control Program Manager may issue an order suspending or revoking the FEWD Permit.

#### **6.7.5 Food Establishment Wastewater Discharge Requirements**

##### **6.7.5.1 Grease Removal**

The food establishment discharger/responsible party shall ensure that wastewater is acceptable for discharge into the District's sewer system in accordance with the limitations established.

Each discharger/responsible party shall install a grease removal device, of a type approved by the District, to remove grease from wastewater prior to discharge. Such device shall be located on the waste line leading from areas where grease may be introduced into the sewer system such as sinks, drains, appliances, and other fixtures or equipment used in food preparation or the cleanup process. The GRD shall be installed at a location where it shall be at all times easily accessible for inspection, cleaning, and removal of accumulated grease. GRD sizing and installation shall conform to the current edition of the Uniform Plumbing Code.

Grease interceptors shall be constructed in accordance with the design approved by the FOG Control Program Manager and shall have a minimum of two compartments with fittings designed for grease retention. Access manholes, with a minimum diameter of 24 inches, shall be provided directly over each grease interceptor chamber, crossover tee, and sanitary tee. The access manholes shall extend at least to finished grade and be designed and maintained to prevent water inflow or infiltration. The manholes shall also have readily removable covers to facilitate inspection, grease removal, and wastewater sampling activities. Sampling vaults must be installed with every grease interceptor.

Each discharger or responsible party shall also provide a collection drum or other container for the purpose of physically segregating all oils, greases, and greasy solids. No such collected grease shall be introduced into any drainage pipeline or public sewer system. The use of additives, directly or indirectly to the plumbing or sewer system, to emulsify grease and/or oil, is specifically prohibited.

The FEWD Permit holder shall develop and implement Best Management Practices (BMPs) to minimize the discharge of FOG to the sanitary sewer system. These procedures are for the food establishments personnel to perform maximum segregation of oils, greases, and greasy solids, which shall be collected in a drum or container prior to discharging of washing or cleaning wastewater into the sewer system. Drain screens shall be installed on all drainage pipes in food preparation areas. Grease removal devices shall be maintained in efficient operating condition by means of periodic removal of accumulated grease. Dischargers shall be responsible for the proper removal and disposal of material captured from grease removal devices, and from collection drums used for segregating oils, greases, and greasy solids. Decanting or discharging of removed waste back into the grease interceptor, for the purpose of reducing the volume to be hauled, is prohibited.

#### **6.7.5.2 Grease Removal Device (GRD) Maintenance and Record Keeping**

The 25 Percent Rule requires that the depth of FOG along with the depth of settleable solids in a trap or interceptor shall be less than 25 percent of the total operating depth of the grease removal device. The operating depth is determined by measuring the internal depth from the outlet water elevation to the bottom of the compartment.

Maintenance of the GRD shall be performed as frequently as necessary to protect the sanitary sewer system against accumulation of FOG. Maintenance shall be performed as determined by inspection and application of the 25 Percent Rule, at intervals specified in the FEWD Permit or at the following intervals, whichever is more often.

- 1) Interceptors shall be pumped, at a minimum, on a quarterly basis (Every 90 days).
- 2) Grease traps shall be pumped, at a minimum, on a twice monthly basis (Every 15 days). Grease traps shall be maintained in efficient operating conditions by removing accumulated grease on a daily basis.
- 3) Oversized and undersized grease removal devices may be required to be pumped more frequently due to inefficiency, lack of proper flow, or other conditions subject to the limitations for Industrial Wastewater Discharge such as high or low pH.
- 4) Dishwashers and food waste disposal units shall not be connected to or discharged into any grease trap.
- 5) Grease traps shall be inspected periodically (at a minimum, at the time of pump-out) to check for leaking seams and pipes, and for effective operation of the baffles and flow regulating device. Grease traps and their baffles shall be maintained free of all caked-on FOG and waste. Removable baffles shall be removed and cleaned during the maintenance process.

The discharger shall keep records of grease removal device cleaning, maintenance, and grease removal and report on such maintenance annually and upon request to the District. The report shall provide documentation of delivery of all grease and oil to a recycling or disposal contractor or facility. Documentation shall be in the form of a manifest from the transporter or receipt which identifies the date, volume, type of waste, address, phone, and contact person with the contractor or facility.

Dischargers shall make the records available to District inspectors during normal business hours. Records shall be kept by the facility for a period of not less than 3 years. Property owners of commercial properties or their official designee(s) shall be ultimately responsible for the installation and maintenance of the GRD.

#### **6.7.5.3 Food Establishment Wastewater Monitoring Reports**

Each food establishment required to hold a Food Establishment Wastewater Discharge Permit may be required to provide the results of periodic measurements of its discharge, which is to include chemical analysis of oil and grease content and/or any other constituents as deemed necessary by the District.

#### **6.7.5.4 Discharge Limits**

All dischargers of wastewater from food establishments into the District's sewer system shall comply at a minimum with the following effluent discharge limitations, unless special provisions are approved in accordance with this section by the District.

#### **Standard Maximum Effluent Concentrations**

<u>Constituent</u>	<u>Concentration</u>
Grease and Oil	300.0 mg/L

#### **6.7.5.5 Special FEWD Permit Provisions for Food Establishments**

The Customer may appeal in writing to the District for relief of the foregoing effluent standard or treatment requirements for a food establishment wastewater discharge if the following criteria can be demonstrated:

- a) The discharger is unable to meet the District's effluent standard by means of reasonable modifications to the discharging facility; and
- b) The requested variance will not directly or indirectly impact the operation of any District wastewater treatment plant, cause the wastewater or sludge of such plant to violate local, State, or Federal requirements, or harm plant facilities or personnel.

The District will review the application and forward recommendations for special permit provisions to the Board of Directors.



#### **6.7.5.6 Compliance with FOG Control Program**

Compliance with the FOG control program shall be evaluated based on the following criteria:

- 1) Implementation of Best Management Practices (BMPs).
- 2) Grease Removal Device kept in compliance with the 25 Percent Rule.
- 3) Regularly scheduled maintenance of the GRD.
- 4) Documentation and record keeping showing proper disposal.
- 5) Documentation of employee education and training.
- 6) Conditions of the FEWD Permit have been met.

In addition to any other remedy available to the District, establishments which are not in compliance with the FOG control program may be subject to a re-inspection fee following a compliance schedule agreement to bring the establishment into compliance and any other fees associated with the compliance schedule agreement. All fees, charges and penalties are due by the responsible party as determined by the District.

#### **6.7.5.7 Employee Training**

- 1) Employees of the food service establishment shall be trained on:
  - a) How to “dry wipe” pots, pans, dishware, and work areas before washing to remove FOG.
  - b) How to properly dispose of food waste and solids in enclosed plastic bags prior to disposal in trash bins or containers to prevent leaking and odors.
  - c) The location and use of absorption products to clean under fryers, and other locations where grease may be spilled or dripped.
- 2) Training shall be documented and employee signatures retained indicating each employee’s attendance and understanding of the practices.
- 3) Training records shall be available for review at any reasonable time by the District inspector.

### **6.8 VALIDITY OF PROVISIONS CONTAINED IN THIS SECTION**

If any provision contained in this section or the application thereof to any person or circumstance is held to be invalid, the remainder of the provisions and the application of such provisions to other persons or circumstances shall not be affected thereby.

**List of Ordinance amending Section 6:**

Ord. No. 2000-09, effective January 2001

Ord. 2012-04 adopted 7/18/12, effective 7/19/12, rewrite of Rules & Regs Sections 1, 2, and 4-9.

Ord. 2013-05, adopted 12/4/13, effective 1/1/14, Annual Policy Review

Ord. 2014-04 adopted 11/19/14, effective 1/1/15, Annual Policy Review

Ord. 2016-02 adopted 2/3/16, effective immediately, Annual Policy Review