

## Chapter 14.12

### DISCHARGE OF WASTES INTO THE PUBLIC SEWER AND STORM DRAIN SYSTEMS

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## I. Preamble - Definitions

### Section 14.12.110 Purpose--Implementation of Regional Board Resolution.

The sewer system of the County of Riverside through Riverside County Service Area ("CSA") 152-C and through agreement with the City of Riverside discharges treated effluent from the City of Riverside's Regional Water Quality Control Plant into permeable soil structures and surface waters of the State, in particular the Santa Ana River. The chemical nature of this effluent affects the quality of water flowing in the receiving stream as well as the quality of underground waters in the vicinity.

The California Regional Water Quality Control Board, Santa Ana Region, hereinafter called the "Regional Board" has established discharge limitations for the chemical content of sewage effluent discharged by the City. These limitations are set forth from time to time in duly enacted resolutions and orders of the Regional Board.

In order to conform to such sewage effluent discharge limitations and requirements, the City must regulate the discharge of waste to the POTW and the flow of waste into its storm drain system.

A. This Chapter shall provide for the regulation of wastewater discharge in accordance with the federal government's objectives of general pretreatment regulations as stated in Section 403.2 of Title 40 of the Code of Federal Regulations (CFR) which are for the following purposes:

1. To prevent the introduction of pollutants into the City's publicly owned treatment works (POTW) which will interfere with the operation of the POTW, including interference with its use or disposal of municipal biosolids;
2. To prevent the introduction of pollutants into the POTW which will pass through the treatment works, inadequately treated, to the receiving waters or otherwise be incompatible with such works;
3. To improve opportunities to recycle and reclaim municipal and industrial wastewater and biosolids;
4. To enable the City to comply with its NPDES Permit conditions, biosolids use and disposal requirements, and any other federal or state laws to which the POTW is subjected;
5. To enable the City to control the privileges to any use of the POTW; and
6. To protect and preserve the health and safety of the citizens and personnel of the City and the Community Services Districts.

B. This Chapter shall apply to all users of the POTW. This Chapter authorizes:

1. The issuance of Industrial User Permits;
  2. Monitoring, compliance, and enforcement activities;
  3. Administrative review procedures;
  4. Industrial waste plan check review services;
  5. User reporting requirements;
  6. The establishment of fees; and
  7. The equitable distribution of costs resulting from the program established herein.
- (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

### 14.12.120 Definitions.

Unless the context specifically indicates otherwise, the meaning of the terms used in this Chapter shall be as follows:

1. **Analytical Methods** means the sample analysis techniques prescribed in 40 CFR Part 136. Where 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analysis shall be

performed using validated analytical methods, approved by the City, or any other applicable sampling and analytical procedures, including procedures suggested by the City or other parties as approved by the EPA.

2. **Authorized Representative** means:

A. A responsible corporate officer, if the user is a corporation, of the level of president, secretary, treasurer, or vice president in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation;

B. A general partner, managing member or proprietor if the user is a partnership, limited liability company or sole proprietorship respectively;

C. If the user is a federal, state, or local government facility: a director, highest appointed official, employee designated to oversee the operation and performance of the activities of the government facility, or his or her designee.

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

3. **Best Management Practices (BMPs)** means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 14.12.335 of this Chapter. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage. POTWs may develop BMPs, which shall be considered local limits and Pretreatment Standards for the purposes of this Ordinance.

4. **Biochemical Oxygen Demand (BOD)** means the quantity of oxygen, expressed in mg/L, required to biologically oxidize material in a waste sample measured under standard laboratory methods of five days at twenty degrees Centigrade.

5. **Bypass** means the intentional diversion of waste streams from any point of a user's pretreatment facility.

6. **Categorical Industrial User** means all industrial users subject to National Categorical Pretreatment Standards promulgated by the EPA in accordance with Sections 307 (b) and (c) of the Clean Water Act (33 U.S.C. Sec.1317 et seq.), and as listed by the EPA under the appropriate subpart of 40 CFR Chapter I, Subchapter N.

7. **Certification Statement** means the following text from 40 CFR Part 403.6(a)(2)(ii):

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those

persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

8. **Chemical Oxygen Demand (COD)** means the quantity of oxygen, expressed in mg/L required to chemically oxidize material in a waste sample or wastewater sample, under specific conditions of an oxidizing agent, temperature, and time.

9. **City Attorney** means the City Attorney for the City or an authorized representative, deputy, or agent appointed by the City Attorney.

10. **Class I User** means an industrial user with an annual average industrial wastewater discharge of twenty-five thousand gallons or more per day; a Significant Industrial User; and a Categorical Industrial User which has a federally regulated process wastestream discharge.

11. **Class II User** means an industrial user with an annual average industrial wastewater discharge between ten thousand and twenty-four thousand nine hundred ninety-nine gallons per day.

12. **Class III User** means an industrial user with an annual average industrial wastewater discharge between one and nine thousand nine hundred ninety-nine gallons per day where the industrial discharge has a reasonable potential for adversely affecting the POTW's operation or violating any pretreatment standard, prohibition, or requirement of this Chapter.

13. **Class IV User** means any industrial or Categorical Industrial User that has a manufacturing or production process or procedure that generates wastewater and/or waste and that wastewater and/or waste is not discharged to the POTW due to the user's reclamation, recycling, segregation, and/or off-site site disposal of the wastewater and/or waste; or a user subject to categorical pretreatment standards under 40 CFR Part 403.6 and 40 CFR Chapter I, subchapter N and that never discharges more than 100 gallons per day of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater) and has: 1) consistently complied with all applicable categorical Pretreatment Standards and Requirements; 2) has submitted a certification statement required by 40 CFR Part 403.12(q) together with any additional information necessary to support the certification statement; and 3) has never discharged any untreated concentrated wastewater.

14. **Class V User** means an industrial user that has a temporary need to discharge wastewater to the POTW. The temporary period shall be from one to one hundred eighty days.

15. **Class VI User** means an industrial user that hauls wastewater by truck or other means from septic tanks, cesspools, seepage pits, and private disposal systems.

16. **Collection Agency** means a public agency with which the City has an interjurisdictional agreement addressing that agency's sewage collection and discharge to the City for transmission, treatment, and disposal.

17. **Collection System** means all pipes, sewers and conveyance systems conveying wastewater, owned and maintained by either the City or by tributary Community Services Districts contracting with the City for sewer service, but not including sewer lateral line connections.

18. **Combined Wastestream Formula** means the formula, as outlined in the general pretreatment regulations of the Clean Water Act, 40 CFR 403.6(e), for determining wastewater

discharge limitations for Categorical Industrial Users whose effluent is a mixture of regulated, unregulated, and dilution wastewater as defined in the formula.

19. **Community Services District** means the Edgemont Community Services District, Jurupa Community Services District, Rubidoux Community Services District, or any other district which contracts with the City for sewer service.

20. **Compliance Schedule** means a time schedule enforceable under this Chapter containing increments of progress, i.e. milestones, in the form of dates. These milestones shall be for the commencement and/or completion of major events leading to the construction and operation of additional pretreatment facilities or the implementation of policies, procedures or operational management techniques required for the user to comply with all applicable federal, state or local environmental regulations which may directly or indirectly affect the quality of the user's wastewater effluent.

21. **Composite Sample** means a series of grab samples of equal volume taken at a predetermined time or flow rate for a predetermined period of time, which are combined into one sample.

22. **Confined Space**, pursuant to California Code of Regulations, Title 8, Section 5157, subsection b, means a space that:

A. Is large enough and so configured that a person can bodily enter and perform assigned work;

B. Has limited or restricted means for entry or exit (for example, tanks vessels, silos, storage bins, hoppers, vaults, and pits are spaces that may have limited means of entry); and

C. Is not designed for continuous occupancy by a person.

23. **Conventional Pollutants** means BOD, COD, total suspended solids, pH, fecal coliform, oil and grease, total nitrogen and such additional pollutants as are now or may be in the future specified and controlled in the City's NPDES permit for its POTW where said POTW has been designed and used to reduce or remove such pollutants.

24. **Cooling Water** means all water used solely for the purpose of cooling a manufacturing process, equipment, or product.

25. **De Minimus User** means any user whose industrial wastewater discharge is less than one hundred gallons per day and is not regulated by a federal categorical pretreatment standard or Industrial User Group Permit.

26. **Dilution** means the increase in use of process water or any other means to dilute a wastestream as a partial or complete substitute for adequate treatment to achieve discharge requirements.

27. **Director** means the Public Works Director of the City or an authorized representative, deputy, or agent appointed by the Public Works Director.

28. **Domestic Septic Wastes** means all domestic wastes contained in septic tanks, cesspools, seepage pits, holding tanks and private disposal systems.

29. **Domestic Wastewater** means wastewater from private residences and wastewater from other premises resulting from the use of water for personal washing, sanitary purposes or the discharge of human excrement and related matter. Domestic wastewater when analyzed by standard methods shall contain no more than two hundred fifty-nine mg/L of total suspended solids, two hundred twenty-eight mg/L of BOD and four hundred fifty-five mg/L of COD.

30. **Effluent** means treated wastewater flowing from treatment facilities, a POTW, or a user's pretreatment equipment.

31. **Emergency** means facts or circumstances that City reasonably determines create an imminent threat of harm to public health or safety, the environment or the POTW.

32. **EPA** means the United States Environmental Protection Agency.

33. **Federal Categorical Pretreatment Standard** means the National Pretreatment Standards, established by the EPA, specifying quantities or concentrations of pollutants or

pollutant properties which may be discharged or introduced into the POTW by existing or new industrial users in specific industrial categories established as separate regulations under the appropriate subpart of 40 CFR Chapter I, Subchapter N.

34. **Good Faith** means the user's honest intention to remedy noncompliance together with actions that support the intention without the use of enforcement actions by the City. Examples of these intentions are improved housekeeping practices or the installation of pretreatment equipment to reduce or eliminate pollutants.

35. **Grab Sample** means an individual sample collected over a period of time not exceeding fifteen minutes.

36. **Gravity Separation Interceptor** means an approved wastewater detention device, equipment or appurtenance and is designed to remove floatable and settleable material by means of gravity and the solubility of the waste in water from industrial wastewater prior to discharge to the POTW and may include but not be limited to grease interceptors, hydromechanical grease interceptors, grease traps, and sand/oil interceptors.

37. **Hazardous Substance** means any substance capable of creating imminent endangerment to health or the environment.

38. **Heating Water** means all water used solely for the heating of a manufacturing process, equipment, or product.

39. **Industrial User** means all persons, entities, public or private, industrial, commercial, governmental, or institutional which discharge or cause to be discharged, industrial wastewater and waterborne waste into the POTW, or stores waste or wastewater on site for treatment and/or subsequent disposal, and includes Mobile Pressure Washers and Liquid Waste Haulers.

40. **Industrial User Permit** means a permit, issued by the Public Works Director, regulating the terms and conditions under which an Industrial User may discharge any non-domestic waste to the POTW.

41. **Industrial Wastewater** means all water containing wastes of the community, excluding domestic wastewater, and includes all wastewater from any producing, manufacturing, processing, institutional, governmental, commercial, restaurant, service, agricultural or other operation. Industrial wastewater may also include cooling tower and boiler blowdown water, potable water treatment wastewater and chemical toilet wastewater if the wastewater contains levels of pollutants above the wastewater discharge limitations established by this Chapter. Any wastewater that is hauled by truck, rail or other means, and discharged into the sewerage system, shall be considered industrial wastewater, regardless of the original source.

42. **Infectious Waste** means all disease-containing wastes that normally cause, or significantly contribute to the cause of increased morbidity or mortality of human beings.

43. **Interference** means any discharge from a user which, alone or in conjunction with a discharge or discharges from other sources both: inhibits or disrupts the POTW, treatment processes or operations, or sludge processes, use or disposal; and which is a cause of a violation of any requirement of the City's NPDES permit including an increase in the magnitude or duration of violation) or of the prevention of biosolids use or disposal in compliance with Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly known as the Resource Conservation and Recovery Act (RCRA)), and state regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA, the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection Research and Sanctuaries Act, and any amendments to these Acts or regulations.

44. **Ion Exchange Water Softener** means a water conditioning apparatus that is designed to remove hardness or other impurities from a user's potable water supply through chemical, not physical means.

45. **Liquid Waste Hauler** means any person engaged in the truck hauling of liquid wastes from septic tanks, seepage pits, cesspools, or any other private disposal system.

46. **Local Limits** means specific prohibitions, Best Management Practices or pollutant limitations or pollutant parameters which are developed by the City in accordance with 40 CFR 403.5(c).

47. **Lower Explosive Limit (LEL)** means the minimum concentration of combustible gas or vapor in the air that will ignite if an ignition source is present.

48. **Mass Emission Rate** means the rate of pollutant discharge in pounds per day to the POTW.

49. **May** means permissive.

50. **mg/L** means milligrams per liter.

51. **Milestone** means a time-based increment of progress in a compliance schedule, not to exceed nine months. Milestones may be set for construction, operations, repairs, the creation of policies and procedures, or other aspects of pretreatment and discharge.

52. **Mobile Pressure Washer** means non-residential user of mobile pressure washing equipment to wash or rinse motor vehicles, machinery, buildings, windows, paved areas, sidewalks, parking lots, and outdoor eating areas, etc.

53. **Monitoring/Production Information Order (MPIO)** means an Administrative Order requiring an industrial user to determine the concentration or mass emission of pollutants in its industrial wastewater discharge, for each day in a fourteen consecutive calendar day period that industrial wastewater is discharged to the POTW, and to provide that data and wastewater discharge flow data for that period.

54. **Monthly Average** means the average of daily measurements over a calendar month as calculated by adding all the daily measurements taken during the calendar month and dividing that sum by the sum of the number of daily measurements taken in the calendar month.

55. **New Source** means any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307 (c) of the Federal Clean Water Act, which will be applicable to such source if such standards are thereafter promulgated in accordance with that Section, provided that:

A. The building, structure, facility or installation is constructed at a site at which no other source is located; or

B. The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or

C. The production or wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source may be considered.

56. **NPDES Permit** means the then effective National Pollutant Discharge Elimination System Permit issued by the California Regional Water Quality Control Board establishing the Waste Discharge and Producer/User Reclamation Requirements for the Riverside Regional Water Quality Control Plant or storm water requirements for the City's Municipal Separate Storm Sewer System.

57. **NSIU** means a Non-Significant Industrial User that does not require a Class I-VI Industrial User Permit or is not considered a restaurant.

58. **Non-Significant Categorical Industrial User** means a user subject to categorical pretreatment standards under 40 CFR Part 403.6 and 40 CFR Chapter I, subchapter N and that never discharges more than 100 gallons per day of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater) and has: 1) consistently complied with all applicable categorical Pretreatment Standards and Requirements;

2) has submitted a certification statement required by 40 CFR Part 403.12(q) together with any additional information necessary to support the certification statement; and 3) has never discharged any untreated concentrated wastewater.

59. **Oil and Grease** means any of the following in part or in combination:

- A. Petroleum derived products, e.g., oils, fuels, lubricants, solvents, cutting oils;
- B. Vegetable derived products, e.g., oils, shortenings, water soluble cutting oils; or
- C. Animal derived products, e.g., fats, greases, oils, lard

60. **Pass Through** means any 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, causes a violation of any requirement of the NPDES Permit, including an increase in the magnitude or duration of a violation.

61. **Permit-Required Confined Space** pursuant to California Code of Regulations, Title 8, Section 5157, subsection b means a confined space that has one or more of the following characteristics:

- A. Contains or has the potential to contain a hazardous atmosphere;
- B. Contains a material that has the potential for engulfing an entrant;
- C. Has an internal configuration such that an entrant could be trapped or and tapers to a smaller cross-section; or
- D. Contains any other recognized serious safety or health hazard.

62. **Person** means any individual, firm, company, association, society, general or limited partnership, limited liability company, trust, corporation, governmental agency or group, and includes the plural as well as the singular.

63. **Pollutant** means conventional pollutants, domestic wastewater, hazardous substances, infectious waste, slug discharges, dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, medical waste, heat, rock, sand, cellar dirt and industrial, municipal, and agricultural waste.

64. **Pollutant Exceedance Fee** means a fee in addition to the sewer service charge, which is charged on those users whose wastewater discharge pollutants exceed permitted pollutant levels for COD or total suspended solids.

65. **Publicly Owned Treatment Works or POTW** means a wastewater treatment plant, e.g., the RRWQCP. This definition includes the collection system, within the City and the Community Service Districts, which is the sewers, pipes and other conveyances of wastewater to a treatment plant, except for private sewer lateral connections. It also includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes.

66. **Pretreatment** means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of the pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into the POTW. The reduction or alteration may be obtained by physical, chemical or biological processes, process changes or by any other means, except dilution.

67. **Pretreatment Waste** means waste removed by pretreatment.

68. **Qualified Professional** means a person qualified by education, training, or experience to evaluate and assess pollutant discharges and violations of this Chapter.

69. **RCRA** means the Resource Conservation and Recovery Act and its Regulations as contained in 40 CFR Part 260-266 and 270.

70. **Restaurant** means all retail establishments selling prepared foods and drinks for consumption on or off the premises; including lunch counters and refreshment stands. Retail establishments, lunch counters, and drinking places selling prepared food and drink as a subordinate service incidental to their primary operations, and institutional facilities (e.g. schools, hospitals, jails, prisons, and juvenile halls), which serve food on the premises shall also

be considered restaurants.

71. **Shall** means mandatory.

72. **Self-monitoring** means wastewater samples taken by a user or the user's contracted laboratory, consultant, engineer, or similar entity.

73. **Sewer Lateral Line** means the wastewater collection pipe extending from the premises where the wastewater is generated to the premises' property line.

74. **Significant Industrial User (SIU)** means all Categorical Industrial Users and any user which discharges one or more of the following:

A. Industrial wastewater at an average rate of at least twenty-five thousand gallons per day (gpd) to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);

B. A process wastestream which makes up five percent or more of the average dry weather hydraulic or organic capacity of the City's POTW; or

C. Wastewater that the Director requires to be controlled by a Class I Industrial User Permit.

75. **Significant Noncompliance** means any violation meeting one or more of the following criteria:

A. Chronic violations of wastewater discharge limits, defined as those in which sixty-six percent or more of all of the measurements for the same pollutant parameter during a six consecutive month period exceed by any magnitude a numeric pretreatment standard or requirement, including instantaneous limits;

B. Technical Review Criteria (TRC) violations, which are defined as those in which thirty-three percent or more of all of the measurements taken during a consecutive six month period equal or exceed the product of the numeric pretreatment standard, local limit, or requirement, including instantaneous limits, multiplied by the applicable TRC (TRC=1.4 for BOD, COD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH);

C. Any other violation of a numeric pretreatment standard or requirement (including narrative standards and Best Management Practices) determined by the City to cause, in whole or in part: POTW damage, interference, or pass through; danger to POTW personnel; or the public health, safety and welfare;

D. Any discharge of a pollutant posing imminent danger to human health or welfare, or to the environment, or resulting in the City's exercise of its emergency authority to stop or prevent such a discharge;

E. Failure to meet, within ninety days after the scheduled date, a compliance schedule Milestone;

F. Failure to provide, within forty-five days of the scheduled date, any required reports such as baseline monitoring reports, compliance reports, and self-monitoring reports;

G. Failure to pay, within thirty days, all application, permit, or enforcement fees;

H. Failure to accurately report non-compliance; or

I. Any other violation(s), which may include failure to implement required Best Management Practices, which the City believes will adversely affect the City's pretreatment program.

76. **Single Pass Cooling Water** means water that is used solely for the purpose of cooling and is used only once before being discharged.

77. **Single Pass Heating Water** means water that is used solely for the purpose of heating and is used only once before being discharged.

78. **Slug Discharge** means any discharge of wastewater of a non-routine, episodic nature including but not limited to an accidental spill, or a non-customary batch discharge which could damage, interfere with, or pass through the POTW or otherwise violate this Chapter, local limits, permit conditions, or other regulations.

79. **Storm Drain** means a system of open channels, lined and unlined channels, surface channels, impound basins, ground water recharge basins, storm water holding ponds, underground pipes, curb and gutter, cross gutters, storm water pump and lift stations, parking lots, paved areas, streets, and natural water courses used to collect and direct storm water to a receiving body of water or aquifer recharge basins.

80. **Storm Water** means water flowing or discharged as a result of rain, snow, or other precipitation.

81. **Temporary User** means any user granted temporary permission under a Class V Industrial User Permit to discharge unpolluted water or wastewater to the sewer system.

82. **Total Suspended Solids** means the total amount of residue retained by laboratory filtration and dried at 103-105 degrees C.

83. **Total Toxic Organics (TTO)** means the sum of all quantifiable values greater than 0.01 mg/L of the regulated toxic organic compounds which are found in the user's industrial wastewater discharge.

84. **Unpolluted Water** means cooling and heating water, single pass cooling and heating water, air conditioning condensate, ice melt, condensate, landscape irrigation, crop irrigation, rain water, and other water not containing any pollutant, or water whose discharge would not otherwise violate any receiving water quality standards.

85. **Upset** means an exceptional incident which causes temporary and unintentional non-compliance with the discharge limitations or prohibitions applicable to a user or the POTW.

86. **User** means any person, public or private, residential, industrial, commercial, governmental, or institutional which discharges or causes to be discharged wastewater or waterborne waste to the POTW or storm drain.

87. **Waste** means any discarded solid, semi-solid, liquid, or gaseous material. (Ord. 7099 §1, 2010; Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6398 §1, 1997; Ord. 6232 §2 (part), 1995)

## II. General Provisions

### Section 14.12.200 Administration.

A. **Rules.** The Director may adopt rules consistent with this Chapter for the administration of the wastewater system. Those rules may include, but shall not be limited to, discharge limitations, pretreatment requirements, standards for wastewater, sewer connections, and implementation of Federal Water Pollution Control and Clean Water Act standards.

B. **General Powers of the Director.** Except as otherwise provided herein, the Director shall execute the provisions of this Chapter. The Director may delegate powers or duties to persons acting in the beneficial interest or employ of the City, but shall remain responsible. In addition to the authority to prevent or eliminate discharges through enforcement of discharge limitations and prohibitions, the Director shall have the following authorities:

1. Protect the health or welfare of the community. The Director, after informal notice to the affected user, may immediately and effectively stop or prevent any discharge of pollutants to the POTW, by any means available, including physical disconnection from the wastewater collection system, whenever the discharge reasonably appears to present an imminent danger to the health or welfare of the community;

2. Protect the environment or the POTW. The Director, after written order to the user, may stop or prevent any discharge of pollutants to the POTW, by any means available, including physical disconnection from the wastewater system, whenever such discharge presents or may present an imminent and substantial danger to the environment or threatens to damage or interfere with the operation of the POTW; and

3. The discharges referred to in subdivisions 1 and 2 above may be stopped or prevented without regard to the compliance of the user with other provisions of this Chapter.

- C. **Specific Powers of the Director.** The Director may take any of the following actions to prevent the actual or threatened discharge of polluted wastewater to the POTW:
1. Stop or prevent the discharge of such wastewater;
  2. Require the user to demonstrate that process modifications will reduce or eliminate the pollutant or substance so that the discharge will not violate this Chapter;
  3. Require treatment to reduce or eliminate the pollutants so that the discharge will not violate this Chapter;
  4. Require the user to pay Industrial User Permit fees, inspection fees and any additional cost or expense incurred by the City by excess pollutant loads discharged to the POTW, or imposed fines, penalties or legal expenses, and attorneys' fees;
  5. Obtain timely and factual reports from the person responsible for such discharge;
- and
6. Take any other action to achieve the purposes of this Chapter (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

**Section 14.12.205 Notice.**

Notices and orders under this Chapter shall be deemed served if given to user as follows:

- A. Correctly addressed, postage pre-paid and deposited in the United States mail, or personally delivered; or
- B. To user or user's authorized representative at user's address as listed in user's permit, or application for a permit, or user's facility that is subject of the notice or order; and
- C. Shall be deemed received on the date personally delivered or on the third day after deposit in the United States mail as provided in this Section. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

**Section 14.12.210 Confidentiality.**

Information submitted by the user to the City pursuant to this Chapter may be claimed as confidential by the user. Any such claim must be asserted at the time of submission by placing the words "Confidential Business Information" on each page containing such information. If no claim is made at the time of submission, the City may make the information available to the public without further notice. Sample data obtained by either the user or the City shall not be considered confidential. Production-related information used to calculate mass-based discharge limitations or required to develop an Industrial User Permit shall not be considered confidential information. Confidential information may be made available, upon request, to governmental agencies for enforcement or judicial purposes related to this Chapter, the NPDES Permit or the pretreatment program, and as required by state or federal law. In the event of a conflict between this section and the Public Records Act or Freedom of Information Act, those acts shall prevail. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

**Section 14.12.215 Inspection.**

A. The Director may inspect any user facilities to ascertain whether the requirements of this Chapter are being met. Persons on the premises shall allow the Director ready access at all reasonable times to all parts of the premises for the purpose of inspection, photography or electronic image recording, sampling, and records examination of any facility, equipment (including monitoring and pollution control equipment), practices or operations regulated or required by an Industrial User Permit or other control document, RMC Chapter 14.12, or the City's NPDES Storm Water Permit.

- B. The user shall ensure that there is always a person on site, during normal

business hours, that has knowledge of the user's processes and activities to accompany the Director during the inspection.

C. The user shall provide immediate access when the Director believes an emergency exists, regardless of the hour of the day.

D. All pretreatment equipment shall be immediately accessible at all times for inspection. At no time shall any material, debris, obstacles or obstructions be placed in such a manner that will prevent immediate access to the pretreatment equipment.

E. No person shall interfere with, delay, resist or refuse entrance to the Director when attempting to inspect any facility involved with a discharge into the City's POTW or storm drain.

F. The user shall make all necessary arrangements with the user's security personnel so that, upon presentation of suitable identification, personnel from the City will be permitted to enter, without delay, for the purpose of performing their specific responsibilities.

G. The user shall make all records required to be kept under the provisions of this Chapter available for copying by the Director. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

#### **Section 14.12.220 Inspection Warrants.**

If the Director is refused inspection access to a building, structure, or property, or any part thereof, the Director may obtain an inspection warrant pursuant to Code of Civil Procedure section 1822.50 et seq. No warrant is required in the event of an emergency threatening the public health or safety or the City's POTW. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

#### **Section 14.12.225 Monitoring.**

A. At the direction of the Director, any user discharging wastewater into the POTW may be required to install sampling station(s) or measuring device(s) to measure the quality and quantity of wastewater discharged or to obtain samples. Measuring devices may include, but are not limited to: flow meters and recorders, pH meters and recorders, electrical conductivity meters and recorders, process water meters, and automatic wastewater samplers.

B. The sampling station and/or measuring device shall be provided by the user in compliance with this Chapter and all applicable building, plumbing, and construction codes. The City may require that the measuring devices have a security closure that can be locked with a City lock. Construction shall be completed within a reasonable time as required in written notification from the Director.

C. The Director may temporarily install upon the user's property devices to conduct wastewater sampling, compliance monitoring or metering operations.

D. No user shall interfere with, delay, resist, or refuse entrance to authorized City personnel installing wastewater monitoring equipment on the user's property. Any permanent or temporary obstruction prohibiting direct access to the sampling station or measuring device shall be immediately removed by the user or property owner at the written or verbal request of the Director and shall not be replaced.

E. The sampling station or measuring devices shall be maintained for continuous sampling or metering. The measuring devices shall be calibrated as often as necessary to ensure accurate measurements according to manufacturer's specifications. All maintenance and calibration work shall be performed at the user's expense.

F. All users that self-monitor shall have all samples collected and analyzed according to 40 CFR 403.12(b)(5).

G. All user sampling and analysis must comply with 40 CFR part 403.12(b)(5). The laboratory must be certified by the State of California, Department of Health Services as being competent to perform the pollutant analyses requested, shall perform all laboratory analyses

and must be acceptable to the Director. All samples must have the following information:

1. The date, exact place, method, and time of sampling and the names of the person or persons taking the samples;
2. The dates the analyses were performed;
3. Who performed the analyses;
4. The analytical techniques/methods used;
5. The results of such analyses;
6. A copy of the laboratory sample analysis sheet; and
7. The user's completed monitoring report form.

H. All users required to install and maintain measuring devices shall immediately report the failure of such devices. The immediate notification shall be by telephone call, telefax transmission, electronic report, personal visit, or a hand-delivered notification to the City's Environmental Compliance Office. Within five calendar days after discovery of the failure, the user shall submit a written report to the Director documenting the dates, times, and cause of the failure, and the corrective actions taken.

I. Any wastewater samples taken from a user's approved or designated sampling location shall be considered representative of the wastewater discharged to the POTW. For users that have interceptors, but no approved or designated sampling location, the last chamber of the interceptor shall be the designated sampling location.

J. All users required to self-monitor shall report to the Director pollutant violations from any required wastewater sample within twenty-four hours of becoming aware of the violation. The reporting may be by telephone call, telefax transmission, electronic report, or a personal visit to the City's Environmental Compliance Office. The violation report shall contain the date and time of the sample, the daily discharge flow for the sample, possible explanations for the violation, and the date scheduled for the required resample. Failure to report pollutant violations as stated is a violation of this Chapter and may subject the user to enforcement actions.

K. All users required to take daily twenty-four hour readings of their wastewater effluent flow shall notify Director of exceedance of its permitted flow within twenty-four hours of discovering the exceedance by telephone call, telefax transmission, electronic report, personal visit, or a hand delivered notification, to the City's Environmental Compliance Office or file a monthly report indicating the days of the month when the permitted flow was exceeded and the reason for the exceedance. The monthly report shall be submitted to the City's Environmental Compliance Office by the fifth business day following the end of the preceding month. The flow exceedance notice shall have the total flow, date of the violation, the reason for the flow exceedance, and the name of the person reporting the flow exceedance. Failure to report such flow exceedance is unlawful and may subject the user to enforcement actions.

L. All users with a discovered pollutant violation shall resample their wastewater discharge for that pollutant. This mandatory resampling is independent of any other wastewater sampling requirement. User shall submit the laboratory results from the resamples, all required forms and a written explanation detailing the cause(s) and correction action(s) of the violation to the Director no later than forty-five calendar days after the user discovers or becomes aware of the violation. Failure to submit the laboratory results and all required documents within the forty-five-day requirement shall result in Significant Noncompliance for the user and the issuance of a Notice of Violation to the user.

M. All users whose wastewater discharge is monitored by the City shall be responsible for all resampling requirements contained in subsection L of this Section when a pollutant violation is detected. The City shall notify the user of the resampling requirements by a telephone call, telefax transmission, or personal visit within seventy-two hours of confirming a pollutant violation.

N. All users which desire to conduct their own wastewater sampling shall submit a

written plan describing the equipment used, equipment cleaning methodology, employee training, sample preservation methods, and chain of custody procedures. The user's wastewater sampling plan must be approved by the Director prior to the implementation of the plan. Any sample taken by a user without an approved plan or from an unapproved laboratory shall not be valid and may subject the user to enforcement actions.

O. All users are required to submit all monitoring results including non-permit required samples according to 40 CFR 403.12(g) sampled at the appropriate sample point within fifteen calendar days of receiving the sample or monitoring results.

P. All permitted users that take more than one grab sample in a single calendar day to demonstrate compliance with oil and grease shall also comply with the following conditions:

1. A minimum of four grab samples separated by a minimum of two hours each shall be taken in a single calendar day;

2. Each individual oil and grease grab sample shall be analyzed separately and the analytical results from each sample shall be averaged;

3. No single oil and grease grab sample shall exceed the user's permitted limit by more than forty percent; and

4. The average result from all individual oil and grease grab samples taken in a single calendar day shall not exceed the user's permitted limit. (Ord. 7099 §2, 2010; Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

#### **Section 14.12.230 Record Keeping.**

All users shall keep records of waste hauling, reclamations, wastewater pretreatment, monitoring device recording charts and calibration reports, effluent flow, sample analysis data, and, at the discretion of the Director, BMP effectiveness, on the site of the wastewater generation. All these records are subject to inspection and copy by Director. All records must be kept on the site of the wastewater generation for a minimum period of three years. The record retention period may be extended beyond three years in the event criminal or civil action is taken or an extensive user history is required. Records required by company or corporate policy to be kept off-site shall be telefaxed or submitted electronically to the Environmental Compliance Office within seventy-two hours of the records request. Failure to submit the records as required is a violation of this Chapter and may result in enforcement actions. (Ord. 7150 §1, 2011; Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

#### **Section 14.12.235 Flow Measurement.**

Any industrial user who discharges twenty-five thousand gallons per day or more of industrial wastewater, or as required by the Director, shall install a continuous monitoring flow meter capable of measuring the industrial user's entire industrial wastewater discharged to the POTW. The user shall record and log the flow on a daily basis. The flow meter shall conform to standards issued by the Director. The user shall report the flow meter type and size to the Director before installation. The flow meter shall be equipped with a non-resetting flow totalizer and a paper chart recorder that records the time, day, date and volume of discharge. All flow meters shall be calibrated as often as necessary to ensure accuracy of the actual flow discharged, within plus or minus five percent. All flow meter installations shall have the flow meter size, type, totalizer units, and flow multipliers posted in a conspicuous place near the flow meter recorder. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

#### **Section 14.12.240 Infectious Waste Disposal.**

A. No user that generates liquid infectious waste other than domestic wastewater shall discharge to the POTW without first obtaining written permission from the Director. Such a user shall submit a written request to the Director that shall include:

1. The source and volume of the infectious waste;

2. The procedures and equipment used for waste disinfection; and
  3. Employee training procedures for the legal disposal of infectious waste.
- B. If the Director believes that the waste would not be completely disinfected, the Director shall issue a written denial to the user and state the reasons for the denial. This denial shall be issued within thirty days from receipt of the written request.
- C. If the Director believes that complete disinfection of the waste can be achieved prior to discharge of the waste to the POTW, then a conditional approval may be granted for the disposal of the waste. A letter of approval shall be sent to the user within thirty days of receipt of the written request.
- D. If the user is granted permission for disposal, the user:
1. Shall completely disinfect the liquid waste prior to discharge to the POTW as outlined in the approval letter;
  2. Shall not dispose of solid infectious waste to the POTW, including hypodermic needles, syringes, instruments, utensils or other paper and plastic items of a disposable nature, or any portions of the human or animal anatomy whether whole, part, or ground; and
  3. Shall be subject to periodic inspections to verify that all disinfection methods, procedures, and practices are being performed. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

#### **Section 14.12.245 Water Softeners.**

A. No user shall install, replace, enlarge, or use any regenerative-type water softener unless the apparatus complies with the following conditions:

1. The apparatus is a self-generating water softener;
2. The brine solutions generated during the backwash cycles of the water softener shall be segregated from the fresh water rinses for disposal to a legal brine disposal site;
3. The backwash equipment shall be equipped with an electrical conductivity controlled discharge valve that controls the wastewater discharge to the POTW. This valve shall be calibrated to control and prevent any discharge of wastewater that exceeds the maximum total dissolved solids concentration established by resolution; and
4. The user shall maintain the electrical conductivity controlled discharge valve in proper operating conditions at all times. In the event of a valve failure, the user shall immediately cease the regeneration discharge and immediately notify the Director of the failure by telephone call, telefax transmission, electronic report, personal visit, or a hand delivered notification, to the City's Environmental Compliance Office. Within five calendar days after discovery of the failure, the user shall submit a written report to the Director documenting the dates, times, and cause of the failure, and the corrective actions taken.

B. Pursuant to California Health and Safety Code Sections 116775-116795, no residential water softening or conditioning appliance may be installed except in the following circumstances:

1. The regeneration is performed at a nonresidential facility separate from the location of the residence where such appliance is used; or
2. The regeneration discharges to the waste disposal system of the residence where such appliance is used and the following conditions are satisfied:
  - a. The appliance activates regeneration by demand control;
  - b. An appliance installed on or after January 1, 2000, shall be certified by a third party rating organization using industry standards to have a salt efficiency rating of no less than three thousand three hundred fifty grains of hardness removed per pound of salt used in generation. An appliance installed on or after January 1, 2002, shall be certified by a third party rating organization using industry standards to have a salt efficiency rating of no less than four thousand grains of hardness removed per pound of salt used in generation;

c. The installation of the appliance is accompanied by the simultaneous installation of the following softened or conditioned water conservation devices on all fixtures using softened or conditioned water, unless such devices are already in place or are prohibited by local and state plumbing and building standards or unless such devices will adversely restrict the normal operation of such fixtures:

- i. Faucet flow restrictors.
- ii. Shower head restrictors.
- iii. Toilet reservoir dams.

iv. A piping system installed so that untreated (unsoftened or unconditioned) supply water is carried to hose bibs and sill cocks which serve water to the outside of the house, except that bypass valves may be installed on homes with slab foundations constructed prior to the date of installation; or condominiums constructed prior to the date of installation; or otherwise where a piping system is physically inhibited.

C. The certification required under Subsection B of this Section shall be provided by the new user of the appliance and shall be completed by a contractor having a valid Class C-55 water conditioning contractor's license or Class C-36 plumbing contractor's license and filed with the City's Building Division. The certification form shall contain all of the following information:

1. Name and address of homeowner;
2. Manufacturer of the water softening or conditioning appliance, model number of the appliance, pounds of salt used per regeneration, and salt efficiency rating at the time of certification;
3. Manufacturer of the water-saving devices installed, model number, and number installed; and
4. Name, address, and the specialty contractor's license number of the C-55 and C-36 licensee making the certification.

D. Any person installing or operating a water conditioning apparatus of any kind shall make such apparatus accessible to the Director for inspection at reasonable times.

E. Notwithstanding Subdivision 2 of Subsection B. of this Section, the City may limit the availability, or prohibit the installation, of residential water softening or conditioning appliances that discharge to the POTW if Director makes all of the following findings:

1. The POTW is not in compliance with the terms of its NPDES permit;
2. Limiting the availability or installation of the appliances is the only available means of achieving compliance with waste discharge requirements issued by the Regional Board; and

3. All nonresidential sources are limited to the volumes and concentrations of saline discharges to the POTW to the extent technologically and economically feasible.

F. Notwithstanding Subdivision 2 of Subsection B of this Section, the City may limit the availability, or prohibit the installation, of residential water softening or conditioning appliances that discharge to the POTW if Director makes all of the following findings:

1. The POTW is not in compliance with water reclamation requirements, or a master reclamation permit, issued by the California Regional Water Quality Control Board pursuant to Article 4 (commencing with § 13520) of Chapter 7 of Division 7 of the Water Code;
2. Limiting the availability or prohibiting the installation of the appliances is the only available means of achieving compliance with the water reclamation requirements or the master reclamation permit issued by the Regional Board; and
3. All nonresidential sources are limited to the volumes and concentrations of saline discharges to the POTW to the extent technologically and economically feasible. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

**Section 14.12.250 Drain Screen Requirements.**

Any user that has floor drains, floor sinks, drains, mop sinks, can washes or any other drain designed to convey wastewater to the sewer system, shall have a screen in place in said drains capable of excluding all particles greater than three-eighths of an inch in any dimension. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

**Section 14.12.255 Gravity Separation Interceptor.**

No user that operates or maintains a facility for the servicing or repair of roadway machinery, industrial transportation equipment, motor vehicles, public or private transportation vehicles, and any other facility as required by the Director, shall discharge wastewater to the POTW without a gravity separation interceptor ("interceptor") that complies with all of the requirements of Sections 14.12.255 through 14.12.270. Domestic wastewater shall not be allowed to pass through the interceptor. The Director shall determine the interceptor's operational fluid capacity. The interceptor shall have a minimum operational fluid capacity of not less than one hundred gallons, and shall be designed to retain any material that will float or any material that will settle and shall meet all the requirements of Section 14.12.260 of this Chapter. (Ord. 7032 §2, 2009; Ord. 6377 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

**Section 14.12.260 Interceptor Requirements.**

A. The interceptor shall be watertight, structurally sound, durable, and shall have a minimum of two chambers, excluding sample box if so equipped, with a separate ring and cover for each chamber. The sample box, if the interceptor is so equipped, shall also have a separate ring and cover. All rings shall be affixed to the interceptor to insure a gas and watertight seal.

B. Each interceptor cover shall expose and provide access to each chamber's inlet tee, outlet tee, and/or mid-wall tee.

C. All interceptor chambers shall be immediately accessible at all times for inspection, sampling, cleaning, and maintenance. The user shall provide a separate ring and cover for each separate interceptor chamber, including sample box and any additional covers to insure adequate cleaning and inspection capabilities. All rings shall be affixed to the interceptor to insure a gas and watertight seal. At no time shall any material, debris, obstacles or other obstructions be placed in such a manner that will prevent immediate access to the interceptor.

D. Any interceptor legally and properly installed before the effective date of this Chapter shall be acceptable as an alternative to the interceptor requirements of this Chapter providing that the interceptor shall be effective in removing floatable and settleable material and shall be immediately accessible for inspection, sampling, cleaning, and maintenance.

E. All drains and openings connected to an approved gravity separation interceptor shall be equipped with screens or devices which will exclude from the wastewater discharge all material and particles with a cubic dimension greater than three-eighths of an inch in any dimension.

F. All gravity separation interceptors shall be equipped with an influent tee extending no more than six inches below the operating fluid level of the interceptor. The interceptor shall also have tees extending to within twelve inches of the bottom at the exit side of each chamber in the interceptor, including the final chamber. In a case where a manufacturer's engineered interceptor design is contrary to this requirement, the Director shall review the design and either approve or deny an exemption to this requirement.

G. All interceptors shall be equipped with a sample box or sample wye as determined by the Director.

H. No user shall install or use any elbows or tees in any interceptor sample box.

I. No user shall install any interceptor, sample box, or sample wye in a confined space or a permit-required confined space.

J. At all times, all drain lines leading to the interceptor shall be kept free of any debris or material that may cause a drain line blockage.

K. If the Director finds, either by engineering knowledge or by observation, that an interceptor is incapable of adequately retaining floatable and settleable material in the wastewater flow, is structurally inadequate, or is undersized for the facility, the Director may reject such interceptor and declare that the interceptor does not meet the requirements of this Section. The user shall thereupon be required to, modify or repair the interceptor, or install an adequate interceptor, acceptable to the Director at the user's expense. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

#### **Section 14.12.265 Standard Interceptor Designs.**

The Director shall maintain a file, available to the public, of suitable interceptor designs. This file shall be for informational purposes only and is not an endorsement of any kind. Installation of an interceptor of a design shown in this file, or of any design meeting the size requirements set forth in this Chapter, shall not subject the City to any liability for the adequacy of the interceptor under actual conditions of use. The user and property owner shall not be relieved of the responsibility for keeping floatable and settleable material out of the POTW. (Ord. 7032 §2, 2009; Ord. 6637 §2 (part), 2002; Ord. 6232 §2 (part), 1995)

#### **Section 14.12.270 Interceptor Maintenance.**

A. Any person who owns or operates an interceptor shall properly maintain it at all times. The interceptor shall be cleaned as often as necessary to ensure that sediment and floating materials do not accumulate to impair the efficiency of the interceptor and odors do not cause a public nuisance. An interceptor is not considered to be properly maintained, if for any reason the interceptor is not in good working condition or if the operational fluid capacity has been reduced by more than twenty-five percent by the accumulation of floating material, sediment, oil or grease, or other liquids that have limited or no solubility in water.

B. The use of chemicals, enzymes, proteins or other materials to emulsify, suspend, or dissolve oil and grease is prohibited. If a user is found using any of these materials, the materials may be confiscated without restitution to the user and the user may be subject to enforcement actions.

C. No user shall use any microbiological product in a grease interceptor that was not specifically designed to use such microbiological agents to metabolize fats, oils, and greases. If a user is found using any of these materials, the materials may be confiscated without restitution to the user and the user may be subject to enforcement actions.

D. When an interceptor is cleaned, the entire contents of the interceptor from all chambers and sample box shall be removed. The removed sediment, solids, liquid and floating material shall not be reintroduced or decanted into the interceptor, sample box, sewer cleanout, other interceptor or other unlawful opening of a collection system or private sewer systems and shall be lawfully disposed of other than to the private sewer systems, POTW or storm drain, and shall not be reintroduced into the interceptor or discharged into another interceptor at another location not designed and permitted to accept such waste. The City's grease wastewater receiving station is an authorized disposal site at the City's treatment plant for disposal of grease interceptor wastewater from authorized companies.

E. If the interceptor is not maintained adequately, then the interceptor shall be resized and the user shall install one that is effective in accomplishing the intended purpose, or the City may require a mandatory pumping schedule for the interceptor. Failure to pump the interceptor as required is a violation of this Chapter and may subject the user to enforcement action.

F. The owner and lessee, sub-lessee, proprietor, operator and superintendent of any facility, required to install an interceptor or use an existing interceptor are individually and

























































