



CITY OF MORRO BAY PUBLIC WORKS ADVISORY BOARD (PWAB) AGENDA

The City of Morro Bay provides essential public services and infrastructure to maintain a safe, clean and healthy place for residents and visitors to live, work and play.

Regular Meeting Wednesday, August 19, 2020 – 5:30 P.M. Held Via Teleconference

ESTABLISH QUORUM AND CALL TO ORDER
MOMENT OF SILENCE
PLEDGE OF ALLEGIANCE
BOARD MEMBER'S ANNOUNCEMENTS & PRESENTATIONS

PUBLIC COMMENT

Pursuant to Section 3 of Executive Order N-29-20, issued by Governor Newsom on March 17, 2020, this Meeting will be conducted telephonically through Zoom and broadcast live on Cable Channel 20 and streamed on the City website (click [here](#) to view). Please be advised that pursuant to the Executive Order, and to ensure the health and safety of the public by limiting human contact that could spread the COVID-19 virus, the Veterans' Hall will not be open for the meeting.

Public Participation:

In order to prevent and mitigate the effects of the COVID-19 pandemic, and limit potential spread within the City of Morro Bay, in accordance with Executive Order N-29-20, the City will not make available a physical location from which members of the public may observe the meeting and offer public comment. Remote public participation is allowed in the following ways:

- *Community members are encouraged to submit agenda correspondence in advance of the meeting via email to the Public Works' office at PWAB@morrobayca.gov prior to the meeting and will be published on the City website with a final update one hour prior to the meeting start time. Agenda correspondence received less than an hour before the meeting start time may not be posted until after the meeting.*
- *Members of the public may watch the meeting either on cable Channel 20 or as streamed on the City [website](#).*
- *Alternatively, members of the public may watch the meeting and speak during general Public Comment or on a specific agenda item by logging in to the Zoom webinar using the information provided below. Please use the "raise hand" feature to indicate your desire to provide public comment. Each speaker will be allowed three minutes to provide input.*

Please click the link below to join the webinar:

- <https://us02web.zoom.us/j/82722747698?pwd=aWZpTzcwTHlRTk9xaTlmWVNWRFUQT09>
Password: 135692
- *Or Telephone Attendee: (408) 638-0968 or (669) 900 6833 or (346) 248 7799; Webinar ID: 827 2274 7698; Password: 135692; Press * 9 to "Raise Hand" for Public Comment*

A. CONSENT AGENDA

Unless an item is pulled for separate action by the Public Works Advisory Board, the following actions are approved without discussion. The public will also be provided an opportunity to comment on consent agenda items.

A-1 APPROVAL OF MINUTES FOR THE JUNE 17, 2020 PUBLIC WORKS ADVISORY BOARD REGULAR MEETING

RECOMMENDATION: Approve as submitted.

B. BUSINESS ITEMS

B-1 DIRECTORS REPORT - INFORMATIONAL SUMMARY OF CURRENT PUBLIC WORKS ACTIVITIES

RECOMMENDATION: No action.

B-2 WATER RECLAMATION FACILITY (WRF) PROJECT HYDROGEOLOGIC REPORT (CHARACTERIZATION AND SELECTION OF PROJECT AREA - JUNE 2020)

RECOMMENDATION: Staff recommends the Board provide input regarding the Hydrogeologic Report to be forwarded to City Council for their consideration

B-3 SEWER USE ORDINANCE REVISIONS - Morro Bay Municipal Code Chapter 13.12

RECOMMENDATION: Staff recommends the Board provide input regarding the Sewer Use Ordinance changes to be forwarded to City Council for their consideration.

C. FUTURE AGENDA ITEMS
PAVEMENT MANAGEMENT PLAN

D. ADJOURNMENT

The next Regular Meeting will be held on **September 16, 2020 at 5:30 p.m.** via teleconference.

THIS AGENDA IS SUBJECT TO AMENDMENT UP TO 72 HOURS PRIOR TO THE DATE AND TIME SET FOR THE MEETING. PLEASE REFER TO THE AGENDA POSTED AT THE PUBLIC WORKS DEPARTMENT, 955 SHASTA AVENUE, FOR ANY REVISIONS OR CALL THE DEPARTMENT AT 772-6261 FOR FURTHER INFORMATION.

MATERIALS RELATED TO AN ITEM ON THIS AGENDA SUBMITTED TO THE PUBLIC WORKS ADVISORY BOARD AFTER DISTRIBUTION OF THE AGENDA PACKET ARE AVAILABLE FOR PUBLIC INSPECTION UPON REQUEST BY CALLING THE PUBLIC WORKS OFFICE AT 805-772-6261.

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, IF YOU NEED SPECIAL ASSISTANCE TO PARTICIPATE IN A CITY MEETING, PLEASE CONTACT THE CITY CLERK'S OFFICE AT LEAST 24 HOURS PRIOR TO THE MEETING TO INSURE REASONABLE ARRANGEMENTS CAN BE MADE TO PROVIDE ACCESSIBILITY TO THE MEETING.

The Public Works Advisory Board conducted this meeting in accordance with Section 3 of California Governor Newsom’s Executive Order N-29-20 issued on March 17, 2020 in response to the present State of Emergency in existence due to the threat of COVID-19. This meeting was held via teleconference for all participants.

- | | | |
|----------|--|--|
| PRESENT: | Ric Deschler
Janith Goldman
Doug Rogers
Torrey Byles
Chris Erlendson | Chair
Vice Chair
Board Member
Board Member
Board Member |
| ABSENT: | John Erwin | Board Member |
| STAFF: | Jennifer Callaway
Rob Livick
Janeen Burlingame
Damaris Hanson
Joe Mueller
Matt Bishop | Acting Public Works Director
City Engineer
Management Analyst
Environmental Program Manager
Utilities Division Manager
Consolidated Maintenance Lead Supervisor |

ESTABLISH QUORUM, CALL TO ORDER

The meeting was called to order at 5:30 P.M. with all but Board member John Erwin in attendance.

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ANNOUNCEMENTS

<https://youtu.be/op-0VHXM1sg?t=86>

PRESENTATIONS – None

PUBLIC COMMENT

<https://youtu.be/op-0VHXM1sg?t=188>

The public comment period was opened, and seeing none, the public comment period was closed.

A. CONSENT AGENDA

<https://youtu.be/op-0VHXM1sg?t=271>

A-1 APPROVAL OF MINUTES FOR THE MAY 20, 2020 PUBLIC WORKS ADVISORY BOARD REGULAR MEETING

The public comment period was opened, and seeing none, the public comment period was closed.

MOTION: Ric Deschler moved to approve Item A-1. The motion was seconded by Janith Goldman and carried 5-0-0 unanimously by roll call vote.

B. BUSINESS ITEMS

B-1 DIRECTOR’S REPORT

<https://youtu.be/op-0VHXM1sg?t=1184>

Jennifer Callaway presented the Director’s Report.

Discussion, comments and questions amongst Board members and staff.

The public comment period was opened, and seeing none, the public comments period was closed.

Discussion, comments, and questions continued amongst Board members and staff.

B-2 ANNUAL WATER REPORT 2019 AND RECOMMENDATION FOR ALLOCATION OF WATER EQUIVALENCY UNITS (WEU) FOR 2020/21
<https://youtu.be/op-0VHXM1sg?t=3951>

Discussion, comments and questions amongst Board members and staff.

The public comment period was opened, and seeing none, the public comments period was closed.

Discussion, comments, and questions continued amongst Board members and staff.

MOTION: The motion was approved by a 4-1-0 by roll call vote.

FUTURE AGENDA ITEMS

<https://youtu.be/op-0VHXM1sg?t=7477>

ADJOURNMENT

The meeting adjourned at 7:39 P.M.

Recorded by:

Amy Mills
Office Assistant



AGENDA NO: B-1

MEETING DATE: August 19, 2020

MEMORANDUM

TO: Public Works Advisory Board
CC: City Manager
DATE: August 13, 2020
FROM: Jennifer Callaway - Acting Public Works Director

SUBJECT: Director's Report / Information Items

Please contact the individual staff members prior to the meeting for more detailed information.

Notify Me: Sign up for Notify Me on the City's Website www.morrobayca.gov/notifyme to be notified by email when Council, Board's and Commission's agendas and minutes are posted on the website.

Service Requests: Citizens can report a concern to the City for predetermined issues without the need to phone the City during business hours (for example: reporting a pothole) by using a feature on the City's website, Service Requests www.morrobayca.gov/905/Service-Requests, or the mobile App (available on both Android and IOS operating systems).

Staff can also add Service Requests for someone over the phone or in the office if they do not have access to a computer. Each category in Service Requests is assigned to the appropriate staff member to handle so citizens don't have to figure out what department to contact for an issue they need to report on.

CONSOLIDATED MAINTENANCE COMPLETED SERVICE REQUESTS AND WORK ORDERS 6/9/2020 TO 8/11/2020

Staff Contact: Matt Bishop

Monthly Service Requests Completed		Monthly Work Orders Completed	
CM	# of SR	CM	# of Work Orders
Custodial Request	1	Facilities	
Graffiti	1	Flooring	1
Maintenance Request	12	General Repair	1
Pothole/Sinkhole	2	HVAC	7
Safety Issue	4	Plumbing	3
Sidewalk Issue	1	Weed Abatement	1
Tree Fallen Across Sidewalk	1	Irrigation Systems	
		Repair	1
# SR in Category	22	Parks	
Total Service Requests Completed	22	Concrete Work	1
		Graffiti Removal	1
		Irrigation Repair	1
		Maintenance	2
		Other	5
		Plumbing	1
		Tree Hazard Reduction	1
		Weed Abatement	1
		Restrooms and Trash	
		Electrical	1
		Graffiti Removal	1
		Maintenance	3
		Other	1
		Repair	2
		Sidewalks-Paths	
		Graffiti Removal	1
		Repair	1
		Repair Surface	1
		Trim Bushes/Trees	2
		Weed Abatement	2
		Street Trees	
		Evaluation	1
		Hazard Reduction	1
		Streets	
		Inspect Sign	1
		Other	1
		Right of Way Obstruction	1
		Striping/Painting	1
		Weed Abatement	1
		# Work Orders in Category	49



CONSOLIDATED MAINTENANCE Staff Contact: Matt Bishop

South Bay Boulevard

Staff and local contractor crews cut back and cleared all vegetation and trees from the SB Blvd. bike lanes.

Cloisters

Staff removed old landscaping throughout entire Coral St. median, planted 700 new plants and installed irrigation.

City Offices

Installed lobby counters in the Public Works and MBCC Rec Department.

Out and About

Installed several “Cover Your Face!” and no camping signs around town in public right of ways, City facilities, and parks.



TRANSIT AND TROLLEY

Staff Contact:
Janeen Burlingame



- Beginning in July, the State of California now requires face coverings be worn when riding the bus or waiting for public transportation
- Trolley service began operating August 4 on a scaled back route in the downtown & waterfront areas.
- Weekly reporting of ridership numbers to the State.
- Applied for Federal CARES 5311 Phase 1 transit funds for transit operating costs between February through June.
- Began initial work with Finance and the auditors on the annual Transportation Development Act audit

TRANSIT ~ ESSENTIAL TRAVEL

our part to create a healthier travel environment and help stop the spread of COVID-19

Keep your distance.

larger seating & spread out as much as possible.



Wear face coverings

Cover mouth and chin.

Don't touch surfaces.

handrails, seat backs, etc.)



Wash hands

after riding for 20 seconds with soap & water or hand sanitizer. No exceptions.

Use a tissue if you need to touch surfaces.

(handrails, seat backs, etc.)

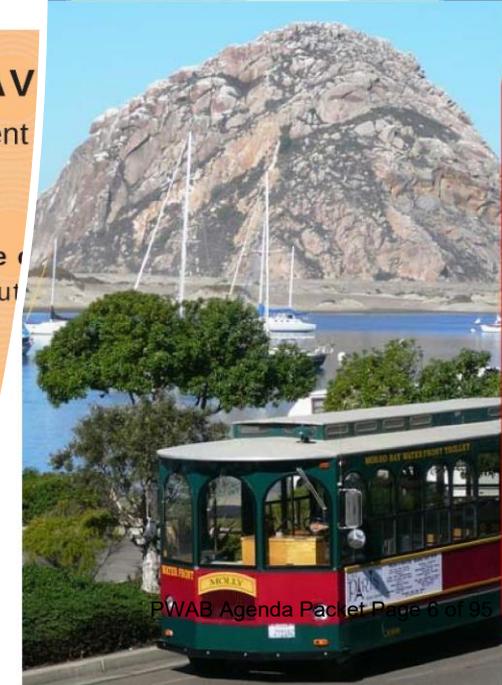
Morro Bay Trolley

WE APPRECIATE YOU BEING A MORRO BAY **MASK HERO** #ROCKHOLMTOGETHER

FACE COVERINGS

REQUIRED WHEN RIDING TROLLEY

The State of California requires the use of a face covering when waiting for or riding public transportation.



- DAYS**
August 8, 2020
- Saturday**
10
- ROUTE STOPS**
1. City Park at Harbor
 2. Morro Bay Blvd.
 3. Morro Bay Blvd.
 4. Embarcadero at Harbor
 5. Morro Rock
 6. Embarcadero at Harbor
 7. Embarcadero at Harbor
 8. Embarcadero at Harbor
 9. Embarcadero at Harbor
 10. Tidelands Park
 11. Embarcadero at Harbor
 12. Market at Morro
 13. Morro Bay Blvd.
 14. Morro Bay Blvd.
 15. Morro Bay Blvd.
- FA**
Children (limit 2 per adult)
- Please have exact fare
- No pets allowed**
- For more info call 1-800-444-3333 or morrobay.com**

WATER – OPERATIONS

Staff Contacts: Joe Mueller
Damaris Hanson

Operations and Maintenance June/July 2020

- Exercised 164 mainline water valves throughout the city.
- Responded to seven after-hour callouts:
 - Elena tank – communication loss
 - 2589 Koa Street – emergency turn-off
 - 520 Zanzibar Street – customer valve was shut-off at the house
 - 1377 Hillcrest Drive – emergency turn-off
 - 2790 Main Street – telephone pole wires down
 - 1145 Morro Avenue – water coming up in road service
 - 1405 Teresa Road – main break on fire protection line
- Performed 45 water service turn-offs and 144 water service turn-ons.
- Replaced 10 water meters throughout town.
- Installed 5 new water service lines
- Located and marked 100 Underground Service Alerts.
- Investigated distribution issues ranging from meter re-reads, meter high reads, pressure issues, and water quality concerns.
- Investigated and resolved 7 potential water leaks.
- Flow and pressure tested 25 fire hydrants for the annual fire department ISO certification program.
- Pressure washed and painted 21 fire hydrants
- Painted the air-release box located across from Lemos Feed.
- Cleaned meter boxes on meter re-read list.
- Marked locations of water distribution assets using GPS equipment.
- Installed new valve turning skid on new service truck.



Hydrant Painting

- Replaced wireless communication antenna at Elena water storage tank.
- Updated firmware on all wireless communication equipment.
- Backed up the Groove SCADA system settings and files.
- Cleaned up electrical wiring at Errol Street pressure reducing valve.
- Replaced a leaking water meter at 430 Mindoro.
- Raised three valve pots and poured concrete rings one at 962 Kennedy Way and two on the corner of Main & Surf Street.
- Repaired 2-inch service line leak at 890 Morro Avenue.
- Replaced three broken curb stops; 340 Rennel Street, 1250 Bolton Drive, and 1230 Hillcrest Street.
- Repaired 30-inch storm drain at Lila Kiser park.
- Replaced sample taps at Lila Kiser wells and on Piney Way sample station.
- Installed grease ports on pump motors at Kings booster station.
- Assisted Alpha Electric troubleshoot the reverse osmosis operating system software and programming.
- Installed new conductivity sensors on the reverse osmosis system.
- Continued demolition of the desalination facility.
- Assisted Coastal Demo in the removal of the old desalination concrete motor stands.
- Cut and removed concrete from old desalination drain-lines, lowered & capped piping and installed rebar for future concrete pour.
- Test ran emergency generators.
- Exercised all well field valves and lubricated stems.
- Performed weed abatement at Errol, Flippos and Chorro creek well sites.
- Cleaned out fallen leaves and debris inside fenced areas at all well sites.
- Divers inspected the inside of the Elena and Nutmeg water storage tanks.



Curb stop Repairs





Repairs and maintenance to the reverse osmosis system



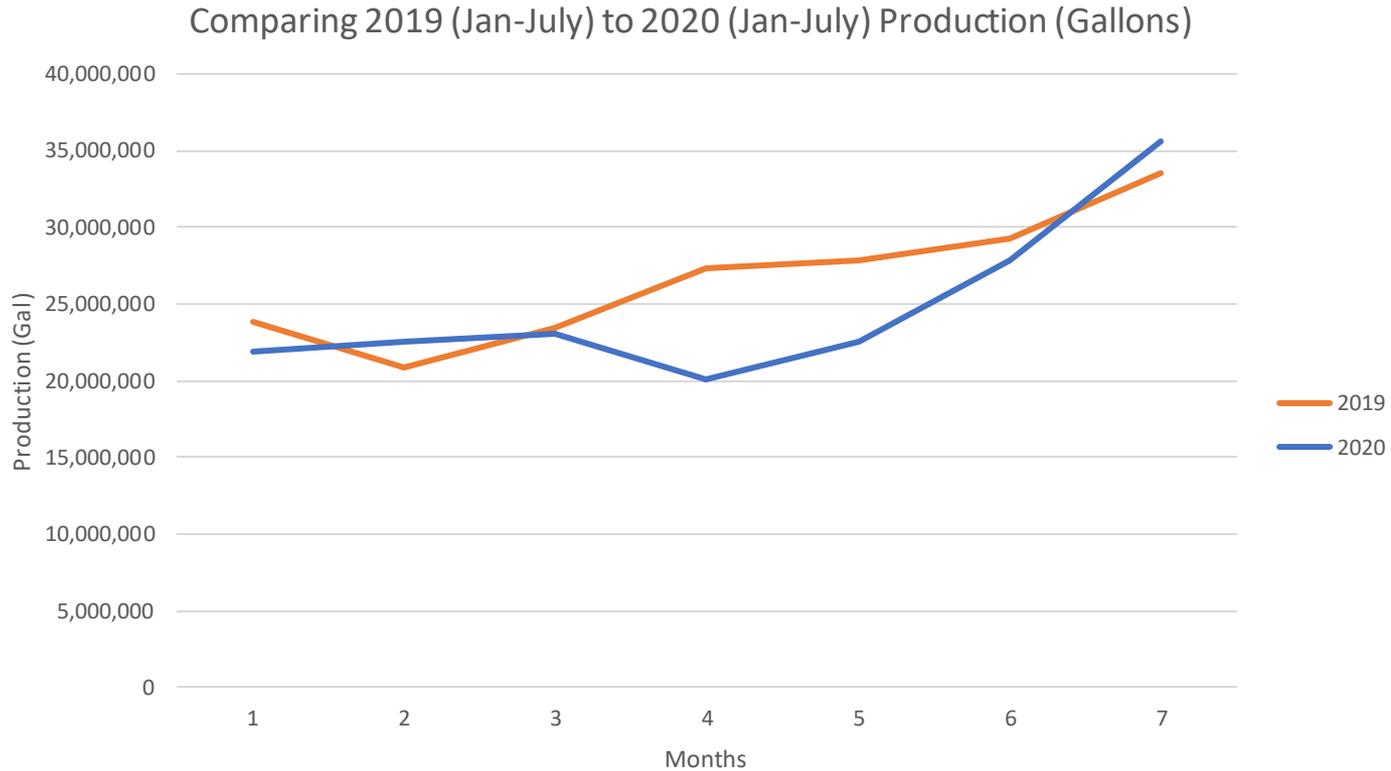
New water distribution system maintenance and emergency response vehicle

Submitted reports to the State, [electronically](#): No Violations

- June & July 2020 Monthly Monitoring Report
- June & July 2020 Monthly Water Rights Extraction Report
- June & July 2020 Monthly Water Conservation Report

WATER – CONSERVATION

Staff Contact: Damaris Hanson



Please remember to make water conservation a way of life!

City water conservation rebates available; Cash for grass, rain barrel, irrigation retrofit, SMART irrigation controller, toilet retrofit and Energy star washing machine. State rebates now available for removing grass, add replacing a toilet that flushed more than 1.6 gallons per flush (\$100).

STORMWATER MANAGEMENT

Staff Contacts: Damaris Hanson

Tidelands Park – Stormwater Pocket Park

The concrete and paver walkways have been completed by a sub-contractor. City Maintenance staff has added riprap at the base of the spillway. Planting in the basin and around the walkways will begin August 17-21. After planting is completed Maintenance staff will add irrigation. A curved bench will be installed along the back of the circle.



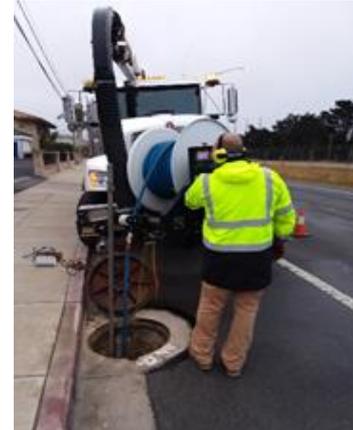
WASTEWATER – COLLECTIONS

Staff Contacts: Joe Mueller

John Gunderlock

Operations and Maintenance June/July 2020:

- Hydro cleaned approximately 65,494 feet of city main line.
- Video inspected (CCTV) 9,513 feet of gravity main line.
- On-call staff received 5 afterhours callouts:
 - Lift Station #2 Power Fail
 - Lift Station #2 Pump Overcurrent
 - Lift Station #1 Power Fail
 - Lift Station #3 High wet well level
 - Lift Station #3 Power Fail
- Sampled pH levels at Mission Linen.
- Tested all lift station generators and alarms.
- Pulled pumps at lift station #2 resetting the tolerances between the pump impeller and bottom plate.
- Performed 25 restaurant source control inspections for Fats, Oils and Grease (FOG).
- Raised 3 Manhole lids to surface grade to eliminate uneven roadway.
- Installed monitor to check hydrogen sulfide concentration in the discharge of lift station #2 force main to gravity.
- Staff Initiated and / or Received 3 Service Request:
 - Cleaned up the effects of a Private Lateral Spill Discharge (PLSD) in the public right of way.
 - Customer requested the location of their sewer lateral connection to the City main line.
 - Plumber requesting confirmation that the city main line was clear after they cleared a private lateral blockage. The lateral is located at the end of the city main line and the plumber was concerned they may have pushed the blockage into the city main line.



WASTEWATER – TREATMENT

Staff Contacts: Joe Mueller
John Gunderlock

Operation & Maintenance June/July 2020

- Flow for the month of June averaged 1.130 Million Gallons per Day (MGD) and totaled 33.892 million gallons.
- Flow for the month of July averaged 1.195 Million Gallons per Day (MGD) and totaled 37.054 million gallons.
- 0.00 inches of precipitation was recorded in the months of June and July.
- Responded to one after hour callout in July for plant chlorine adjustments.
- Amy Mills and James Kelly received Wastewater Operator-in-Training (OIT) certifications.
- Performed yearly maintenance, rust treatment, fuel treatment, battery replacement and painted the emergency bypass pump.
- Sampled Mission Linen and Culligan for pre-treatment program.
- Cleaned electrical buckets of all motor control centers.
- Performed routine monthly equipment work orders.
- Inspected check valve balls for ragging on sludge pump #1.
- Drove the solar drying beds with front-end loader to speed drying time.
- Moved dried sludge from drying beds to sludge storage area and cleaned gates.
- Washed, lubed, fueled and replaced air filters on the front-end loader.
- Replaced leaking seal water tubing line to biofilter pump #1.
- Performed maintenance and cleaning on the headworks bar screens.
- Weed-wacked around administration building and around plant.
- Turned on second mix liquor aeration blower due to summertime low dissolved oxygen levels.
- Installed grease fittings/piping and flushed out old grease on (5) interstage pumps and (2) 3W pumps.
- Increased the ferrous chloride pumping rate due to higher hydrogen sulfide results.
- Repaired interstage pump blowoff/priming piping with new 2" valve.
- Set traps for rats at the headworks and grit aeration areas.
- Replaced grit aeration blower with new blower and belts.
- Collected seawater and plant effluent for annual bioassay testing.
- Replaced upper tubing on the sodium hypochlorite residual feed pump



Emergency Bypass Pump

Utilities Staff attended the following training:

- In-house briefings to address Covid-19 social distancing and safety precautions
- Tailgate safety meeting regarding fall hazards and awareness around open tanks
- Operation of the Collections Vac-All line cleaning and vacuum truck
- Operation of the Water depts. new valve exercising equipment
- Webinar for reporting discharge monitoring reports
- Instrument technician online training
- Bloodborne pathogens review
- CIWQS monthly reporting
- Welding safety video
- Laboratory sampling

Submitted reports to the State, [electronically](#):

- May 2020 Monthly Discharge-Monitoring Report (eDMR)
- May 2020 Monthly Self-Monitoring Report (eSMR)
- June 2020 Monthly Discharge-Monitoring Report (eDMR)
- June 2020 Monthly Self-Monitoring Report (eSMR)
- Second Quarterly Progress Report on Time Schedule Order Compliance (TSO)
- Second Quarterly Receiving Waters Monitoring Report
- Second Quarterly Effluent Bacteria Monitoring Report



Headworks bar screen maintenance



Annual ocean bioassay sampling



Replacing grit aeration blower & greasing interstage motors



Cleaning dried biosolids & moving to sludge storage area

ENGINEERING/CAPITAL PROJECTS

Staff Contact: Rob Livick

Highway 41/Main/Highway 1 – No Change

- Project construction is still financially constrained
- Contract completed with GHD formerly Omni-Means to complete Pre-Design and Environmental Determination on track for December 2020
- Working with City's funding partners the San Luis Obispo Council of Governments (SLOCOG) & Caltrans on funding and design options
- The City will be Submitting an Active Transportation Program (ATP) grant application for the non-motorized components of the project

Pavement Management

- No major maintenance work in FY 2019/20 and perhaps not 2020/21 depending on revenue.
- Pavement Management Plan Update at the September meeting

Water System Improvements – Nutmeg Pressure Zone Fire Flow Improvements

- Field Survey Underway
- This phase of the project will bring the project to 30-percent design, complete the CEQA determination and permitting through the County and City; and property acquisition.

Collection System Repairs – Beachcomber, Main Street and Atascadero Road Sewer Main R/R

- Field Survey underway
- Design to be complete Spring 2021
- Construction proposed for Summer/Fall 2021

Misc. Small CIPs

- North Point Parking Lot: Project canceled due lack of funds available in the assessment district accumulation. Work will be performed with funding from Homeowners Association
- Boat Rinse Off WQ/Tidelands Pocket Park: Substantially Complete
- Bocce Ball/Greenhouse on Shasta and Dunes: "Volunteer in conjunction with City Staff. On hold until after COVID restrictions. City Reassessing use of property

Cloisters Landscaping Improvements – Landscape Plan and Installation

- Concept plan approved by City Council on October 22
- City Council appropriated funding from the Assessment District to complete the first phase of landscape improvements.
- Final Design 100-percent complete. Engineering Staff working with maintenance staff for installation. Installation 90-percent complete.

Sequoia Storm Drain Repair/Replacement

- A "sink hole" developed due to wear to the existing storm drain
- In house design is underway for the repair

Laurel Easement Storm Drain Repair

- 1950's vintage CMP storm drain leaking and caused erosion and exposed sewer main
- In house design is underway for the repair

Adopted Operating and Capital Improvement Program is online at: [Adopted FY2020/21 Budget](#)

ENGINEERING/DEVELOPMENT REVIEW

Staff Contact: Rob Livick

Staff is working on the following projects:

- 405 Atascadero, 35-unit multi-family low income housing: Planning Review
- 535 Atascadero, Parcel Map (MB 15-0103) with Public Improvements: In Plan check and Map Check
- Paula/Ironwood two lot subdivision : Map Check
- Harborview Hotel/Commercial: Planning Review
- Hotel Development – NW corner Atascadero Road West and Highway 1: In Plancheck
- Sonic Restaurant – Main and Highway 41: Plancheck – Permit Extended to March 2021
- Rose's Landing Upstairs 10-Room Hotel: Under Construction
- US Coast Guard Addition: Pending Construction
- Morro Bay Landing: Complete
- Three Stacks and a Rock Brewery at Former Aquarium Building: In Plancheck
- Rhapsody In View 8-Room Hotel : In plan review
- Residential remodels and construction: 16 Projects in various stages of review
- Encroachment Permits Issued: 6 in June and 14 in July

WASTEWATER – NEW WRF

Staff Contact: Rob Livick

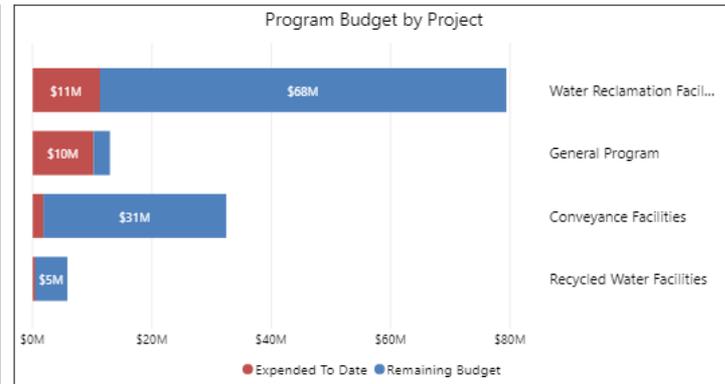
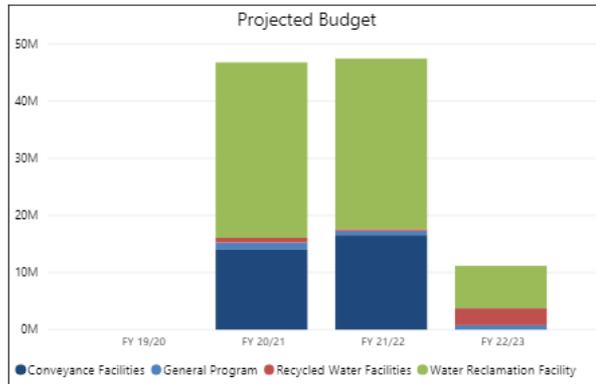
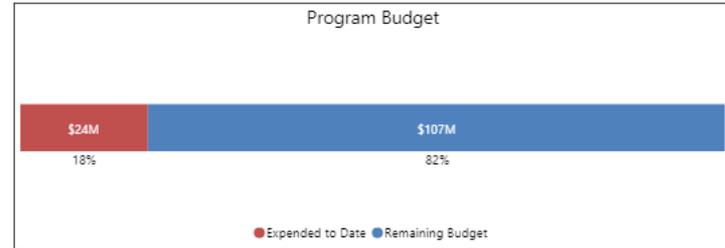
- Work continues in accordance with City Council direction.
- Additional Information at <http://morrobaywrf.com/>
 - [Factsheet](#)
 - [Dashboard](#)



Program Summary

Last Updated:
8/6/2020

\$130.6M **\$106.9M**
Total Program Budget Remaining Program Budget





AGENDA NO: B-2
MEETING DATE: August 19, 2020

Staff Report

TO: Public Works Advisory Board **DATE:** August 13, 2020

FROM: Eric Casares, PE – WRF Program Manager (Carollo)
 Tim Thompson, PE – Principal (GSI)
 Rob Livick, PE/PLS – City Engineer

SUBJECT: Water Reclamation Facility (WRF) Project Hydrogeologic Technical Memorandum (TM): *Characterization and Selection of Project Area for Injection Testing, City of Morro Bay, Nicely, O’Rourke and Thompson, June 2020*

RECOMMENDATION

Staff recommends the Board provide input regarding the Hydrogeologic Report (Phase 2 TM) to be forwarded to City Council for their consideration.

BACKGROUND

Since 2016, the City has been working with GSI Water Solutions (GSI) to provide hydrogeological support for the WRF Project. In May 2017, GSI completed the Lower Morro Valley Basin Screening-Level Groundwater Modeling for Injection Feasibility Final Report (Feasibility Study), which included the development of a screening-level numerical groundwater flow model of the lower portion of the Morro Valley Groundwater Basin. This model was used to determine the feasibility of using injection and recovery of recycled water (i.e., indirect potable reuse [IPR]) to enhance the City’s water supply.

This feasibility evaluation was framed by the following goals:

- Ability to inject 825 acre-feet per year (AFY) of highly purified recycled water (maximum production capacity of the WRF);
- Determine the maximum annual production capacity of the City wells that can be sustained without inducing seawater intrusion; and
- Ability to satisfy Title 22 minimum response retention time requirements for the injected recycled water. (Note: Title 22 of California’s Code of Regulations refers to state guidelines for how treated and recycled water is discharged and used.)

Several different modeling scenarios were evaluated, which considered different injection locations both west of Highway 1 (Vistra Energy Property) and east of Highway 1 (near Miner’s Ace Hardware), injection volumes, and extraction volumes. The injection areas are commonly referred to as the western and eastern areas, respectively. As a result of the modeling, the following conclusions were made:

- The aquifer can accept 800 to 825 AFY of highly purified recycled water;
- The City’s existing extraction wells can produce up to 1,200 AFY without including seawater intrusion; and
- It is possible to meet the minimum required response retention time of two months.

Prepared By: <u>EC</u>	Dept Review: <u>RL</u>
City Manager Review: <u>SC</u>	City Attorney Review: _____

As a result of the conclusions made in the Feasibility Study, City staff and the WRF Program Manager moved forward with additional hydrogeology using a stepwise approach. The City released a request for proposals (RFP) for groundwater modeling and pilot injection well testing services on March 30, 2018 with proposals due on April 20, 2018. The City received two proposals, one from GSI Water Solutions, and one from Geoscience. Ultimately GSI was selected. At the September 28, 2018 City Council meeting, a contract was awarded to GSI.

The RFP identified the following phases for the remaining hydrogeological work:

- Phase 1 – Additional Groundwater Modeling
- Phase 2 – Selection of the Preferred Injection Area
- Phase 3 – Basis of Design and Permitting for the Full-Scale Injection Wells

In April 2019, GSI prepared a technical memorandum (Phase 1 TM) which summarized the results of the Phase 1 work effort. The work in Phase 1 focused on the impacts of injection and extraction on the groundwater quality in the basin. The major results of the Phase 1 TM are summarized below:

- The City’s existing wells are at risk of seawater intrusion if significant quantities of groundwater are pumped without injection; and
- All wells have significantly lower nitrate concentrations under either the western or eastern injection well configurations.

Since completion of the Phase 1 TM, GSI has been working on Phase 2 of the necessary hydrogeological work, which has included field work at both the western and eastern injection locations.

RESULTS

In June 2020, GSI completed the Characterization and Selection of the Project Area for Injection Testing, City of Morro Bay (Phase 2 TM), which is attached to this staff report. The report describes the field investigations done at both the western and eastern areas as well and describes the additional modeling completed to select the preferred injection location. The results of the Phase 2 TM are summarized below:

- The western area is preferable to the eastern area (also referred to as the “Narrows” area); and
- Injection is hydrogeologically feasible and can be constructed and operated in compliance with Title 22 regulatory requirements (i.e., retention times in the western area of approximately 2.5 to 5.5 months).

Based on the results of the Phase 2 TM, additional modeling refinement was recommended before moving forward with pilot injection testing at the western area. These include:

- Conducting modeling scenarios to evaluate groundwater basin conditions and retention time estimates assuming reduced injection rates (400 to 600 AFY) and extraction rates (400 to 600 AFY), as well as scenarios to evaluate benefits of project operations where extraction rates exceed injection rates; and
- Considering some of the current groundwater extraction wells, located between the proposed injection and proposed extraction wells, for future use as groundwater monitoring wells only, thus extending the distance and therefore retention time between injection and extraction locations.

The additional modeling work identified in the Phase 2 TM is nearly complete and will be presented to the Board and City Council in upcoming meetings. Completion of this additional modeling work will mark the end of Phase 2. GSI’s current contract and associated scope of work only covers Phase 1 and 2. Their contract will need to be amended in fall 2020 to cover Phase 3.

ATTACHMENT

1. *Water Reclamation Facility (WRF) Project Hydrogeologic Technical Memorandum (TM): Characterization and Selection of Project Area for Injection Testing, City of Morro Bay, Nicely, O'Rourke and Thompson, June 2020*



TECHNICAL MEMORANDUM

Characterization and Selection of Project Area for Injection Testing, City of Morro Bay

To: Paul Amico and Eric Casares, Carollo Engineers
From: Tim Nicely, Dave O'Rourke and Tim Thompson
Date: June 19, 2020

EXECUTIVE SUMMARY

GSI Water Solutions (GSI) conducted a series of hydrogeologic evaluations associated with injecting and subsequently recovering recycled water in the Lower Morro Valley area of the City of Morro Bay. These evaluations were conducted to determine the feasibility of an Indirect Potable Reuse (IPR) project, utilizing advanced treated recycled water from the City's forthcoming Water Reclamation Facility (WRF), at one of two project areas, respectively referred to as the Narrows area or the Western area.

This new work follows upon two prior analyses by GSI, which developed the fundamental analyses in support of this latest effort. These two prior hydrogeologic evaluations are briefly summarized below:

- A. May 2017 Report:** Lower Morro Valley Basin Screening-Level Groundwater Modeling for Injection Feasibility
1. The aquifer will accept the recycled water available for injection (up to 825 acre-feet per year (AFY), which is ~0.75 mgd);
 2. A minimum number of 4 injection wells will be needed to achieve the desired recycled water injection capacity;
 3. Up to 1,200 AFY (~1.07 mgd) of groundwater could be pumped, assuming 825 AFY of recycled water injection is occurring concurrently with pumping at rates in excess of the injection rate, without resulting in seawater intrusion; and
 4. The 2-month minimum subsurface recycled water retention time (RT) required by the California Department of Drinking Water (DDW) permitting regulations for indirect potable reuse (IPR) projects can be achieved.
- B. April 2019 Report:** Morro Bay Water Reclamation Facility Groundwater Modeling
1. With no corresponding injection to offset groundwater level declines, the existing City groundwater wells would be at risk for seawater intrusion if the full permitted groundwater pumpage is produced;
 2. Nitrate and TDS concentrations in the groundwater basin will be significantly reduced as a result of an IPR groundwater recharge project (nitrate concentrations would be reduced by 25% to 75% and TDS concentrations would be reduced by 50% or more).

The additional work conducted after these initial hydrogeologic evaluations included: aquifer testing, piezometer installations, CPT borings, refinements to the groundwater model based on these data, and additional modeling scenarios. The groundwater model refinements were based upon improved aquifer geometry and hydraulic property data gathered during the field characterization work. Numerous scenarios were modeled using potential

injection well locations at both project areas (Narrows area and Western area) to determine the feasibility of implementing an IPR project in the Lower Morro Valley. Based on these recent evaluations, and as described in this technical memorandum, the following determinations can be made:

A. The Western area is preferable to the Narrows area for the following reasons:

1. Higher transmissivity in the Western project area indicates that injection wells located there would have capacity for higher injection rates in comparison with the Narrows project area.
2. Modeled retention times between the injection wells and the nearest recovery wells are greater in the Western project area scenarios than in the Narrows project area scenarios.
3. Evaluation of water level patterns along the coast indicate that the Western project area scenarios offer a greater degree of mitigation against potential seawater intrusion during dry periods than the Narrows project scenarios.
4. Due to the dense residential occupancy of the Narrows project area, the level of planning, permitting, public notification, and logistical coordination for construction of permanent infrastructure in this area will likely be significantly greater than in the Western project area.
5. The recycled water pipeline alignment is planned to pass through the Western area, which is the preferred pipeline alignment due to constructability and cost considerations.

B. The numerical modeling results indicate that the project is hydrogeologically-feasible and can be constructed and operated in compliance with regulatory requirements. The modeling results show that retention times at the Western area will be approximately 2.5 to 5.5 months (depending on the specific scenarios and recovery wells considered) under the specified injection (825 AFY) and extraction (581 to 1,200 AFY) goals.

C. Refinements to the modeling approach are underway to further evaluate compliance with DDW regulatory requirements. These refinements, which will be published in a subsequent report, include:

1. Conducting modeling scenarios to evaluate groundwater basin conditions and retention time estimates assuming reduced injection rates (~400 to ~600 AFY) and extraction rates (~400 to 600 AFY), as well as scenarios to evaluate benefits of project operations where extraction rates exceed injection rates.
2. Some of the current groundwater extraction wells, located between the proposed injection and proposed extraction wells, will be considered for future use as groundwater monitoring wells only, thus extending the distance and therefore retention time between injection and extraction locations.

D. Following execution and evaluation of these additional modeling scenarios, revisions to site-selection for the future injection wells and injection testing will be conducted.

In consideration of the above information, it is important to note that the model results are accepted by DDW for retention time estimation at a 2-to-1 ratio such that a modeled determination of 4 months of retention time is needed to meet the 2-month minimum.

OBJECTIVES

As part of the City of Morro Bay's intention to augment their water supply with recycled water, this evaluation was conducted to determine the feasibility of injecting and subsequently recovering highly-treated recycled water within the Lower Morro Groundwater Basin in the vicinity of the City's production wells. This type of water supply project is commonly referred to as Indirect Potable Reuse (IPR). The areas being considered roughly surround the intersection of Highway 1 and Atascadero Road, and are referred to as the Narrows project area and the Western project area (Figure 1).

This Technical memorandum (TM) documents the results of the field program and groundwater modeling analyses conducted in support of the project. The objectives of the work conducted were:

1. Implementation of a field program to improve the hydrogeologic characterization of the two project areas under consideration.
2. Incorporation of results of the characterization into the existing groundwater model.
3. Using the refined groundwater model to inform the decision of which project area was technically and logistically superior.
4. Using the refined groundwater model to conduct simulations to assess the feasibility of the IPR project.

WORK CONDUCTED

This TM presents the work conducted and results of a hydrogeologic characterization, which occurred between mid-2019 and early-2020. The characterization included a combination of methods at both project areas, including Cone Penetration Testing (CPT) wells, installation of piezometers, and aquifer testing.

Based on the results of the characterization, the existing groundwater model was refined and used to conduct a series of numerical groundwater model simulations to assess the feasibility of implementing the IPR program at the preferred project area.

Narrows Project Area Characterization



To characterize the hydrogeology in the Narrows area, a series of CPT borings were conducted in April 2019, the locations of which are presented on Figure 2. The Narrows area includes the Silver City RV Park and Mobile Home Resort and a small undeveloped area to the south, adjacent to the Little Morro Creek. The results of the CPT borings provided information about the geometry of the aquifer in the area, depth to bedrock, as well as limited information about the general nature of the geologic materials that constitute the aquifer of interest for this project.

After the CPT investigation was completed, pumping tests were conducted using an existing City of Morro Bay well, known as MB-13, as the pumping well. To track the drawdown associated with these tests, a single, small-diameter monitoring well (piezometer) was installed approximately 100 feet away from of the pumping well as shown on Figure 2.

Before conducting the aquifer testing, the condition of the well casing within MB-13 was assessed with a video logging tool to ensure that the well was in suitable condition to act as the pumping well. The video log results indicated that, after a long period of disuse, the well was in adequate condition. The existing well pump, however, was removed and inspected, and determined to be too unreliable for the aquifer testing. A temporary test pump was therefore installed (and subsequently removed following completion of the testing).

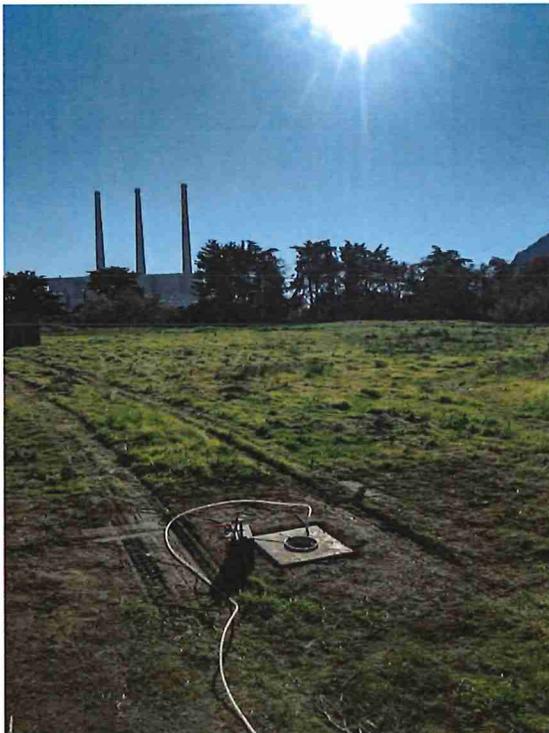


Installation of the monitoring well was conducted by hollow-stem auger methods, which resulted in a 2-inch diameter PVC casing installed in accordance with State of California and County of San Luis Obispo requirements. All soil cuttings and water produced during installation were disposed of off-site by City staff at a location designated by the City of Morro Bay. After installation, the monitoring well was developed by bailing and pumping operations. If the well is not needed for future monitoring, it can be abandoned per County well permit requirements.

In late June 2019, water level instrumentation was deployed in the pumping and monitoring wells to support the testing efforts and data collection. A pumping test within the production well (MB-13) was conducted for a period of 3.5 days. Water level drawdown data were collected during the test and used to calculate the hydraulic properties of the aquifer and further evaluate the geometry of the aquifer's bedrock contact. The pumping test data were also used to assess well MB-13's maximum yield, drawdown characteristics (specific capacity), and native water quality.

Western Project Area Characterization

In January and February 2020, a field program of aquifer characterization was conducted at the Western project area, which is owned by the Vistra Energy Corporation (Vistra). The area consists of an undeveloped open area generally bounded on the north by Morro Creek, on the east by Highway 1 and the south by the Morro Bay Power Plant site. The characterization of the Western area included installation of a piezometer and conducting aquifer testing. Similar to the Narrows area, an existing production well, the Morro Bay Mutual Water Company (MBMWC) South Well No. 3 (South Well No. 3), was used as the pumping well for the aquifer testing (Figure 3).



To support this this aquifer testing, a small-diameter, temporary piezometer was installed approximately 120 feet north of the pumping well as shown on Figure 3. Also shown on Figure 3 are the additional wells used for water level monitoring during the aquifer testing and the proposed (tentative) alignment of the recycled water pipeline planned along the City's bike path easement along the eastern edge of the project area, adjacent to Highway 1.

Installation of the temporary piezometer was conducted by hollow-stem auger methods, which resulted in a 2-inch diameter PVC cased piezometer installed in accordance with State of California and County of San Luis Obispo requirements. The piezometer was constructed with the perforated interval principally in the lower aquifer zone, similar to the depth of the existing production well.

All soil cuttings produced during piezometer installation were disposed of off-site at a location designated by the City of Morro Bay. After installation, the temporary piezometer was developed by bailing and pumping operations. The piezometer was completed for potential future basin monitoring. If the piezometer is not needed for future monitoring, it will be abandoned per County well permit requirements.

Prior to conducting the aquifer testing, the condition of the well casing within the South Well No. 3 was assessed with a video logging tool. The video log results indicated that, after a long period of disuse, the well casing appeared to be in adequate condition to act as the pumping well. The pump within the well was removed and inspected prior to its use, the results of which indicated that it would be reliable for the planned aquifer testing. Based on these results, the pump was reinstalled within the well.

In late January 2020, a pair of aquifer pumping tests was conducted by pumping the South Well No. 3 and conveying the produced water off-site to a City-owned sewer manhole in coordination with City staff. During testing, water levels were measured and recorded in several wells using data-recording water level devices, known as pressure transducers. The locations of these wells are presented on Figure 3, which include:

- the pumping well (South Well No. 3)
- the newly-installed piezometer
- two nearby Yeh piezometers (18-P02 and 19-P04)
- Morro Bay Mutual Water Company North Well No. 2
- several of the City of Morro Bay's Highway 1 wells to the north

The aquifer testing consisted of a 6-hour variable-rate step test and a longer-duration constant rate test. For the constant rate test, South Well No. 3 was anticipated to pump for a period of 1 or more days at a pumping rate of 175 gallons per minute. However, the testing was abbreviated unexpectedly after about 8 hours of pumping because of an electrical issue at the pump. The results of the test, albeit abbreviated, were carefully evaluated and were determined to be sufficient. Following testing, the wellhead, electrical connections and discharge piping were returned to its pre-testing condition and secured.

Numerical Modeling

A screening-level groundwater flow model of the Lower Morro Basin (developed by GSI in 2017¹) was utilized to conduct simulations of project alternatives to examine the feasibility injecting advanced treated recycled water into the aquifer. The domain of the modeled area includes the entire Lower Morro Valley groundwater basin, which includes the City's water supply wells and desalination ("seawater") wells as well as the two potential project areas (Figure 4).

Objectives

Three specific objectives are identified for analysis using the existing Morro Bay groundwater model (the model), including:

1. Incorporating results of recent field characterization into the model.
2. Simulating the updated groundwater model to assess the continuing feasibility of the Project in light of new data.
3. Conduct simulations using the updated groundwater model to evaluate recovery (pumping) alternatives.

Groundwater Model Background

The model was developed by GSI and documented in the report (GSI, 2017¹). Details of the model development are included that report, a brief summary of which is provided here.

The primary aquifer used by the City for water supply production consists of the alluvial sediments of the Lower Morro Valley Basin. The Narrows is an area east of Highway 1 where the alluvium underlying Morro Creek is constrained by bedrock to a narrow corridor about 300 feet wide. The Western area is located in the central portion of the model domain west of Highway 1, adjacent to and immediately south of Morro Creek. The groundwater model represents the entire area of the Lower Morro Valley Basin between the Narrows and the coast (Figure 4).

¹ GSI, 2017. *Lower Morro Valley Basin Screening-Level Groundwater Model for Injection Feasibility*, submitted to City of Morro Bay.

The model is constructed of three layers:

- Layer 1 represents the ocean
- Layer 2 represents finer materials such as silt and clay which are predominant at and near the land surface
- Layer 3 represents coarser materials such as sand and gravel present at depths ranging from 20 to 60 feet, and from which most of the production occurs

Most of the City's groundwater production is from wells screened in the sand and gravel represented in Layer 3. The modeled grid cells have a uniform size of 50 feet by 50 feet. Morro Creek is simulated at the surface in Layer 2, which provides a significant portion of the recharge to the aquifer system within the modeled area. Other model boundary conditions include subsurface inflow through the Narrows, subsurface inflow/outflow to or from the Pacific Ocean, precipitation-based recharge over the model area, and recovery from City wells within the model area. The model simulates the historical period from water years 1981 through 2018 using 456 monthly stress periods, with monthly transient (i.e., variable) boundary conditions based on observed hydrologic data including rainfall and stream flow.

Modeling Approach

The industry-standard groundwater modeling code known as MODFLOW was used in combination with an ancillary software package known as MODPATH to evaluate groundwater flow patterns and retention time analysis for numerous scenarios. MODFLOW is a publicly-available groundwater modeling code developed by the U.S. Geological Survey (USGS) to simulate groundwater flow and water levels. MODPATH is a USGS-developed particle-tracking code that functions in tandem with MODFLOW for the calculation of flow velocity and retention (travel) times.

Groundwater pumping was modeled using the current City wells (MB-1, MB-2, MB-3, MB-4, MB-14, MB-15, HS-1, HS-2, and Flippos well). Potential locations for injection wells were included in the model and moved around for evaluation of various hydrologic effects.

The initial locations for the modeled injection wells were selected from approximately 10 potential sites identified by GSI and City staff in 2016. The site selection at that time considered site ownership, access, current land use and avoidance of any known site constraints. The potential well sites were selected because of their distance from the City's main wells to comply with the retention time regulatory requirement.

The numerical modeling is being conducted to comply with retention time regulatory requirements for IPR projects, which will be followed with actual injection testing and (perhaps) tracer testing at the forthcoming direction of the DDW.

Modeling Scenarios

Using the model, a baseline scenario was simulated with the City's current full pumpage allotment of 581 acre-feet per year (AFY), with the total pumping volume equally apportioned between City wells relative to their documented pumping capacities (Figure 5). Subsequent simulations were conducted to evaluate the effects of injecting recycled water while the City wells are pumped continually. The injection amounts used to augment the native groundwater supplies were 25%, 50%, and 75% of the total projected available injected water volume of 825 AFY, resulting in overall pumpage (the combined amount of the City's existing pumpage allotment and the percentage of injected recycled water) of 787, 993, and 1,200 AFY under the various scenarios. Table 1 summarizes each modeled scenarios.

Table 1. Summary of Groundwater Modeling Scenarios

Injection Project Area	Model Run	Description	Total Pumping (AFY)	Total Injection (AFY)	MB-3	MB-4	MB-14	MB-15	MB-1	MB-2	HS-1	HS-2	Flippos	Notes
Western project area	Run0	Baseline	581	0	83	83	83	83			83	83	83	Active City Wells
	Run1	Baseline	581	825	104	186					81	128	81	Western Project Area Wells
	Run2	Base+25% Inj.	787	825	142	252					110	173	110	Western Project Area Wells
	Run3	Base+50% Inj.	995	825	180	318					139	219	139	Western Project Area Wells
	Run4	Base+75% Inj.	1200	825	216	384					168	264	168	Western Project Area Wells
Narrows project area	Run5	Baseline	581	825	104	186					81	128	81	Western Project Area Wells
	Run6	Baseline	581	825					87	87	116	174	116	Narrows Wells
	Run7	Base+25% Inj.	787	825					118	118	157	236	157	Narrows Wells
	Run8	Base+50% Inj.	995	825					149	149	199	298	199	Narrows Wells
	Run9	Base+75% Inj.	1200	825					180	180	240	360	240	Narrows Wells
	Run9b	Base+75% Inj.	1200	825	251	447	251	251						Highway 1 Wells

RESULTS

The field program provided improved hydrologic characterization in the project areas, which was used to select the preferred area for the IPR project. This selection of the preferred project area guides the decision for the tentative alignment of the recycled water pipeline from the forthcoming WRF. The selection takes into account many factors including the local aquifer geometry, aquifer hydraulic properties, as well as area and permitting constraints. The selection also takes into account ultimate area constructability for up to six injection wells, recycled water pipeline alignment requirements, and estimated injection rates (calculated both with and without concurrent recovery from the City’s production wells).

Existing Land Use Considerations

The existing land uses at the two project areas are very different, which constitutes the most apparent area constraint. Whereas the Narrows project area is fully-developed with a combination of residential (Silver City RV Park) and commercial land uses, the Western project area is undeveloped. Additionally, the total footprint of the two areas also differs; the Narrows area is significantly smaller at approximately 10 total acres, whereas the Western project area covers approximately 17 acres.

Furthermore, the larger area under consideration at the Western project area is flatter and more centrally located to the City’s infrastructure. The larger area and undeveloped nature of the Western project area would more easily accommodate construction and maintenance activities associated with installation and maintenance of

infrastructure, including wells, pumps and pipelines. The Western project area is also located adjacent to the currently planned alignment of the forthcoming recycled water pipeline.

A potential challenge with pursuing pilot injection testing at the Western project area is its location immediately adjacent to (north of) the former Morro Bay Power Plant site. The Western project area is on the same parcel as the adjacent Power Plant site, as is the Lila Keiser Park located across the Morro Creek and four of the City of Morro Bay's existing water supply wells. Portions of the former Power Plant site are going through land use covenant procedures associated with its closure by the California Department of Toxic Substances Control (DTSC). This proposed land use covenant procedure would restrict select areas of the Power Plant site outside of the area being considered for this project to future commercial/industrial uses and restricts the use of groundwater. While the Western project area under consideration is not located within any of the "Areas of Concern" on the Power Plant site, the effects of any restrictions associated with the forthcoming land use covenant are being reviewed to ensure that they do not limit the City's potential use of the area for development of this project.

A summary of the current land use and potential area constraints for the two areas are presented on Table 2.

Table 2. Summary of Project Area Constraints

Project Area	Current Land Use	Total Area (Acres)	Distance to Proposed Pipeline Alignment	Relative Constructability
Narrows area	Fully developed (Residential and light industrial)	10	Far (Expensive)	Infeasible (Constrained)
Western area	Undeveloped (Vistra property)	17	Adjacent	Feasible

Aquifer Geometry

The CPT testing and aquifer testing of the project areas provide information about the geometry and properties of the target aquifer, particularly depth to bedrock and total thickness and permeability of the aquifer sediments. Review of the data acquired during the field program improved the understanding of the aquifer geometry. The aquifer within the Narrows project area is laterally constrained by bedrock to the south and north of the project area. Within the main portion of the basin, in the Western area, the aquifer is considerably broader and thicker.

Aquifer Hydraulic Properties

The aquifer hydraulic properties were calculated based on the results of the subsurface characterization work and pumping tests at the two potential project areas. The results of the aquifer testing indicate that the aquifer underlying the Narrows project area was less transmissive than the same aquifer where it underlies the Western project area.

Table 3 presents the average aquifer hydraulic parameters calculated from several areas around the Lower Morro Valley based on aquifer tests conducted by GSI over the past 4 years. The updated aquifer hydraulic values are incorporated into the revised groundwater model (Figure 6).

Table 3. Summary of Aquifer Hydraulic Properties

Project Area	Date	Transmissivity ² (gpd/foot)	Storativity
Narrows Area	2019	23,000	0.001
City Highway 1 Wells Western Area north of Morro Creek	2016	107,000	0.005
Western Area	2020	80,000	0.005
Desalination (“Seawater”) Wells Western Area near Embarcadero	2017	50,000	0.008

The aquifer in the Western area was the most productive, associated with substantially more transmissive sediments within the primary aquifer. Within this area, the lower aquifer, which is the primary zone from which wells produce groundwater, consists of approximately 20 feet of highly transmissive sands and gravels, with transmissivity values of between approximately 80,000 and 100,000 gallons per day per foot (gpd/foot).

South of the Western project area toward the Embarcadero, where the City’s so-called “seawater” wells are located, the same aquifer is somewhat less productive, with transmissivity values of approximately 50,000 gpd/foot.

Numerical Modeling Results

Model Updates

Transmissivity. The groundwater model was revised to incorporate the refined aquifer parameter data (primarily transmissivity² and storativity³) to more accurately represent subsurface conditions. The groundwater model previously was assigned a uniform transmissivity of 108,000 gpd/foot across the entire active area. (Transmissivity is calculated as the product of hydraulic conductivity (ft/day) and aquifer thickness.) The hydraulic conductivity in the model was adjusted in zones such that the transmissivity distribution reflects variability in the model consistent with the results of the field program (Figure 6).

Storativity for the entire model was previously assigned a uniform value of 0.005 across the entire model area. Recent aquifer test analysis indicates storativity values ranging from 0.001 to 0.005. Storativity was revised downwards in the model. A uniform specific storage value of 5.0 E-5 (dimensionless), equivalent to a storativity value of 0.001, was used throughout the model.

Transient Conditions. The model simulates variable monthly stress periods for 38 years. Even without pumping, there is significant temporal variability to the hydrologic inputs of the model, such as streamflow and rainfall-based recharge. This variability results in water levels that change over time. Figure 7 presents hydrographs of modeled groundwater elevations from the model at the MB-3 well under conditions of: (a) no City pumping and (b) baseline pumping (which is established as the City’s full groundwater allocation of 581 AFY). Even under conditions of no pumping (blue line on the graph), water levels typically vary over a 10 foot range during the course of a year. When pumping from the City’s wells is added (orange line on the graph), the water levels decline to several feet lower and span a wider range of up to 25 feet of difference between wet and dry periods. In the

² Transmissivity is the rate at which water passes through a width of the aquifer under a hydraulic gradient.

³ Storativity is a dimensionless measure of the volume of water released from an aquifer per unit area of the aquifer and per unit reduction in hydraulic head

following discussion of modeling results, it will be specified if results represent wet, dry, or average climatic conditions.

Baseline Simulation

A baseline simulation was established to assess the conditions during which 581 AFY was continuously pumped from a total of 7 City wells with no injection occurring. A map of drawdown from the initial conditions is presented in Figure 8, for average hydrologic conditions (i.e., assuming that average rainfall and runoff is occurring). This figure indicates that depths to groundwater would decline about 14 feet in the vicinity of the City wells in response to this pumping scenario. Drawdown in the Western area varied from about 3 to 4 feet during the wettest periods, to about 25 feet during the driest periods. If lower water levels in the Western area are maintained during the project by continual City pumping, it would provide greater flexibility for operation of the injection wells. However, infiltration from Morro Creek could increase water level conditions during periods of high stormwater flows.

Narrows Area Simulations

Scenarios were modeled representing pumping of 25%, 50%, and 75% of the maximum IPR water volume of 825 AFY. For clarity, only the “baseline plus 75% injected water” scenario for the Narrows simulations are discussed to illustrate conditions under two pumping well layout options. Modeled retention time results for all scenarios presented are summarized in Table 4.

The first Narrows project alternative assumes that all of the pumping occurred at the four wells of the Highway 1 well field (MB-3, MB-4, MB-14, and MB-15). Figure 9 presents modeled water levels and particle tracking lines for a representative dry period (representing the fall of 1989). The purple arrowheads, distributed along the lavender particle-path lines, in the figure each represent one month of retention time, and the red lines indicate uniform retention times as labelled along the particle tracks. Minimum retention times are about 1.5 to 2.5 months at the pumping wells. Title 22 permit requirements for IPR projects require a minimum groundwater retention time of 2 months if tracer study data are used to document retention time, or a minimum retention time of 4 months if modeling methods are used. These results indicate that the groundwater retention time is less than the 4-month minimum for the Narrows area under this scenario.

Figure 9 also indicates that a noticeable hydraulic gradient exists from the ocean toward the land as a result of the modeled City pumping during the injection, a condition which would allow for seawater intrusion during dry periods. Because the Narrows injection wells are landward from the pumping center, they will not generate elevated groundwater levels near the coastline to produce an effective hydraulic gradient that could prevent seawater intrusion.

The second Narrows project alternative uses pumping wells more distant from the injection wells: HS-1, HS-2, Flippos, MB-1, and MB-2 (Figure 10). These are the wells used in model scenarios documented in the feasibility modeling report (GSI, 2017). MB-1 and MB-2 are not currently operational, but it is assumed they could be rehabilitated or replaced if required. Figure 10 presents modeled water levels and particle tracking results for the representative dry period. These particle tracking results indicate that the groundwater retention time ranges from about 3.5 months at the High School and Flippo’s wells, to 4-5 months at MB-1 and MB-2. This indicates a longer groundwater retention time than is observed when pumping the closer Highway 1 wells.

Water levels along the coast still indicate a groundwater flow direction from the coast toward the land, indicating the potential for seawater intrusion under this scenario.

Western Area Simulations

Scenarios were modeled during which baseline pumping volume was increased by 25%, 50%, and 75% of the total injected water volume of 825 AFY. For clarity, selected results are presented, evaluating both wet and dry conditions. Modeled retention time results for all scenarios presented are summarized in Table 4.

Modeled wells pumped were MB-3, MB-4, HS-1, HS-2, and Flippos at rates proportional to their respective reported capacities. These wells were selected to be consistent with the simulations conducted in the original

CHARACTERIZATION AND SELECTION OF PROJECT AREA FOR INJECTION TESTING, CITY OF MORRO BAY

modeling report (GSI 2017); wells MB-14 and MB-15 were not pumped in the original modeling investigation, to maximize pumping well distance from the injection wells. However, MB-14 and MB-15 may ultimately be operated as part of this project.

Figure 11 presents modeled heads and particle tracking results for the Pumping Scenario of Baseline + 25% of injection volume (787 AFY). Particle tracking indicates that water injected into the injection wells would travel both towards the pumping wells and towards the coast. Particle tracking indicates that the minimum retention time for the injected water is about 3.5 months at Flippo’s, MB-3 and MB-4, and about 5.5 months at HS-2. (Because HS-1 has a lower pumping rate, and is located behind HS-2 with respect to the injection wells, most particles are captured by HS-2). Results of this scenario also indicate that groundwater levels near the coast maintain a hydraulic gradient from the land toward the coast, which would likely inhibit the seawater intrusion.

The modeled heads and particle tracking results for the pumping scenario of Baseline + 75% of Injection volume (1,200 AFY) during dry conditions are presented in Figure 12. Particle tracking indicates that water injected into the Western area injection wells in this layout would have retention times ranging from about 2.5 months for the Flippos well, to 3 months for MB-3 and MB-4, to over 4 months for the High School wells. Under this scenario, the hydraulic gradient indicates a groundwater flow direction from the coast toward the pumping wells. This indicates conditions that do not inhibit against sea water intrusion under extended dry conditions.

Figure 13 displays results for the same pumping scenario during wet conditions. Particle tracking indicates that water injected into the Western project area injection wells in this layout would have retention times ranging from less than 3 months for the Flippos well, to about 3.5 months at MB-3 and MB-4, to 4 months at the High School wells. The hydraulic gradient under these conditions indicates a flow direction from the land to the ocean, a condition that would mitigate against potential seawater intrusion.

Table 4. Summary of Groundwater Retention Times (Months)

Injection Project Area	Figure	Scenario	Total Pumping (AFY)	Total Injection (AFY)	MB-3	MB-4	MB-14	MB-15	MB-1	MB-2	HS-1	HS-2	Flippos
Narrows project area	Figure 9	Base+75% Inj.	1200	825	1.5	1.5	2.5	2.5					
	Figure 10	Base+75% Inj.	1200	825					6	6	3.5	3.5	3.5
Western project area	Figure 11	Base+25% Inj.	787	825	3.5	3.5					>6	5.5	3
	Figure 12	Base+75% Inj. (Dry)	995	825	3	3					7.5	4	2.5
	Figure 13	Base+75% Inj. (Wet)	1200	825	3.5	3.5					4	>4	2.5

DISCUSSION AND CONCLUSIONS

The primary objectives of the tasks described in this TM are to:

1. Improve the hydrogeologic characterization of the two alternative project areas,
2. Update the groundwater model with new data,
3. Conduct model simulations to assess if one project area is preferable to the other, and
4. Assess if the project remains tentatively feasible when considering the updated hydrogeologic data
5. Identify next steps.

The following discussion addresses these objectives.

Objectives 1 and 2 – Improve Hydrogeologic Characterization

The hydrogeologic characterization field program was successfully implemented. One of the most significant findings of the field program is that the aquifer transmissivity in the Narrows area (23,000 gpd/foot) is significantly lower than in the Western area (80,000 gpd/foot). This finding indicates that well injection rates in the Narrows are likely to be lower than injection rates for wells in the Western area, potentially requiring more wells to inject an equal amount of recycled water. Revised estimates of transmissivity were incorporated into the existing groundwater model, and project scenarios were run to further evaluate feasibility for the two alternative proposed project locations: the Narrows project area and the Western project area.

Objective 3 – Determine Which Proposed Project Area is Preferred

New hydrogeologic data from the field program were reviewed, and numerous model scenarios were simulated to assess the feasibility of the project, given the updated understanding of the hydrogeologic setting. Model scenarios for both project area alternatives were simulated. Based on results from this evaluation, the Western project area is preferable to the Narrows project area as a location of injection wells for the following reasons:

- Higher transmissivity in the Western project area indicates that injection wells located there would have capacity for higher injection rates in comparison with the Narrows project area.
- Modeled retention times between the injection wells and the nearest recovery wells are greater in the Western project area scenarios than in the Narrows project area scenarios.
- Evaluation of water level patterns along the coast indicate that the Western project area scenarios offer a greater degree of mitigation against potential seawater intrusion during dry periods than the Narrows project scenarios.
- Due to the dense residential occupancy of the Narrows project area, the level of planning, permitting, public notification, and logistical coordination for construction of permanent infrastructure in this area will likely be significantly greater than in the Western project area.
- The recycled water pipeline alignment is planned to pass through the Western area, which is the preferred pipeline alignment due to constructability and cost considerations.

Objective 4 – Evaluate Project Feasibility

Results from the model scenarios indicate that the Western project area concept is feasible from a logistical and hydrogeologic standpoint. IPR permitting requirements state that modeling results need to indicate a retention time of four months or greater. Under all scenarios presented, the retention time for water recovered from the High School wells met or exceeded this metric. Water recovered from the Highway 1 wells (MB-3 and MB-4) was 3 to 3.5 months, depending on the scenario and wet/dry conditions. Estimated retention time from the injection wells to the Flippos was the shortest, ranging from 2.5 to 3.5 months. Accordingly, continued use of the Flippos well in the project concept is likely not feasible. Communication with the permitting agency will be conducted to support further project planning in coordination with the planned site-specific injection testing and possibly tracer testing to support retention time calculations for the permit application.

Objective 5 – Next Steps

- **Well locations.** Pumping in the model scenarios was limited to existing City well locations. New pumping well locations along Atascadero Road or in the corporation yard could be modeled to assess the potential improvements to retention time under additional alternative scenarios. The locations of the injection wells were selected based on the factors including being located in the deepest portion of the basin and at a distance far enough from the planned recovery locations. While other locations for injection wells were considered, the modeled locations are preferred for the hydrogeologic and logistical reasons discussed.
- **Well pumping rates.** All modeled scenarios assumed a full buildout injection volume of 825 AFY. It may be instructive to model a phased approach to implementation in which interim target injection and recovery volumes are simulated.

RECOMMENDATIONS

Based on the characterization work conducted, we recommend conducting these additional steps to further ensure the feasibility of conducting IPR within one of the two project areas:

1. Continue permitting activities for IPR injection at the Western project area. This will include site-specific investigations with respect to specific injection well locations, injection testing and potential tracer testing to support the retention time requirements used in the permit application.
2. Run additional scenarios using the updated model to assess lower rate initial operational alternatives that could allow for longer retention times and more streamlined permitting.

Figures



FIGURE 1
Morro Bay Hydrogeologic Characterization Project Areas
 Characterization and Selection of Project Areas for Injection Testing

LEGEND

- City of Morro Bay Well
- Desalination ("Seawater") Well
- Potential Project Area
- Wastewater Treatment Plant
- Major Road
- Watercourse

0 400 800
 Feet

Date: June 18, 2020
 Data Sources: NAIP Imagery, ESRI

GSI
 Water Solutions, Inc.

Document Path: Y:\0645_MorroBay\Source_Figures\07_GWModel_L_MorroBasin\Characterization_Select\Figure1_Morro_Bay_Hydrogeologic_Characterization_Project_Areas.mxd



FIGURE 2
Narrows Project Area Map
 Characterization and Selection of Project Areas for Injection Testing

LEGEND

- City of Morro Bay Well
- Pumping Test Well
- Piezometer
- CPT Location (2019)
- Bike Path
- Extent of Bedrock at
- ▭ Narrows Project Area, 10 Acres
- ~ Watercourse

Date: June 19, 2020
 Data Sources: NAIP Imagery, ESRI

GSI
 Water Solutions, Inc.

Document Path: Y:\0645_MorroBay\Source_Figures\007_GWModel_L_MorroBasin\Characterization_Select\Figure2_Narrows_Project_Area.mxd



FIGURE 3
Western Project Area Map
 Characterization and Selection of Project Areas for Injection Testing

LEGEND

- City of Morro Bay Well
- MBMWC Well
- Pumping Test Well
- Piezometer
- Yeh Piezometer
- Bike Path
- PG&E Property Boundary
- Western Project Area, 17 Acres
- Watercourse

NOTE
 MBMWC: Morro Bay Mutual Water Company

Date: June 18, 2020
 Data Source: NAIP Imagery, ESRI

Document Path: Y:\0545_MorroBaySource_Figures\07_GWI\Modsl_L_MorroBasin\Characterization_Select\Figure3_Western_Project_Area.mxd



FIGURE 4
Numerical Model Domain
 Characterization and Selection of Project Areas for Injection Testing

LEGEND

- Potential Project Area
- Model Active Area
- Inactive Model Area
- Model Area Outline
- Major Road
- Watercourse

N

0 550 1,100
Feet


Date: June 18, 2019
 Data Sources: NAD Imagery, ESRI

Document Path: Y:\0645_MorroBay\Source_Figures\007_GWModel_L_MorroBasin\Characterization_Select\Figure4_Numerical_Model_Domain.mxd

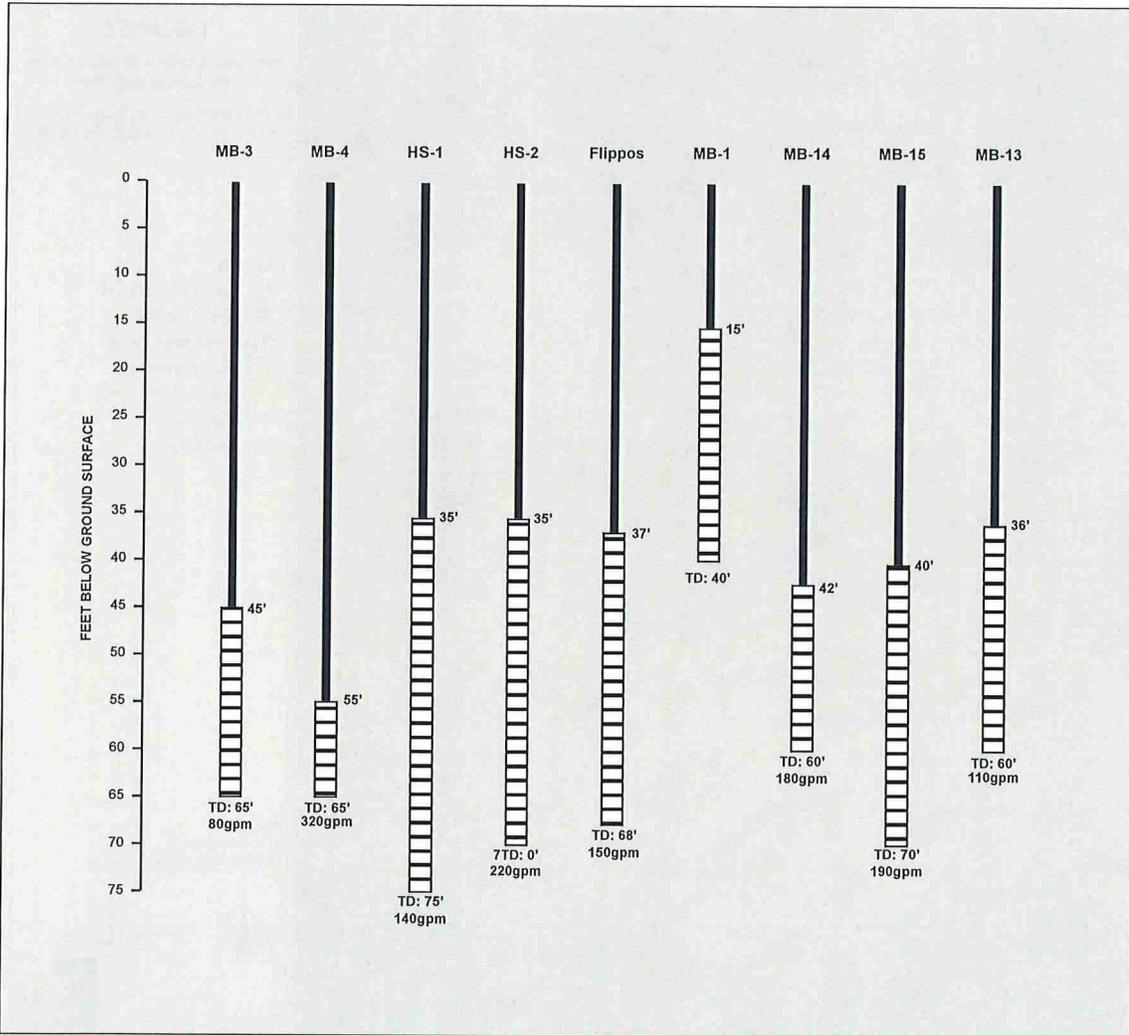


FIGURE 5
City Well Construction Details
 Characterization and Selection
 of Project Areas for
 Injection Testing

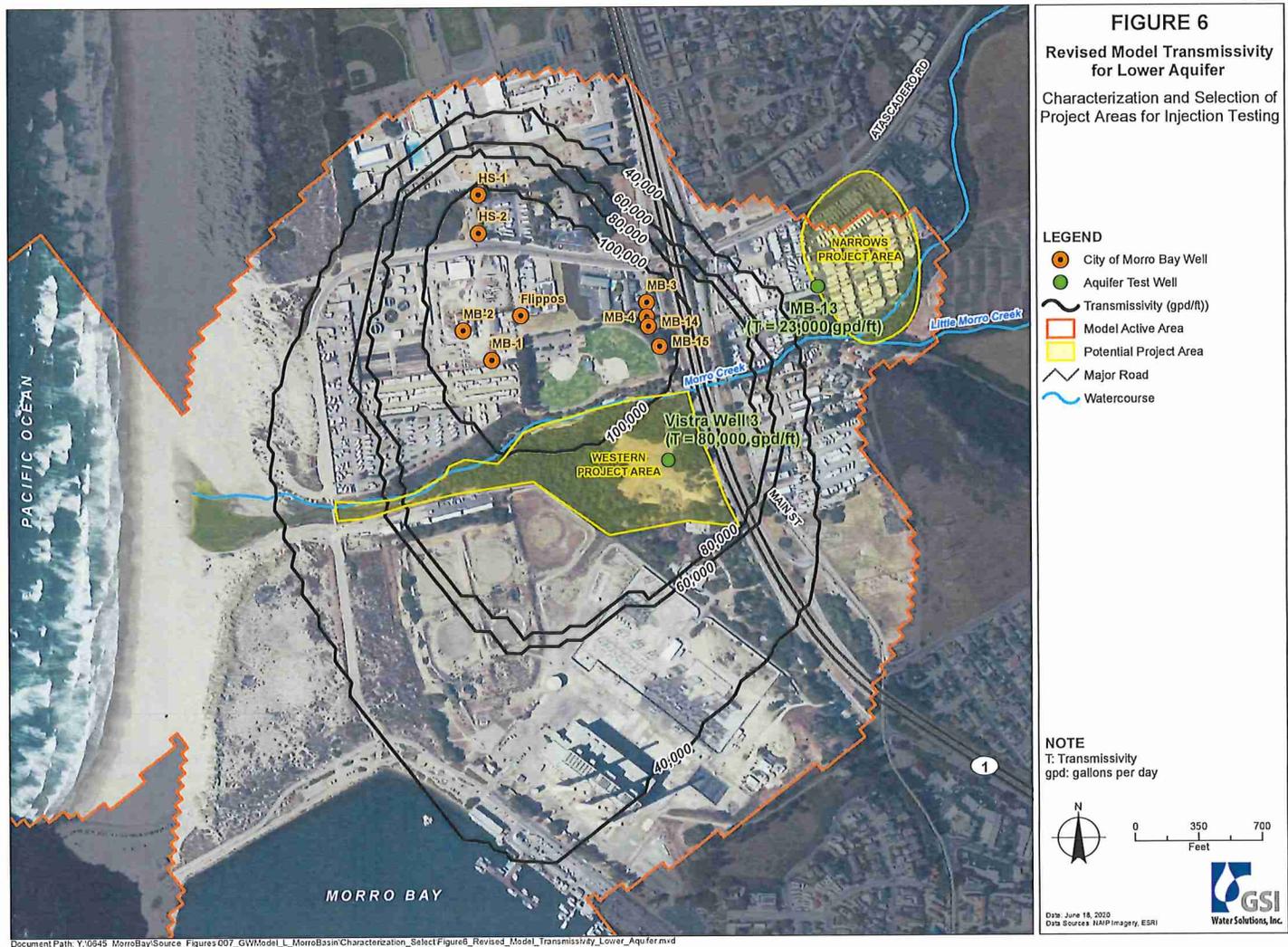
LEGEND
 Well
 Screened Interval
 XX gpm Estimated Well Capacity

NOTES
 Horizontal distance not to scale
 gpm: gallons per minute
 TD: total depth



Date: June 18, 2009

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Document Path: Y:\0645_MorroBay\Source_Figures\07_GWModel_L_MorroBasin\Characterization_Select\Figure6_Revised_Model_Transmissivity_Lower_Aquifer.mxd

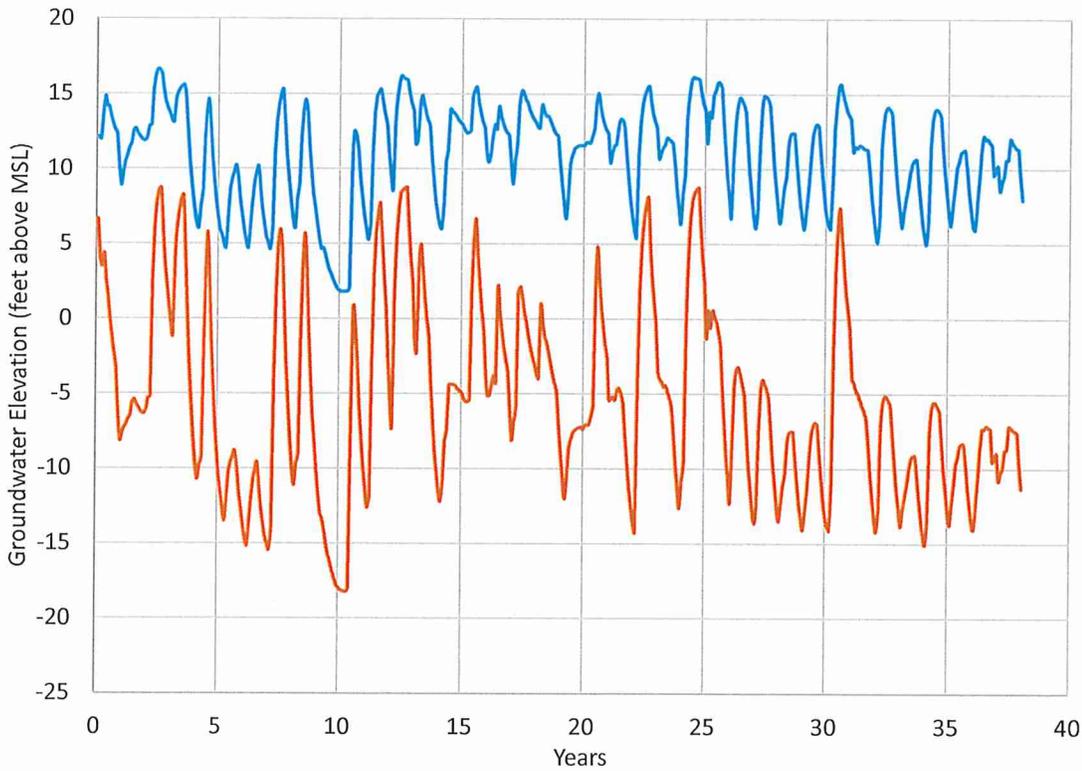
FIGURE 7
Well MB-3 Modeled
Groundwater Elevations
 Characterization and Selection
 of Project Areas for
 Injection Testing

LEGEND
 — No Pumping
 — Q = 581 AFY Constant

NOTES
 Q: Specific Capacity
 AFY: Acre Feet per Year
 MSL: Mean Sea Level



Date: June 18, 2020



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FIGURE 8
Baseline Pumping (581 AFY)
Drawdown with No Injection
Average Conditions
 Characterization and Selection of
 Project Areas for Injection Testing

LEGEND

- City of Morro Bay Well
- Drawdown (ft)
- Model Active Area
- Potential Project Area
- Major Road
- Watercourse

NOTE
 AFY: Acre Feet per Year

N

0 350 700
Feet

GSI
Water Solutions, Inc.

Date: June 18, 2020
Data Source: NAIP Imagery, ESRI

Document Path: Y:\0645_MorroBaySource_Figures\007_GWModel_L_MorroBasinCharacterization_SelectFigure8_BaselinePumping_581AFY_Drawdown_1to_injection.mxd

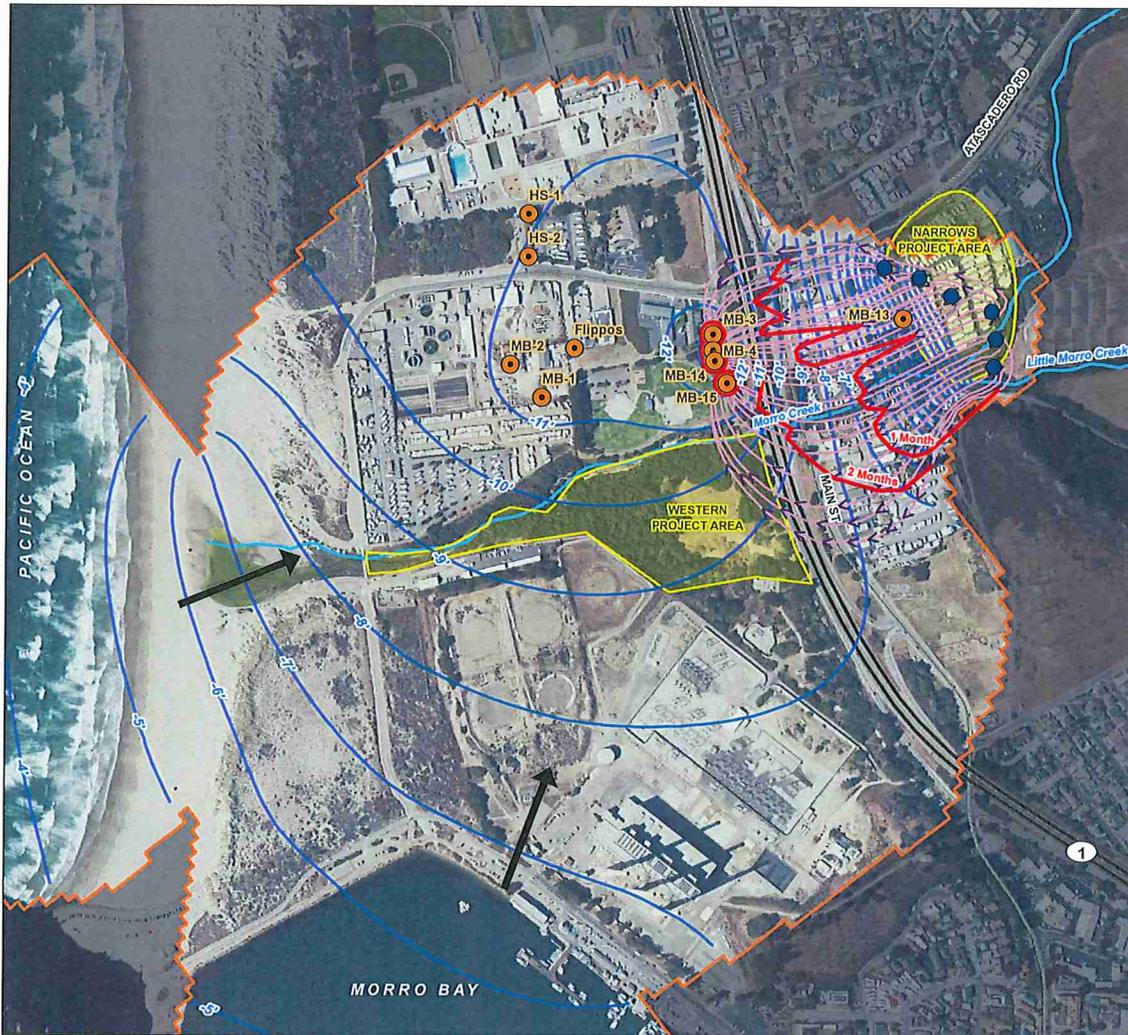


FIGURE 9
Narrows Project Area Model Results: Pumping = Baseline + 75% Injection (1,200 AFY), Highway 1 Wells Pumped
 Characterization and Selection of Project Areas for Injection Testing

LEGEND

- City of Morro Bay Well
- Pumping Well
- Injection Well
- Particle Track Arrow (1 mo.)
- Particle Track
- Month Indicator
- Groundwater Elevation Contour (ft)
- Groundwater Flow Direction
- Model Active Area
- Potential Project Area
- Major Road
- Watercourse

NOTE
 AFY: Acre Feet per Year
 Each travel time arrow along particle track represents 1 month.

Date: June 18, 2020
 Data Source: NAIP Imagery, ESRI

Document Path: Y:\0645_MorroBay\Source_Figures\007_GWMModel_L_MorroBasin\Characterization_Select\Figure9_Narrows_Pumping_Model_Results_Hwy1_Wells.mxd

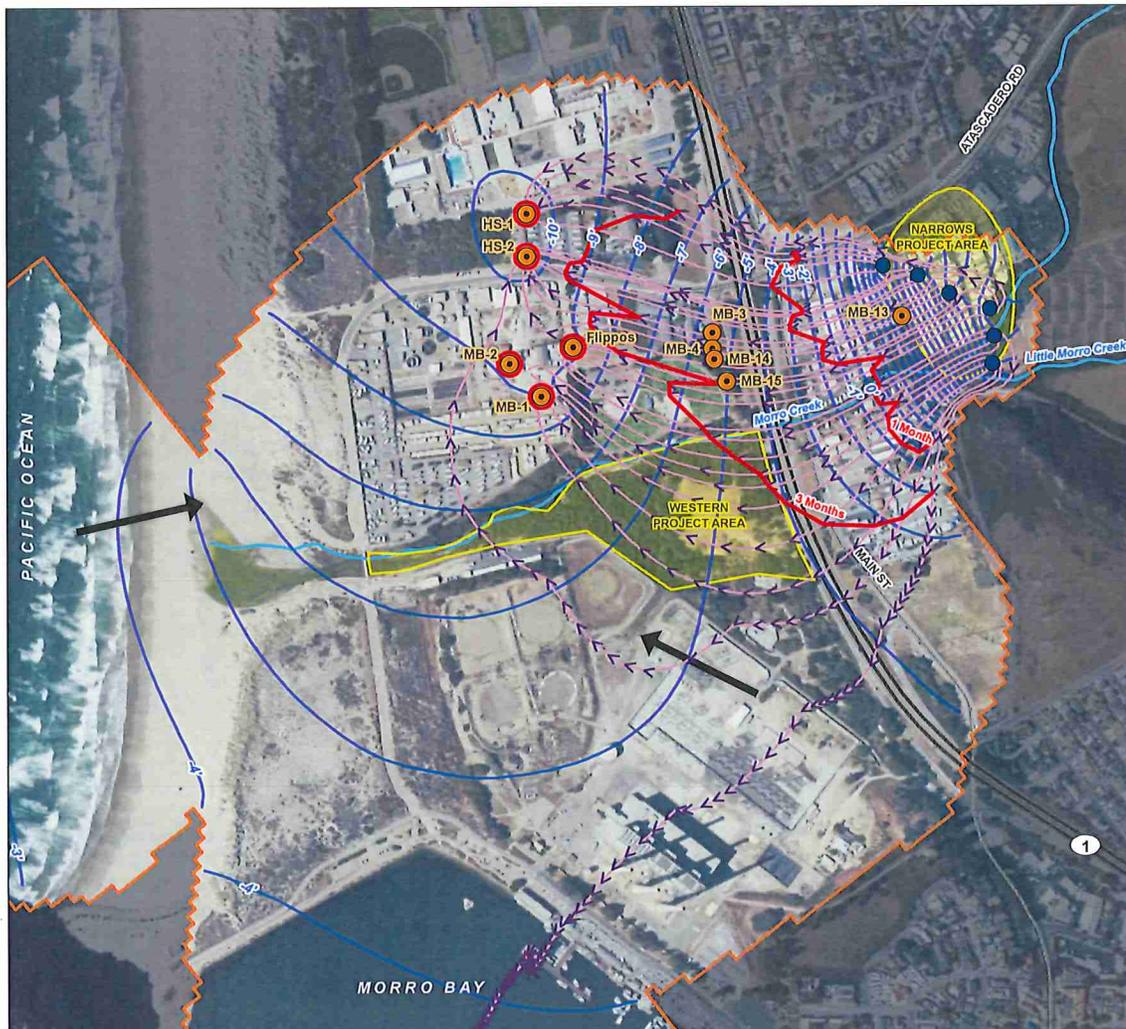


FIGURE 10
Narrows Project Area Model Results: Pumping = Baseline + 75% Injection (1,200 AFY), Alternative Pumping Wells
 Characterization and Selection of Project Areas for Injection Testing

LEGEND

- City of Morro Bay Well
- Pumping Well
- Injection Well
- Particle Track Arrow (1 mo.)
- Particle Track
- Month Indicator
- Groundwater Elevation Contour (ft)
- Groundwater Flow Direction
- Model Active Area
- Potential Project Area
- Major Road
- Watercourse

NOTE
 AFY: Acre Feet per Year
 Each travel time arrow along particle track represents 1 month.

Date: June 18, 2020
 Data Source: NAIP Imagery, ESRI

Document Path: Y:\0645_MorroBaySource_Figures\007_GWModel_L_MorroBasinCharacterization_SelectFigure10_Narrows_Pumping_Model_Results_Alt_Pumping_Wells.mxd

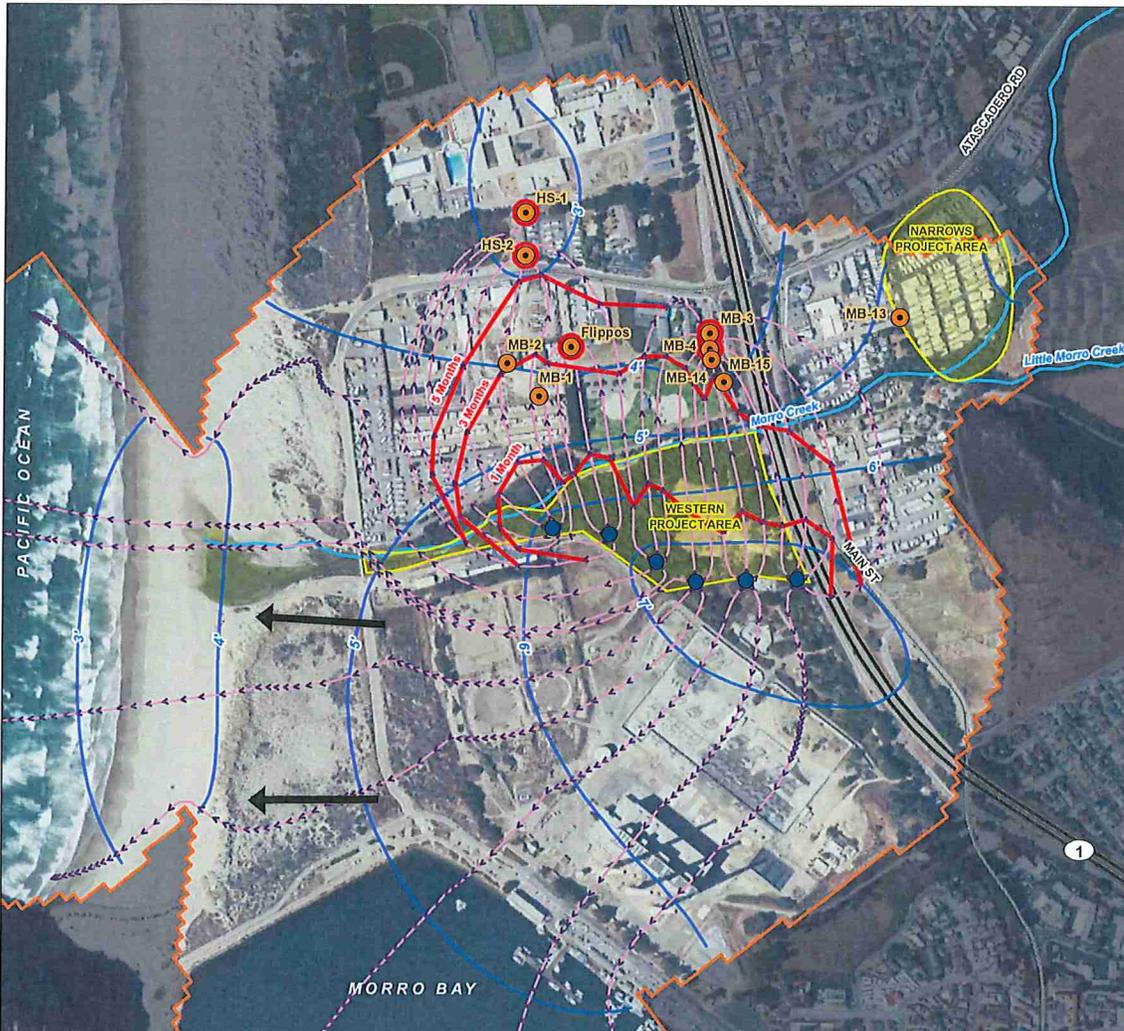


FIGURE 11
Western Project Area Model
Results: Pumping = Baseline + 25% Injection (787 AFY)
 Characterization and Selection of Project Areas for Injection Testing

LEGEND

- City of Morro Bay Well
- Pumping Well
- Injection Well
- Particle Track Arrow (1 mo.)
- - - Particle Track
- ~ Month Indicator
- Groundwater Elevation Contour (ft)
- Groundwater Flow Direction
- Model Active Area
- Potential Project Area
- Major Road
- ~ Watercourse

NOTE
 AFY: Acre Feet per Year
 Each travel time arrow along particle track represents 1 month.

0 350 700
 Feet

Date: June 19, 2010
 Data Source: NAIP Imagery, ESRI

Document Path: Y:\0645_MorroBaySource_Figures\007_GWModel_L_MorroBasinCharacterization_SelectFigure11_Western_Pumping_787AFY.mxd

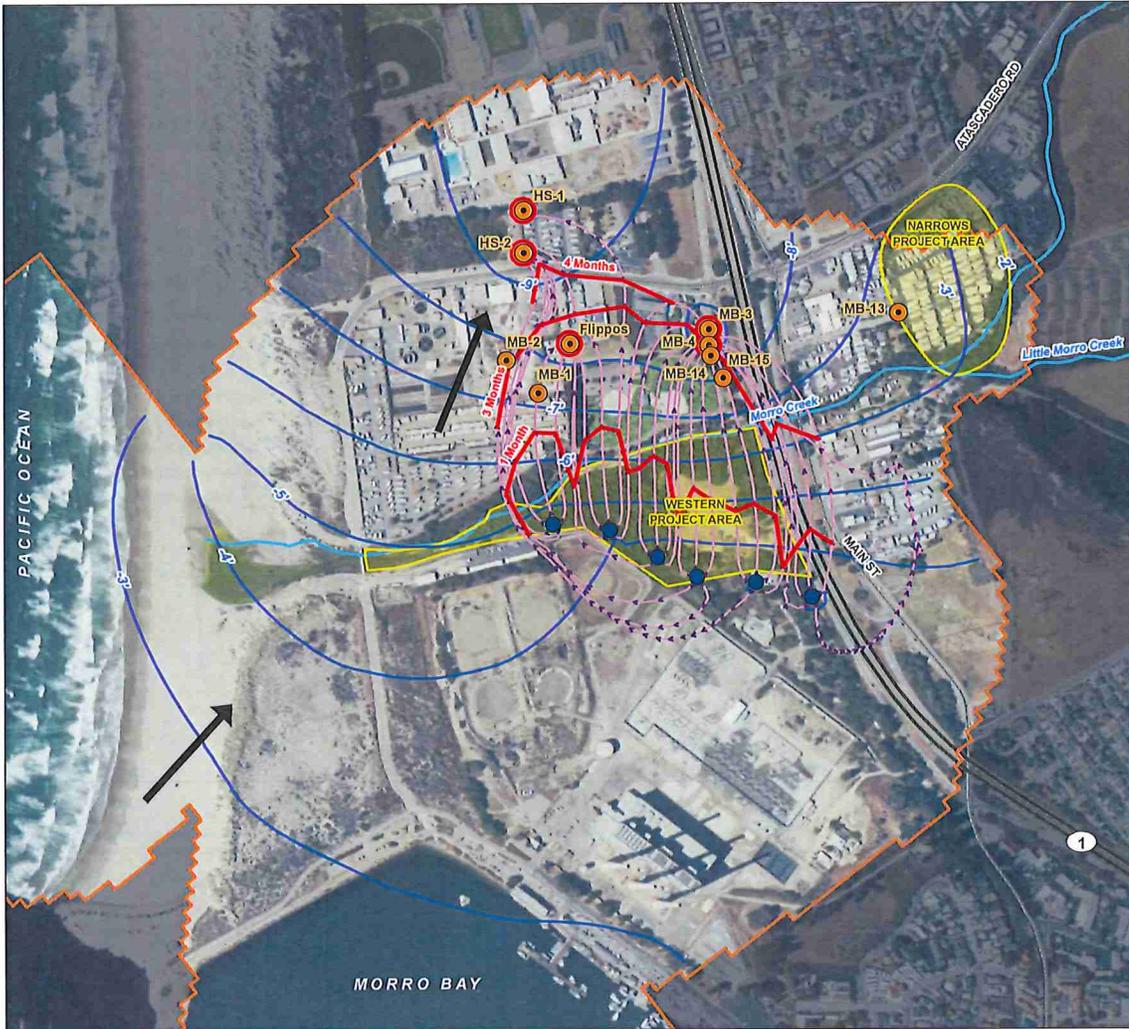
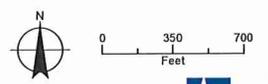


FIGURE 12
Western Project Area Model
Results: Pumping = Baseline +
75% Injection (1,200 AFY)
Dry Conditions
 Characterization and Selection of
 Project Areas for Injection Testing

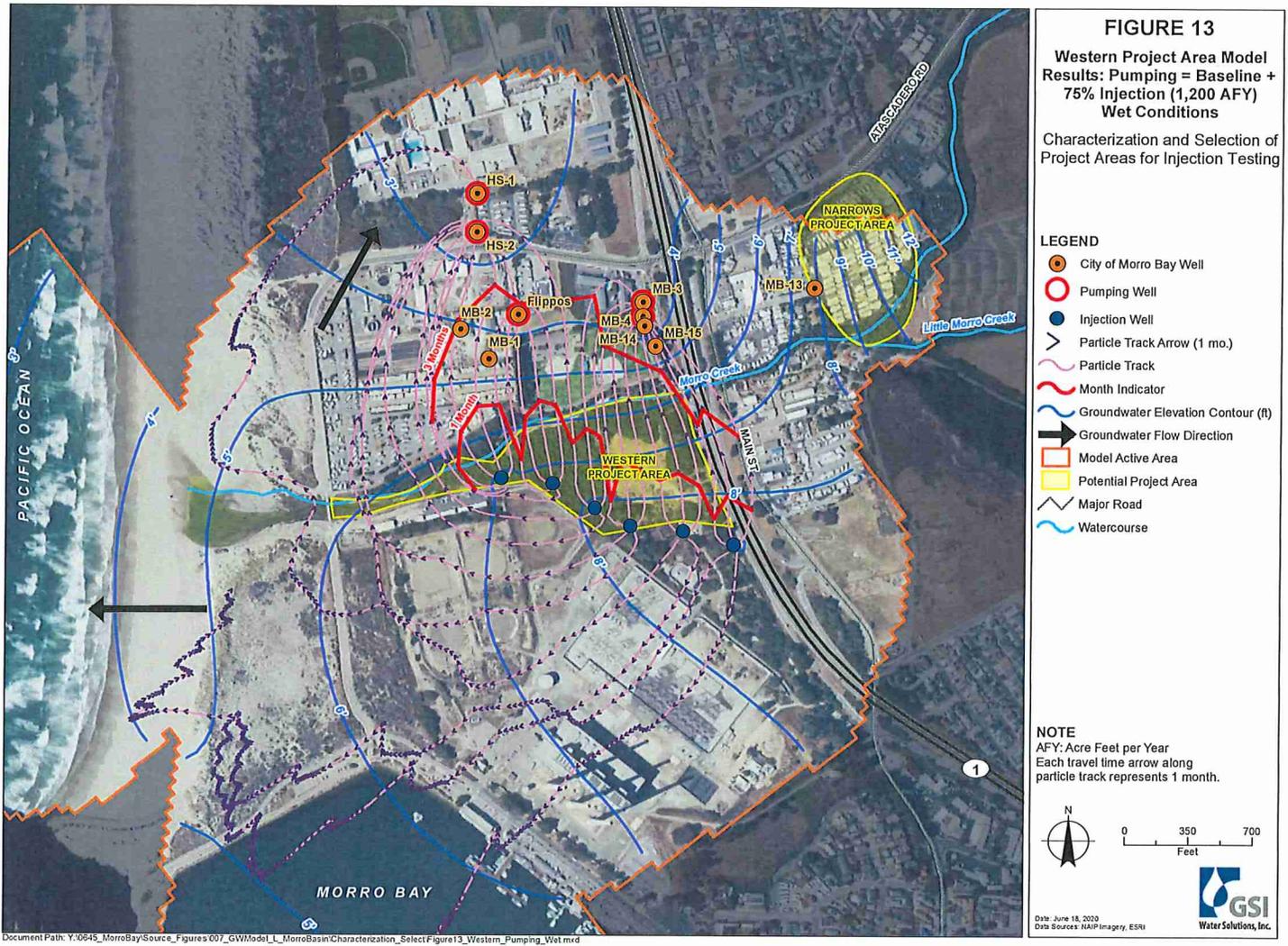
- LEGEND**
- City of Morro Bay Well
 - Pumping Well
 - Injection Well
 - Particle Track Arrow (1 mo.)
 - Particle Track
 - Month Indicator
 - Groundwater Elevation Contour (ft)
 - Groundwater Flow Direction
 - Model Active Area
 - Potential Project Area
 - Major Road
 - Watercourse

NOTE
 AFY: Acre Feet per Year
 Each travel time arrow along
 particle track represents 1 month.



Date: June 18, 2010
 Data Source: NAIP Imagery, ESRI

Document Path: Y:\0545_MorroBay\Source_Figures\007_GWModel_L_MorroBasinCharacterization_Select\Figure12_Western_Pumping_Dry_Conditions.mxd



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FIGURE 14
 Modeled Upper Aquifer,
 Model Layer 2
 Water Levels Under
 Varying Streamflow Conditions
 Characterization and Selection of
 Project Areas for Injection Testing

- LEGEND**
- City of Morro Bay Well
 - Groundwater Contour (ft)
 - Groundwater Flow Direction
 - Model Active Area
 - Potential Project Area
 - Major Road
 - Watercourse

N

0 350 700
Feet

Date: June 18, 2020
Data Source: NAIP Imagery, ESRI

Document Path: Y:\0645_MorroBay\Source_Figures\007_GWModel_L_MorroBasin\Characterization_Select\Figure14_StreamFlow.mxd



AGENDA NO: B-3

MEETING DATE: August 19, 2020

Staff Report

TO: Public Works Advisory Board

DATE: August 13, 2020

FROM: Eric Casares, PE – WRF Program Manager
Lydia Holmes, PE – Permitting Deputy (Carollo)
Rob Livick, PE/PLS – City Engineer

SUBJECT: Enhanced Source Control Program and Sewer Use Ordinance Revisions – Morro Bay Municipal Code Chapter 13.12

RECOMMENDATION

Staff recommends the Board provide input regarding the Enhanced Source Control Program and Sewer Use Ordinance changes to be forwarded to City Council for their consideration.

BACKGROUND

The City's new WRF Project will include advanced treatment to produce purified water for indirect potable reuse (IPR) via subsurface groundwater replenishment to augment the City's water supply. Per Title 22 of the California Code of Regulations (22 CCR) §60320.206, potable water reuse systems must administer and maintain an industrial pretreatment program (IPP) and pollutant source control program. The combined effort is referred to as an Enhanced Source Control Program (ESCP), which is attached to this staff report. The purpose of an ESCP is both 1) to prevent interference and pass-through of pollutants at the wastewater treatment plant (WWTP), thus protecting the effluent, biosolids, and environment; and 2) to protect drinking water quality by controlling the discharge of constituents of concern (COC) to the WWTP and WRF.

An ESCP is a guidance document that is typically developed to supplement an existing IPP. The United States Environmental Protection Agency (USEPA) developed the National Pretreatment Program to protect water quality by controlling and limiting the discharge of pollutants by industry and other non-domestic wastewater sources into publicly owned treatment works (POTWs). By preventing the introduction of pollutants into the POTW, an IPP can improve opportunities to recycle and reclaim wastewaters and biosolids and prevent worker health and safety problems.

The Code of Federal Regulations, Title 40, Part 403 (40 CFR 403) requires POTWs to implement an IPP if the design capacity is greater than 5.0 million gallons per day (mgd) or if other circumstances warrant one for smaller POTWs (such as the presence of industries that must be controlled or prior pollution incidents impacting the POTW). In California, the Regional Water Quality Control Board (RWQCB) is the designated Approval Authority for the National Pretreatment Program and is responsible for administering the program. If the RWQCB determines that a POTW needs a formal IPP, the program must contain the following six elements: 1) Legal Authority, 2) Procedures, 3) Funding, 4) Local Limits, 5) Enforcement Response Plan (ERP), and 6) a List of Significant Industrial Users (SIUs).

Prepared By: <u>EC/LH</u>	Dept Review: <u>RL</u>
City Manager Review: <u> </u>	City Attorney Review: <u> </u>

Because of the City's small size (less than 1 mgd) and scarce industrial base, the City has not been required to establish an IPP in the past. Implementation of a formal program exceeds what is reasonably needed to protect the WWTP and WRF and would impose an unnecessary and substantial burden on the City. Short of obtaining formal RWQCB approval under the National Pretreatment Program, staff in conjunction with its consultant team is proposing an ESCP that includes the relevant pretreatment program elements necessary for protecting the public health and allow its IPR program to be permitted.

As part of the ESCP development, the Sewer Use Ordinance (SUO), contained in Chapter 13.12 of the Morro Bay Municipal Code (MBMC), will be updated to give the City legal authority to implement and enforce all elements of the ESCP. The SUO is included as Appendix B of the ESCP. Discharge prohibitions have been expanded and policies for IU permitting and monitoring requirements have been established in the updated SUO.

Major changes to the SUO include:

- Authorizes the City to issue wastewater discharge permits
- Provides monitoring, reporting and compliance requirements for industrial users
- Establishes the City's enforcement policies
- Establishes discharge limits for industrial users
- Incorporates the City's Fats, Oils and Grease program (FOG)

ATTACHMENT

1. [Enhanced Source Control Program \(ESCP\)](#)
2. Appendix B of ESCP - Draft Revisions to Sewer Use Ordinance MBMC 13.12

Appendix B
SEWER USE ORDINANCE (SUO)

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DRAFT

**EXHIBIT A
TO
ORDINANCE NO. _____**

Chapter 13.12 - SEWERS

Article I. General Provisions

13.12.100 – Purpose and policy.

This chapter sets forth uniform requirements for Users of the POTW for the City and enables the City to comply with all applicable State and Federal laws, including the Clean Water Act (33 U.S.C. section 1251 et seq.) and the General Pretreatment Regulations (Title 40 of the CFR Part 403). The objectives of this chapter are:

- A. To prevent the introduction of pollutants into the POTW that will interfere with its operation;
- B. To prevent the introduction of pollutants into the POTW that will pass through the POTW, inadequately treated, into receiving waters, or otherwise be incompatible with the POTW;
- C. To protect the quality of the finished water and drinking water supply produced by the City's WRF.
- D. To protect both POTW personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
- E. To promote reuse and recycling of industrial wastewater and sludge from the POTW;
- F. To enable the City to comply with its NPDES permit conditions, sludge use and disposal requirements, and any other Federal or State laws to which the POTW is subject.
- G. This chapter shall apply to all Users of the POTW. The chapter authorizes the issuance of industrial wastewater discharge permits ; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires User reporting;

13.12.110 – Administration.

Except as otherwise provided herein, the Utilities Division/Department Manager shall administer, implement, and enforce the provisions of this chapter and, pursuant to Sections 1.16.050 and 060 of the MBMC, shall be designated as a Code Enforcement Officer for purposes of enforcing this chapter. Any powers granted to or duties imposed upon the Utilities Division/Department Manager may be delegated by the Utilities Division/Department Manager, in writing, to so duly authorized City employee.

13.12.120 – Abbreviations.

The following abbreviations, when used in this chapter, shall have the following designated meanings:

- BOD – Five Day Biochemical Oxygen Demand
- BMPs – Best Management Practices
- BMR – Baseline Monitoring Report
- CFR – Code of Federal Regulations
- CIU – Categorical Industrial User
- COD – Chemical Oxygen Demand

- EPA – U.S. Environmental Protection Agency
- FOG – fats, oils, and grease
- FF – food facility
- gpd – gallons per day
- H&SC – Health and Safety Code
- IU – Industrial User
- MBMC Morro Bay Municipal Code
- mg/l – milligrams per liter
- NPDES – National Pollutant Discharge Elimination System
- NSCIU – Non-Significant Categorical Industrial User
- POTW – Publicly Owned Treatment Works
- RCRA – Resource Conservation and Recovery Act
- SIU – Significant Industrial User
- TSS – Total Suspended Solids
- U.S.C. – United States Code
- WRF – Water Recycling Facility

13.12.130 – Definitions.

Unless a provision explicitly states otherwise, the following terms and phrases, as used in this chapter, shall mean, as follows.

- A. **Act or “the Act.”** The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. section 1251 *et seq.*
- B. **Approval Authority.** California Regional Water Quality Control Board Central Coast Region, or any successor agency.
- C. **Authorized or Duly Authorized Representative of the User.**
 1. If the User is a corporation, then:
 - a. the president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or
 - b. the manager of one or more manufacturing, production, or operating facilities, provided the manager: (i) is authorized to make management decisions that govern the operation of the regulated facility, including having the explicit or implicit duty of making major capital investment recommendations, and to initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; (ii) can ensure the necessary systems are established or actions taken to gather complete and accurate information for industrial wastewater discharge permit requirements; and (iii) has been given authority to sign documents, in accordance with corporate procedures.
 2. If the User is a general or limited partnership, limited liability company or sole proprietorship, then a general partner, managing member or owner, respectively.
 3. If the User is a Federal, State, or local governmental facility, then a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
 4. The individuals described in parts 1. through 3., above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or

position responsible for the overall operation of the facility from which the discharge originates or for having overall responsibility for environmental matters for the entity, and the written authorization is submitted to the City.

- D. **Best Management Practices or BMPs** means schedules of activities, prohibitions of activities, maintenance procedures, and other management methods to implement the prohibitions listed in subdivisions 13.12.050.A. and B of this chapter. BMPs include treatment requirements, operating procedures, and methods to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.
- E. **Biochemical Oxygen Demand or BOD.** The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five days at 20 degrees centigrade, usually expressed as a concentration (e.g., mg/L).
- F. **Categorical Pretreatment Standard or Categorical Standard.** Any regulation containing pollutant discharge limits promulgated by EPA in accordance with sections 307(b) and (c) of the Act (33 U.S.C. section 1317) that apply to a specific category of Users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.
- G. **Categorical Industrial User (CIU).** An Industrial User subject to a Categorical Pretreatment Standard or Categorical Standard.
- H. **Chemical Oxygen Demand or COD.** A measure of the oxygen required to oxidize all compounds, both organic and inorganic, in water.
- I. **Control Authority.** The City.
- J. **Daily Maximum.** The arithmetic average of all effluent samples for a pollutant collected during a calendar day.
- K. **Daily Maximum Limit.** The maximum allowable discharge limit of a pollutant during a calendar day. Where Daily Maximum Limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.
- L. **Environmental Protection Agency or EPA.** The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, the Regional Administrator, or other duly authorized official of said agency.
- M. **Existing Food Facility or Existing FF.** Any Food Facility that has been in continuous operation since before the [date certain, which will be the effective date of this ordinance] under the same ownership or control.
- N. **Existing Source.** Any source of discharge that is not a "New Source."
- O. **FOG.** Fats, oils, and grease.
- P. **Food Facility FF.** Any facility defined in California Retail Food Code , H&SC Section 113789, and any commercial entity discharging into the City sewer system, 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 mechanical exhaust ventilation system, as required in H&SC Section 114149. A limited food preparation establishment is not considered a Food Facility 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.

- Q. **Grab Sample.** A sample that is taken from a wastestream without regard to the flow in the wastestream and over a period of time not to exceed fifteen minutes.
- R. **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 FF and the connection to the sewer system. This device primarily uses gravity to separate FOG from the wastewater as it moves from one compartment to the next. This device must be cleaned, maintained, and have the FOG removed and disposed of in a proper manner at regular intervals to be effective.
- S. **Grease Removal 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 Device may also include any other proven method to reduce FOG subject to approval of the Utilities Division/Department Manager. A Grease Removal Device is a form of pretreatment and as such is subject to all regulations pertaining to the installation and maintenance of pretreatment systems as recognized in this Chapter and in the General Pretreatment Regulations (40 C.F.R.§403).
- T. **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 removal device is determined to be impossible or impracticable.
- U. **Holding Tank.** Any container of wastewater, such as those from chemical toilets, vessels, boats, campers, or trailers, but excluding septic tanks.
- V. **Hot Spots.** Areas in sewer lines that have experienced Sanitary Sewer Overflows (SSOs) or that must be cleaned or maintained frequently to avoid blockages of the sewer system.
- W. **Indirect Discharge or Discharge.** The introduction of pollutants into the POTW from any nondomestic source.
- X. **Instantaneous Limit.** The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.
- Y. **Interference.** A discharge that, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and therefore, is a cause of a violation of the City's NPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent State or local regulations, including, but not limited to, section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.
- Z. **Local Limit.** Specific discharge limits developed and enforced by the City upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in subdivisions 13.12.050.A. and B of this chapter.
- AA. **Medical Waste.** Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

- BB. **Monthly Average.** The sum of all “daily discharges” measured during a calendar month divided by the number of “daily discharges” measured during that month.
- CC. **Monthly Average Limit.** The highest allowable average of “daily discharges” over a calendar month, calculated as the sum of all “daily discharges” measured during a calendar month divided by the number of “daily discharges” measured during that month.
- DD. **Narrative Standard or Narrative Limit.** Any statement of prohibition or condition on a discharge established in this chapter that is not a local limit. Narrative standards include, but are not limited to, prohibited discharge standards and BMPs.
- EE. **New Food Facility or New FF.** Any Food Facility that starts operations after [date certain, which would be the effective date of this ordinance] regardless whether in a newly constructed building, a remodeled building or using an existing building or space.
- FF. **New Source.**
1. 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 Subdivision 307(c) of the Act that 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, should be considered.
 2. Construction on a site at which an Existing Source is located results in a modification rather than a New Source if the construction does not create a new building, structure, facility, or installation meeting the criteria of 1.b. or c., above, but otherwise alters, replaces, or adds to existing process or production equipment.
 3. Construction of a New Source as defined under this paragraph has commenced if the owner or operator has:
 - a. Begun, or caused to begin, as part of a continuous onsite construction program
 - (i) any placement, assembly, or installation of facilities or equipment; or
 - (ii) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
 - b. Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.
- GG. **Noncontact Cooling Water.** Water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

- HH. **Oil Interceptor.** A device for retaining oil by gravity-differential separation from waste effluent, and of a design and capacity approved by the Utilities Division/Department Manager.
- II. **Pass Through.** A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the City's NPDES permit, including an increase in the magnitude or duration of a violation.
- JJ. **Person.** Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all Federal, State, and local governmental entities.
- KK. **pH.** A measure of the acidity or alkalinity of a solution, expressed in standard units.
- LL. **Pollutant.** Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, Medical Wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).
- MM. **Pretreatment.** The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable Pretreatment Standard.
- NN. **Pretreatment Requirements.** Any substantive or procedural requirement related to pretreatment imposed on a User, other than a Pretreatment Standard.
- OO. **Pretreatment Standards, National Pretreatment Standards, or Standards.** Pretreatment Standards shall mean prohibited discharge standards, categorical Pretreatment Standards, and Local Limits.
- PP. **Prohibited Discharge Standards or Prohibited Discharges.** Absolute prohibitions against the discharge of certain substances; these prohibitions appear in 13.12.200 of this chapter.
- QQ. **Publicly Owned Treatment Works or POTW.** A treatment works, as defined by Section 212 of the Act (33 U.S.C. section 1292), which is owned by the City. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances, which convey wastewater to a treatment plant.
- RR. **Sanitary Sewer Overflow or SSO.** An overflow from the sanitary sewer system of domestic wastewater, as well as industrial and commercial wastewater.
- SS. **Septic Tank.** Any container used for holding and treating waste in a septic system.
- TT. **Sewage.** Human excrement and gray water, including, but not limited to, commercial, governmental or household showers and dishwashing operations.
- UU. **Significant Industrial User (SIU).** Except as provided in parts 3. and 4. of this definition, a Significant Industrial User is:
1. An Industrial User subject to categorical Pretreatment Standards; or
 2. An Industrial User that:
 - a. Discharges an average of 25,000 gpd or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);

- b. Contributes a process wastestream, which makes up five percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - c. Is designated as such by the City on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.
- 3. The City may determine that an Industrial User subject to categorical Pretreatment Standards is a Non-Significant Categorical Industrial User rather than a Significant Industrial User on a finding that the Industrial User never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met:
 - a. The Industrial User, prior to City's finding, has consistently complied with all applicable categorical Pretreatment Standards and Requirements;
 - b. The Industrial User annually submits the certification statement required by Subdivision 13.12.695.B. of this chapter together with any additional information necessary to support the certification statement; and
 - c. The Industrial User never discharges any untreated concentrated wastewater.
- 4. Upon a finding that a User meeting the criteria in 2., above has no reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement, the City may at any time, on its own initiative or in response to a petition received from an Industrial User, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such User should not be considered a Significant Industrial User.
- VV. **Slug Load or Slug Discharge.** Any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Section 13.12.200 of this chapter. A Slug Discharge is any Discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch Discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations, Local Limits or Permit conditions.
- WW. **Storm Water.** Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.
- XX. **Total Suspended Solids or Suspended Solids.** The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and that is removable by laboratory filtering.
- YY. **Twenty-five Percent Rule.** A requirement for grease interceptors to be maintained such that the combined FOG and solids accumulation does not exceed 25 percent of the design hydraulic depth of the grease interceptor.
- ZZ. **User or Industrial User.** A source of indirect discharge.
- AAA. **Utilities Division/Department Manager.** The person designated by the City to supervise the operation of the POTW, and who is charged with certain duties and responsibilities by this chapter. The term also means a duly authorized representative, as designated in writing by the Utilities Division/Department Manager.
- BBB. **Wastewater.** Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.
- CCC. **Wastewater Treatment Plant or Treatment Plant.** That portion of the POTW which is designed to provide treatment of municipal sewage and industrial waste.

Article II. General Sewer Use Requirements

13.12.200 – Prohibited discharge standards.

- A. General Prohibitions. No User shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes Pass Through or Interference. These general prohibitions apply to all Users of the POTW whether or not they are subject to categorical Pretreatment Standards or any other National, State, or local Pretreatment Standards or Requirements.
- B. Specific Prohibitions. No User shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:
 - 1. Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in Interference but in no case solids greater than one-half inch or one and two-seven hundredths centimeters in any dimension;
 - 2. Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause Interference with the POTW;
 - 3. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause Interference or Pass Through;
 - 4. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
 - 5. Trucked or hauled pollutants except at discharge points designated by the Utilities Division/Department Manager in accordance with this chapter.
 - 6. Septic tank cleanings or any raw or chemically treated sewage from septic tanks.
 - 7. Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;
 - 8. Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating the City's NPDES permit;
 - 9. Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations;
 - 10. Storm Water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, Noncontact Cooling Water, and unpolluted wastewater, unless specifically authorized by the Utilities Division/Department Manager;
 - 11. Sludges, screenings, or other residues from the pretreatment of industrial wastes;
 - 12. Medical Wastes, except as specifically authorized by the Utilities Division/Department Manager in an industrial wastewater discharge permit;
 - 13. Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail toxicity test;
 - 14. Detergents, surface-active agents, or other substances which that might cause excessive foaming in the POTW;
 - 15. Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such a manner that they could be discharged to the POTW.
 - 16. Any gasoline, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
- C. Narrative and Numerical Limits.

1. Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, wastestreams with a closed-cup flashpoint of less than 140 degrees F (60 degrees C) using the test methods specified in 40 CFR 261.21;
2. Wastewater having a pH less than 5.5 or more than 9.0, or otherwise causing corrosive structural damage to the POTW or equipment;
3. Wastewater having a temperature greater than 150 degrees F (66 degrees C), or which will inhibit biological activity in the treatment plant resulting in Interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104 degrees F (40 degrees C);
4. Fats, oils, or greases of animal or vegetable origin in concentrations greater than 100 mg/L;
5. Total petroleum hydrocarbons in concentrations greater than 100 mg/L;
6. Wastewater causing two readings on an explosion hazard meter at the point of discharge into the POTW, or at any point in the POTW, of more than 10 percent or any single reading over five percent of the Lower Explosive Limit of the meter.
7. Wastewater exceeding the five-day biochemical oxygen demand of 300 mg/L shall be subject to the requirements of Section 13.12.300 of this chapter.
8. Wastewater exceeding the total suspended solids of 350 mg/L shall be subject to the requirements of Section 13.12.300 of this chapter.
9. Discharges having an average daily flow greater than two percent of the average daily flow of the City shall be subject to the requirements of Section 13.12.300 of this chapter.
10. Wastewater exceeding the following concentrations:
 - a. Ammonia-N, 50 mg/L
 - b. Boron, 0.39 – 6.0mg/L
 - c. Bromide, TBD
 - d. TDS, TBD
 - e. 1,4-Dioxane, 1.3 µg/L
 - f. Mercury, 0.0048 mg/L
 - g. NDMA, 32 ng/L
 - h. Iron, 5 mg/L

13.12.210 – National categorical pretreatment standards.

Users must comply with the categorical Pretreatment Standards found at 40 CFR Chapter I, Subchapter N, Parts 405–471.

- A. When wastewater subject to a categorical Pretreatment Standard is mixed with wastewater not regulated by the same Standard, the Utilities Division/Department Manager shall impose an alternate limit in accordance with 40 CFR 403.6(e) (combined wastestream formula).

13.12.220 – Best management practices.

The Utilities Division/Department Manager may develop BMPs in industrial wastewater discharge permits, to implement the requirements of this chapter.

13.12.230 – RESERVED

13.12.240 – City’s right of revision.

The City reserves the right to establish, by ordinance, by resolution or in each industrial wastewater discharge permit, more stringent Standards or Requirements on discharges to the POTW consistent with the purpose of this chapter, when the Utilities Division/Department Manager determines that necessary for public safety.

13.12.250 – Dilution.

No User shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable Pretreatment Standard or Requirement. The Utilities Division/Department Manager may impose mass limitations on Users who are using dilution to meet applicable Pretreatment Standards or Requirements, or in other cases when the imposition of mass limitations is appropriate.

13.12.260 – Dental amalgam wastes.

No person shall discharge or cause to be discharged, any mercury or amalgam waste into the sewer system. All dental dischargers that place or remove amalgam must operate and maintain an amalgam separator that complies with ANSI/ADA Specifications 108 (2009) with Technical Addendum (2011) or ISO 11143 Dentistry-Amalgam Separators. The dental discharger shall comply with the most recent Best Management Practices for Dental Amalgam Waste as recommended by the American Dental Association, and specified in 40 CFR 441 (Effluent Limitations Guidelines and Standards for the Dental Category) June 14, 2017.

Article III. Pretreatment of Wastewater

13.12.300 – Pretreatment facilities.

Users shall provide wastewater treatment as necessary to comply with this chapter and shall achieve compliance with all categorical Pretreatment Standards, Local Limits, and the prohibitions set out in Section 13.12.200 of this chapter within the time limitations specified by EPA, the State, or the Utilities Division/Department Manager, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the User’s expense. Detailed plans describing such facilities and operating procedures shall be submitted to the Utilities Division/Department Manager for review, and shall be acceptable to the Utilities Division/Department Manager before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the User from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the City under the provisions of this chapter.

- A. The admission into the public sewers of any waters or wastes having characteristics exceeding the narrative limits established in Section 13.12.200 of this chapter shall be subject to the review and approval by the Utilities Division/Department Manager.
- B. Where necessary in the opinion of the Utilities Division/Department Manager, the owner shall provide, at his expense, such preliminary treatment as may be necessary to:
 1. Reduce the biochemical oxygen demand to 300 mg/L and the suspended solids to 350 mg/L;
or

2. Reduce objectionable characteristics or constituents to within the maximum limits provided for in Section 13.12.200 of this chapter; or
 3. Control the quantities and rates of discharge of such waters or wastes. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities shall be submitted for the approval of the Utilities Division/Department Manager and of the Water Pollution Control Board of the state, and no construction of such facilities shall be commenced until said approvals are obtained in writing.
- C. Where preliminary treatment facilities are provided for any wastewater, they shall be maintained continuously in satisfactory and effective operation, by the owner at his expense.

13.12.310 – Additional pretreatment measures.

- A. Whenever deemed necessary, the Utilities Division/Department Manager may require Users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage wastestreams from industrial wastestreams, and such other conditions as may be necessary to protect the POTW and determine the User's compliance with the requirements of this chapter.
- B. The Utilities Division/Department Manager may require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. An industrial wastewater discharge permit may be issued solely for flow equalization.
- C. Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

13.12.320 – Control utility hole installation.

When required by the Utilities Division/Department Manager, the owner of any property served by a building sewer carrying industrial wastes shall install a suitable control utility hole in the building sewer to facilitate observation, sampling and measurements of the wastes. Such utility hole, when required, shall be accessible and safely located, and shall be constructed in accordance with plans approved by the Utilities Division/Department Manager. The utility hole shall be installed by the owner at his expense, and shall be maintained by him so as to be safe and accessible at all times.

13.12.330 – Grease, oil, and sand interceptors.

- A. Grease, oil and sand interceptors shall be provided when, in the opinion of the Utilities Division/Department Manager, they are necessary for the proper handling of liquid wastes containing grease in excessive amounts, or any flammable wastes, sand, and other harmful ingredients; except that such interceptors shall not be required for private living quarters or dwelling units. All interceptors shall be of a type and capacity approved by the Utilities Division/Department Manager, and shall be located as to be readily and easily accessible for cleaning and inspection.
- B. Grease and oil interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes in temperature. They shall be of substantial construction, watertight, and equipped with easily removable covers which, when bolted in place, shall be gastight and watertight.
- C. Where installed, all grease, oil and sand interceptors shall be maintained by the owner, at his expense, in continuously efficient operation at all times.

- D. Wastewater discharge permits may be issued to users of grease, oil, and sand interceptors. Permits shall establish minimum requirements for the design, maintenance and performance of the equipment. Permits may include other information as described in Section VII of this chapter.
- E. The discharge of waste to a grease, oil, and sand interceptor is subject to all sections of this chapter.
- F. Purchase and installation of the interceptor shall be at the User's expense. No exceptions shall be made to the requirements of this section due to expense, size of the installation or difficulties in locating the interceptor within the site boundary.

13.12.340 – Accidental discharge/slug discharge control plans.

The Utilities Division/Department Manager shall evaluate whether each SIU needs an accidental discharge/slug discharge control plan or other action to control Slug Discharges. The Utilities Division/Department Manager may require any User to develop, submit for approval, and implement such a plan or take such other action that may be necessary to control Slug Discharges. Alternatively, the Utilities Division/Department Manager may develop such a plan for any User. An accidental discharge/slug discharge control plan shall address, at a minimum, the following:

- A. Description of discharge practices, including nonroutine batch discharges;
- B. Description of stored chemicals;
- C. Procedures for immediately notifying the Utilities Division/Department Manager of any accidental or Slug Discharge, as required by Section 13.12.630 of this chapter; and
- D. Procedures to prevent adverse impact from any accidental or Slug Discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

Article IV. – Industrial Wastewater Discharge Permits

13.12.400 – Wastewater discharge permit categories.

Industrial wastewater discharge permits shall be issued under the following categories as determined by the Utilities Division/Department Manager after review of the permit application as described in Section 13.12.440 of this chapter. The Utilities Division/Department Manager may determine, upon review of the permit application, that no permit is required for certain small industries and commercial Users.

- A. **General industrial/commercial User permits (Class "G" dischargers).** General industrial/commercial User permits may be issued to certain small industries and some commercial Users whose industrial discharges do not significantly impact the POTW, degrade wastewater quality or contaminate sludge. Industries that have the potential to discharge a non-domestic or process waste stream, but at the present time discharge only sanitary waste, may also be included in this group.
- B. **Significant Industrial User (SIU) permits (Class "S" dischargers).** SIU permits shall be issued to those industries which are determined by the Utilities Division/Department Manager to be Significant Industrial Users (SIUs) as defined in Subdivision 13.12.130.UU of this chapter. The

Utilities Division/Department Manager may require other Users to obtain an SIU permit as necessary to carry out the purposes of this chapter.

- C. **Food Facility (FF) permits (Class "F" dischargers).** All food facilities will be classified as Class "F" dischargers.

13.12.410 – Industrial wastewater discharge permit requirement.

- A. No Significant Industrial User shall discharge wastewater into the POTW without first obtaining an industrial wastewater discharge permit from the Utilities Division/Department Manager, except that a Significant Industrial User that has filed a timely application pursuant to Section 13.12.420 of this chapter may continue to discharge for the time period specified therein.
- B. The Utilities Division/Department Manager may require other Users to obtain industrial wastewater discharge permits as necessary to carry out the purposes of this chapter.
- C. Obtaining an industrial wastewater discharge permit does not relieve a permittee of its obligation to comply with all Federal and State Pretreatment Standards or Requirements or with any other requirements of Federal, State, and local law.

13.12.420 – Industrial wastewater discharge permitting: existing connections.

Any User required to obtain an industrial wastewater discharge permit who was discharging wastewater into the POTW prior to [date certain, which would be the effective date of the ordinance] and who wishes to continue such discharges in the future, shall, within 60 days after [see previous note], apply to the Utilities Division/Department Manager for an industrial wastewater discharge permit in accordance with Section 13.12.440 of this chapter, and shall not cause or allow discharges to the POTW to continue after 180 days after the [see previous note], except in accordance with an industrial wastewater discharge permit issued by the Utilities Division/Department Manager.

13.12.430 – Industrial wastewater discharge permitting: new connections.

Any User required to obtain an industrial wastewater discharge permit who proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such discharge. An application for this industrial wastewater discharge permit, in accordance with Section 13.12.440 of this chapter, must be filed at least 60 days prior to the date upon which any discharge will begin or recommence.

13.12.440 – Industrial wastewater discharge permit application contents.

- A. All Users required to obtain an industrial wastewater discharge permit must submit a permit application. The Utilities Division/Department Manager may require Users to submit all or some of the following information as part of a permit application:
 - 1. Identifying Information.
 - a. The name and address of the facility, including the name of the operator and owner.
 - b. Contact information, description of activities, facilities, and plant production processes on the premises;
 - 2. Environmental Permits. A list of any environmental control permits held by or for the facility.
 - 3. Description of Operations.
 - a. A brief description of the nature, average rate of production (including each product produced by type, amount, processes, and rate of production), and standard industrial classifications of the operation(s) carried out by such User. This description should

- include a schematic process diagram, which indicates points of discharge to the POTW from the regulated processes.
- b. Types of wastes generated, and a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW;
 - c. Number and type of employees, hours of operation, and proposed or actual hours of operation;
 - d. Type and amount of raw materials processed (average and maximum per day);
 - e. Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge;
4. Time and duration of discharges;
 5. The location for monitoring all wastes covered by the permit;
 6. Flow Measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined wastestream formula set out in Subdivision 13.12.210.A. of this chapter.
 7. Measurement of Pollutants.
 - a. The Categorical Pretreatment Standards applicable to each regulated process and any new categorically regulated processes for Existing Sources.
 - b. The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the Standard or by the Utilities Division/Department Manager, of regulated pollutants in the discharge from each regulated process.
 - c. Instantaneous, Daily Maximum, and long-term average concentrations, or mass, where required, shall be reported.
 - d. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 13.12.670 of this chapter. Where the Standard requires compliance with any BMPs or pollution prevention alternative, the User shall submit documentation as required by the Utilities Division/Department Manager or the applicable Standards to determine compliance with the Standard.
 - e. Sampling must be performed in accordance with procedures set out in Section 13.12.680 of this chapter.
 8. Any other information as may be deemed necessary by the Utilities Division/Department Manager to evaluate the permit application.
- B. Incomplete or inaccurate applications will not be processed and will be returned to the User for revision.

13.12.450 – Application signatories and certifications.

- A. All wastewater discharge permit applications, User reports and certification statements must be signed by an Authorized Representative of the User and contain the certification statement in Subdivision 13.12.695.A of this chapter.
- B. If the designation of an Authorized Representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements of this Section must be submitted to the Utilities

Division/Department Manager prior to or together with any reports to be signed by an Authorized Representative.

- C. A facility determined to be a Non-Significant Categorical Industrial User by the Utilities Division/Department Manager pursuant to Subdivision 13.12.130.UU.3. of this chapter must annually submit the signed certification statement in Subdivision 13.12.695.B. of this chapter

13.12.460 – Industrial wastewater discharge permit decisions.

The Utilities Division/Department Manager will evaluate the data furnished by the User and may require additional information. Within 60 days of receipt of a complete permit application, the Utilities Division/Department Manager will determine whether to issue an industrial wastewater discharge permit. The Utilities Division/Department Manager may deny any application for an industrial wastewater discharge permit.

Article V. – Industrial Wastewater Discharge Permit Issuance

13.12.500 – Industrial wastewater discharge permit duration.

An industrial wastewater discharge permit shall be issued for a specified time period, not to exceed five years from the effective date of the permit. An industrial wastewater discharge permit may be issued for a period less than five years, at the discretion of the Utilities Division/Department Manager. Each industrial wastewater discharge permit will indicate a specific date upon which it will expire.

13.12.510 – Industrial wastewater discharge permit contents.

An industrial wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the Utilities Division/Department Manager to prevent Pass Through or Interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW and any drinking water supplies produced by WRF.

- A. Industrial wastewater discharge permits must contain:
 - 1. A statement that indicates the wastewater discharge permit issuance date, expiration date and effective date.
 - 2. A statement that the wastewater discharge permit is nontransferable without prior notification to the City in accordance with Section 13.12.540 of this chapter, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;
 - 3. Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards;
 - 4. Self-monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants (or best management practice) to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law.
 - 5. A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law.

6. Requirements to control Slug Discharge, if determined by the Utilities Division/Department Manager to be necessary.
- B. Industrial wastewater discharge permits may contain, but need not be limited to, the following conditions:
1. Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
 2. Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works;
 3. Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or nonroutine discharges;
 4. Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;
 5. Requirements for installation and maintenance of inspection and sampling facilities and equipment, including flow measurement devices;
 6. A statement that compliance with the industrial wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State Pretreatment Standards, including those which become effective during the term of the industrial wastewater discharge permit; and
 7. Other conditions as deemed appropriate by the Utilities Division/Department Manager to ensure compliance with this chapter, and State and Federal laws, rules, and regulations.

13.12.520 – Permit issuance and appeals process.

- A. The User may petition the Utilities Division/Department Manager to reconsider the terms of an industrial wastewater discharge permit within 15 working days of notice of its issuance.
1. Failure to submit a timely petition for review shall be deemed to be a waiver of the administrative appeal.
 2. In its petition, the appealing party must indicate the industrial wastewater discharge permit provisions objected to, the reasons for this objection, and the alternative condition, if any, it seeks to place in the industrial wastewater discharge permit.
 3. The effectiveness of the industrial wastewater discharge permit shall not be stayed pending the appeal.
 4. If the Utilities Division/Department Manager fails to act within 60 days, a request for reconsideration shall be deemed to be denied. Decisions not to reconsider an industrial wastewater discharge permit, not to issue an industrial wastewater discharge permit, or not to modify an industrial wastewater discharge permit shall be considered final administrative actions for purposes of judicial review.
 5. Aggrieved parties seeking judicial review of the final administrative industrial wastewater discharge permit decision must do so by filing a complaint with the Superior Court of San Luis Obispo County.

13.12.530 – Permit modification.

- A. The Utilities Division/Department Manager may modify an industrial wastewater discharge permit for good cause, including, but not limited to, the following reasons:

1. To incorporate any new or revised Federal, State, or local Pretreatment Standards or Requirements;
2. To address significant alterations or additions to the User's operation, processes, or wastewater volume or character since the time of the industrial wastewater discharge permit issuance;
3. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
4. Information indicating that the permitted discharge poses a threat to the City's POTW, City personnel, or the receiving waters;
5. Violation of any terms or conditions of the industrial wastewater discharge permit;
6. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
7. To correct typographical or other errors in the industrial wastewater discharge permit; or
8. To reflect a transfer of the facility ownership or operation to a new owner or operator where requested in accordance with Section 13.12.540 of this chapter.

13.12.540 – Industrial wastewater discharge permit transfer.

Industrial wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least 60-days' advance notice to the Utilities Division/Department Manager and the Utilities Division/Department Manager approves the industrial wastewater discharge permit transfer. The notice to the Utilities Division/Department Manager must include a written certification by the new owner or operator which:

- A. States that the new owner and/or operator has no immediate intent to change the facility's operations and processes;
- B. Identifies the specific date on which the transfer is to occur; and
- C. Acknowledges full responsibility for complying with the existing industrial wastewater discharge permit.

Failure to provide advance notice of a transfer renders the industrial wastewater discharge permit void as of the date of facility transfer.

13.12.550 – Industrial wastewater discharge permit revocation or suspension.

The Utilities Division/Department Manager may revoke or suspend an industrial wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- A. Failure to notify the Utilities Division/Department Manager of significant changes to the wastewater prior to the changed discharge;
- B. Failure to provide prior notification to the Utilities Division/Department Manager of changed conditions pursuant to 13.12.620 of this chapter;
- C. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- D. Falsifying self-monitoring reports and certification statements;
- E. Tampering with monitoring equipment;
- F. Refusing to allow the Utilities Division/Department Manager timely access to the facility premises and records;
- G. Failure to meet effluent limitations;
- H. Failure to pay fines;

- I. Failure to pay sewer charges;
- J. Failure to meet compliance schedules;
- K. Failure to complete a wastewater survey or the wastewater discharge permit application;
- L. Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
- M. Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or this chapter.

Industrial wastewater discharge permits shall be voidable upon cessation of operations or transfer of business ownership. All industrial wastewater discharge permits issued to a User are void upon the issuance of a new industrial wastewater discharge permit to that User.

13.12.560 – Industrial wastewater discharge permit reissuance

A User with an expiring industrial wastewater discharge permit shall apply for industrial wastewater discharge permit reissuance by submitting a complete permit application, in accordance with 13.12.210 of this chapter, a minimum of 30 days prior to the expiration of the User’s existing industrial wastewater discharge permit.

Article VI. – Reporting Requirements

13.12.600 – Reporting requirements for Industrial Users subject to categorical pretreatment standards.

A. Baseline Monitoring Reports.

1. Within either 180 days after the effective date of a categorical Pretreatment Standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, Categorical Industrial Users scheduled to discharge to the POTW shall submit to the Utilities Division/Department Manager a report which contains the information listed in Paragraph 2, below. At least 90 days prior to commencement of their discharge, New Sources, and sources that become Categorical Industrial Users subsequent to the promulgation of an applicable categorical Standard, shall submit to the Utilities Division/Department Manager a report which contains the information listed in Paragraph 2, below. A New Source shall report the method of pretreatment it intends to use to meet applicable categorical Standards. A New Source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged.
2. Users described above shall submit the information set forth below.
 - a. All information required in Subdivisions 13.12.440.A.1.a., A.2., A.3.a., and A.6. of this chapter.
 - b. Measurement of pollutants.
 - i. The User shall provide the information required in Subdivision 13.12.440.A.7. a. through d. of this chapter.
 - ii. The User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph.
 - iii. Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment the User should measure the flows and concentrations necessary to allow use of the combined wastestream formula in 40 CFR 403.6(e) to

evaluate compliance with the Pretreatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e) this adjusted limit along with supporting data shall be submitted to the Control Authority;

- iv. Sampling and analysis shall be performed in accordance with Section 13.12.670 of this chapter;
 - v. The Utilities Division/Department Manager may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures;
 - vi. The baseline report shall indicate the time, date and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant Discharges to the POTW.
- c. Compliance Certification. A statement, reviewed by the User's Authorized Representative as defined in Subdivision 13.12.130.C. of this chapter and certified by a qualified professional, indicating whether Pretreatment Standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the Pretreatment Standards and Requirements.
 - d. Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the Pretreatment Standards, the shortest schedule by which the User will provide such additional pretreatment and/or O&M must be provided. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard. A compliance schedule pursuant to this Section must meet the requirements set out in Subdivision 13.12.600.B. of this chapter.
 - e. Signature and Report Certification. All baseline monitoring reports must be certified in accordance with Subdivision 13.12.695.A. of this chapter and signed by an Authorized Representative as defined in Subdivision 13.12.130.C. of this chapter.

B. Compliance Schedule Progress Reports

The following conditions shall apply to the compliance schedule required by Subdivision 13.12.600.A.2.d. of this chapter:

1. The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to meet the applicable Pretreatment Standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);
2. No increment referred to above shall exceed nine months;
3. The User shall submit a progress report to the Utilities Division/Department Manager no later than 14 days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the User to return to the established schedule; and
4. In no event shall more than nine months elapse between such progress reports to the Utilities Division/Department Manager.

C. Reports on Compliance with Categorical Pretreatment Standard Deadline

Within 90 days following the date for final compliance with applicable categorical Pretreatment Standards, or in the case of a New Source following commencement of the introduction of wastewater into the POTW, any User subject to such Pretreatment Standards and Requirements shall submit to the Utilities Division/Department Manager a report containing the information described in Subdivisions 13.12.440.A.6. and A.7. and 13.12.600.A.2.b. of this chapter. For Users subject to categorical Pretreatment Standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the User's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Subdivision 13.12.695.A. of this chapter. All sampling will be done in conformance with Section 13.12.680 of this chapter.

13.12.610 – Periodic Compliance Reports for Significant Industrial Users

- A. All Significant Industrial Users (categorical or noncategorical) must, at a frequency determined by the Utilities Division/Department Manager submit no less than twice per year (June and December [or on dates specified]) reports indicating the nature, concentration of pollutants in the discharge which are limited by Pretreatment Standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the Pretreatment Standard requires compliance with all BMPs or pollution prevention alternative, the User must submit documentation required by the Utilities Division/Department Manager or the Pretreatment Standard necessary to determine the compliance status of the User.
- B. All periodic compliance reports must be signed and certified in accordance with Subdivision 13.12.695.A. of this chapter.
- C. All wastewater samples must be representative of the User's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its discharge.
- D. If a User subject to the reporting requirement in this section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the Utilities Division/Department Manager, using the procedures prescribed in Section 13.12.680. of this chapter, the results of this monitoring shall be included in the report.

13.12.620 – Reports of changed conditions.

Each User must notify the Utilities Division/Department Manager of any significant changes to the User's operations or system which might alter the nature, quality, or volume of its wastewater at least 60 days before the change.

- A. The Utilities Division/Department Manager may require the User to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under Section 13.12.440 of this chapter.
- B. The Utilities Division/Department Manager may issue an industrial wastewater discharge permit under Section 13.12.560 of this chapter or modify an existing wastewater discharge permit under Sections 13.12.520 and 13.12.530 of this chapter in response to changed conditions or anticipated changed conditions.

13.12.630 – Reports of potential problems.

- A. In the case of any discharge, including, but not limited to, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, a Slug Discharge or Slug Load, that might cause potential problems for the POTW, the User shall immediately telephone and notify the Utilities Division/Department Manager of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the User.
- B. Within five days following such discharge, the User shall, unless waived by the Utilities Division/Department Manager, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability which might be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the User of any fines, penalties, or other liability which may be imposed pursuant to this chapter.
- C. A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees who to call in the event of a discharge described in part A., above. Employers shall ensure that all employees, who could cause such a discharge to occur, are advised of the emergency notification procedure.
- D. Significant Industrial Users are required to notify the Utilities Division/Department Manager immediately of any changes at its facility affecting the potential for a Slug Discharge.

13.12.640 – Reports from unpermitted Users, general industrial/commercial users, or food facilities.

All Users not required to obtain an industrial wastewater discharge permit, or those operating under general discharge permits or food facility permits described in Subdivisions 13.12.400 A and C, respectively, shall provide appropriate reports to the Utilities Division/Department Manager as the Utilities Division/Department Manager may require.

13.12.650 – Notice of violation/repeat sampling and reporting.

If sampling performed by a User indicates a violation, then the User must notify the Utilities Division/Department Manager within 24 hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Utilities Division/Department Manager within 30 days after becoming aware of the violation. Resampling by the Industrial User is not required if the City performs sampling at the User's facility at least once a month, or if the City performs sampling at the User between the time when the initial sampling was conducted and the time when the User or the City receives the results of this sampling, or if the City has performed the sampling and analysis in lieu of the Industrial User.

13.12.660 – Notification of the discharge of hazardous waste.

- A. Any User who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the User discharges more than 100 kilograms of such waste per calendar month to the POTW, then the notification also shall contain the

following information to the extent such information is known and readily available to the User: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following 12 months. All notifications must take place no later than 180 days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under 13.12.620 of this chapter. The notification requirement in this Section does not apply to pollutants already reported by Users subject to categorical Pretreatment Standards under the self-monitoring requirements of Subdivisions 13.12.600.A. and C. and 13.12.610 of this chapter.

- B. Dischargers are exempt from the requirements of paragraph A., above, during a calendar month in which they discharge no more than fifteen kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than 15 kilograms of nonacute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification.
- C. Subsequent consecutive periods of 30 days during which the User discharges more than such quantities of any hazardous waste do not require additional notification.
- D. In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the User must notify the Utilities Division/Department Manager, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within 90 days after the effective date of such regulations.
- E. In the case of any notification made under this Section, the User shall certify it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
- F. This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this chapter, a permit issued thereunder, or any applicable Federal or State law.

13.12.670– Analytical requirements.

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable categorical Pretreatment Standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, then sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the Utilities Division/Department Manager or other parties approved by EPA.

13.12.680 – Sample collection.

Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period.

- A. Except as indicated in Subdivisions B. and C., below, the User must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional

composite sampling or grab sampling is authorized by the Utilities Division/Department Manager. Where time-proportional composite sampling or grab sampling is authorized by the City, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the City, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.

- B. Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.
- C. For sampling required in support of baseline monitoring and 90-day compliance reports required in Subdivisions 13.12.600.A. and C. of this chapter, a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the Utilities Division/Department Manager may authorize a lower minimum. For the reports required by Section 13.12.610 of this chapter, the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance by with applicable Pretreatment Standards and Requirements.

13.12.685 – Date of receipt of reports.

Written reports will be deemed to have been submitted on the date postmarked. For reports, which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.

13.12.690 – Recordkeeping.

Users subject to the reporting requirements of this chapter shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this chapter, any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such requirements, and documentation associated with Best Management Practices established under Section 13.12.220 of this chapter. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three years. This period shall be automatically extended for the duration of any litigation concerning the User or the City, or where the User has been specifically notified of a longer retention period by the Utilities Division/Department Manager.

13.12.695 – Certification statements.

- A. Certification of Permit Applications, User Reports and Initial Monitoring Waiver— The following certification statement is required to be signed and submitted by Users submitting permit applications in accordance with Section 13.12.220 of this chapter; Users submitting baseline monitoring reports under Subdivision 13.12.600.A.2. e. of this chapter, Users submitting reports on compliance with the categorical Pretreatment Standard deadlines under Subdivision 13.12.600.C. of this chapter; and Users submitting periodic compliance reports required by

Subdivisions 13.12.610.A. and B. of this chapter The following certification statement must be signed by an Authorized Representative as defined in Subdivision 13.12.130.C. of this chapter:

I certify, under penalty of law, 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 there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

- B. Annual Certification for Non-Significant Categorical Industrial Users—A facility determined to be a Non-Significant Categorical Industrial User by the Utilities Division/Department Manager pursuant to Subdivisions 13.12.130.UU.3 and 13.12.440.C. of this chapter. must annually submit the following certification statement signed in accordance with the signatory requirements in Subdivision 13.12.130.C. of this chapter This certification must accompany an alternative report required by the Utilities Division/Department Manager:

Based on my inquiry of the person or persons directly responsible for managing compliance with the categorical Pretreatment Standards under 40 CFR ____, I certify, to the best of my knowledge and belief that during the period from _____, _____ to _____, _____ [months, days, year]:

- (a) The facility described as _____ [facility name] met the definition of a Non-Significant Categorical Industrial User as described in 13.12.130.UU.3 of the Morro Bay Municipal Code;
- (b) The facility complied with all applicable Pretreatment Standards and requirements during this reporting period; and
- (c) the facility never discharged more than 100 gallons of total categorical wastewater on any given day during this reporting period.

This compliance certification is based on the following information.

Article VII. – Fats, Oils, & Grease (FOG) Control Program

13.12.700 – Title.

This Article shall be referred to as the “City of Morro Bay FOG Control Program” or “FOG Control Program.”

13.12.710 – Purpose of the FOG ordinance.

The purpose of the FOG Control Program Ordinance is to reduce Sanitary Sewer Overflows (SSOs) and blockages, and to protect public health and the environment by minimizing public

exposure to unsanitary conditions. By controlling the discharge of fats, oils, and grease to the wastewater collection system, excessive buildup in sewer lines can be lessened, thereby increasing the system's operating efficiency and reducing the number of sewer line blockages and overflows.

13.12.720 – General FOG discharge prohibitions.

No FF shall discharge or cause to be discharged into the sewer system FOG that may accumulate and/or cause or contribute to blockages in the sewer system or at the sewer lateral, which connects the FF to the sewer system.

13.12.730– Specific FOG prohibitions.

The following specific prohibitions shall apply to all FF:

- A. Discharge of any FOG-containing wastewater that is not connected to a grease removal device is prohibited.
- B. Non-grease laden sources such as, but not limited to, hand-wash sinks, toilets, urinals, and stormwater, shall not be connected to a grease removal device.
- C. No dishwasher shall be connected to a grease trap.
- D. Discharge of wastewater with temperatures in excess of 140° F (60°C) into any grease trap is prohibited.
- E. Direct disposal of any waste cooking oil into any drain or cleanout that is connected to the sewer system is prohibited.
- F. Introduction of any additive into a grease removal device or directly into the sewer system for the purpose of emulsifying FOG, biologically/chemically treating FOG for grease remediation, or as a supplement to any grease removal device maintenance is prohibited, unless specifically authorized in writing by the Utilities Division/Department Manager.
- G. Discharge of any waste which has been removed from a grease removal device into the sewer system is prohibited.

13.12.740 – FOG wastewater discharge permit required.

All FFs shall obtain a FOG Wastewater Discharge Permit. Nothing in the permit is intended to relieve the FF of any local, state, or federal regulation. Any denial of a permit may be appealed under Section 13.12.520 of this chapter.

13.12.745 – FOG permit application requirements.

FOG Wastewater Discharge Permit Applications shall include the following information:

- A. Name, address, telephone number, description of the FF and service activities.
- B. Name of any and all principals/owners of the FF.
- C. Name and address of property owner or lessor and the property manager where the FF is located.
- D. Specifications of all grease removal devices.
- E. Operational statement of FF.
- F. Any other information as may be specified in the application form.

13.12.750 – FOG wastewater discharge permit conditions.

- A. FOG Wastewater Discharge Permits must contain the following:
 - 1. A statement that indicates the wastewater discharge permit duration.
 - 2. A statement that the wastewater discharge permit is nontransferable.

3. A statement of applicable civil and criminal penalties for violation of permit and FOG ordinance.
- B. FOG Wastewater Discharge Permits may contain the following conditions or limits if found necessary to meet the intent of the FOG Control Program Ordinance by the Utilities Division/Department Manager:
 1. Limits on discharge of FOG and other pollutants.
 2. Requirements to install, operate, and maintain adequate pretreatment devices including grease removal devices.
 3. Requirements for proper operation and maintenance of all pretreatment devices.
 4. Grease removal device maintenance frequency and schedule.
 5. Requirements for implementing, maintaining, and reporting on the status of BMPs.
 6. Requirements for maintaining and submitting logs and records, including waste hauling records and manifests and to have such records available for inspection.
 7. Requirements to self-monitor.
 8. Additional requirements as may be determined to be reasonably appropriate by the Utilities Division/Department Manager or as specified by other Regulatory Agencies to protect the collection system.
 9. Other terms and conditions, which may be reasonably applicable to ensure compliance with the FOG Control Program.

13.12.755 – FOG wastewater discharge permit modifications.

FOG Wastewater Discharge Permit modifications are subject to Section 13.12.530 of this chapter consistent with the terms, requirements, and policies in this section.

13.12.760 – FOG best management practices.

All FFs shall implement BMPs in an effort to minimize the discharge of FOG to the sewer system, including, but not limited to, the following, as applicable:

- A. Installation of Drain Screens. Drain screens shall be installed on all drainage pipes in food preparation areas.
- B. Disposal of Waste Cooking Oil and Grease. FFs shall dispose of waste cooking oil in accordance with state and local law.
- C. Segregation and Collection of Waste Cooking Oil. All waste cooking oil shall be collected and stored properly in recycling receptacles such as barrels or drums. Such recycling receptacles shall be maintained properly to insure that they do not leak. Licensed waste haulers or an approved recycling facility must be used to dispose of waste cooking oil in accordance with applicable state and local law.
- D. Disposal of Food Waste. All food waste should be disposed of directly into the trash or garbage in accordance with applicable state and local law and not into sinks and shall be disposed of in a manner that will ensure against leakage in the trash container or anywhere else.
- E. Employee Training. Employees of each FF shall be trained by ownership/management periodically as specified in the FOG wastewater discharge permit on the following subjects:
 1. Dry-wiping pots, pans, dishware and work areas before washing to remove grease.
 2. Properly disposing food waste and solids in plastic bags prior to disposal in trash bins or containers to prevent leaking and odors.

3. The location and use of absorption products to clean under fryer baskets and other locations where grease may be spilled or dripped.
 4. Properly disposing grease or oils from cooking equipment into a proper grease receptacle without spilling.
 5. Training shall be documented along with employee signatures. Training records shall be available for review at any time by authorized representatives of the City.
- E. Maintenance of Mechanical Exhaust Ventilation Filters. Filters shall be cleaned as frequently as necessary to be maintained in good operating condition. The wastewater generated from cleaning exhaust filters shall be disposed of properly.
- F. Kitchen Signage. Best management and waste minimization practices shall be posted conspicuously in the food preparation and dishwashing areas at all times.

13.12.765 – FOG pretreatment required for new and existing FFs.

Each owner of a FF is required to install, operate, and maintain an approved type and adequately sized grease interceptor necessary to maintain compliance with the objectives of this section, subject only to the variance and waiver provisions and other exceptions of this section. The grease interceptor shall be adequate to separate and remove FOG contained in wastewater discharges from FFs prior to discharge to the sewer system. Fixtures, equipment, and drain lines located in the food preparation and cleanup areas of FFs that are sources of FOG discharges shall be connected to the grease interceptor.

- A. New FFs, those that are not existing on [date certain, which will be the effective date of this ordinance] shall include grease interceptors prior to commencing discharges of wastewater to the sewer system.
- B. Each FFs existing as of [date certain, which will be the effective date of this ordinance] shall include grease interceptors in any of the following circumstances:
 1. When the FF changes ownership;
 2. When any change in operation results in or has the potential to result in the increase of the amount of FOG generated and/or discharged by FF in an amount that alone or collectively causes or creates a potential SSO to occur;
 3. When it is determined by the Utilities Division/Department Manager the FF caused or contributed to grease-related blockages in the sewer system, has sewer laterals connected to hot spots, or has been determined to contribute significant FOG to the sewer system, based on inspection and sampling;
 4. During a remodel;
 5. Any other time the Utilities Division/Department Manager reasonably determines that installation of a grease interceptor is necessary to avoid an adverse impact to the sewer system.
- C. Any owner of an FF existing on [date certain, which will be the effective date of this ordinance] that receives a notice from the Utilities Division/Department Manager to install a grease interceptor must install the interceptor within 90 days, unless a shorter or longer period is reasonably required by the Utilities Division/Department Manager.

13.12.770 – Variance of grease interceptor requirement.

Notwithstanding any other provision in this section, an owner of an FF existing on [date certain, which will be the effective date of this ordinance] may obtain a variance, at the Utilities Division/Department Manager's discretion, from the grease interceptor requirement to allow

alternative pretreatment technology that is equally effective in controlling the FOG discharge in lieu of a grease interceptor.

13.12.775 – Cost recovery for FOG.

All costs incurred for cleaning the sewer line to remove FOG buildup caused or contributed to by an FF shall be reimbursed to the City by the owner of the FF. Factors for determining responsible parties for cost recovery charges, include FFs that are discharging into the affected sewer line, the presence of grease removal devices or alternative pretreatment in the FF, proper maintenance of grease removal devices by the owner or operator of the FF, implementation of BMPs, and any waivers or variances granted.

13.12.780 – Grease interceptor requirements.

The owner of any FF that is required to include FOG pretreatment shall install operate and maintain an approved type and properly sized grease interceptor, or other grease removal device authorized under an approved variance, necessary to maintain compliance with the purpose of the FOG Control Program Ordinance.

- A. Approved grease interceptor sizing and installation shall conform to the latest approved edition of the California Uniform Plumbing Code.
- B. Grease interceptors shall be constructed in accordance with the design approved by the Utilities Division/Department Manager and shall have a minimum of two compartments with fittings designed for grease retention.
- C. Grease interceptors shall be installed at a location where it shall be at all times easily accessible for inspection, cleaning and removal of accumulated grease.
 1. Grease interceptors may not be installed in any part of the building where food is handled.
 2. If a location is not available on the property of the FF, a street encroachment permit may be requested to authorize installation of a grease interceptor in a public access area such as the street or sidewalk area.
 3. There will be no obstruction from landscaping or parked vehicles, with the exception of parked vehicles in a public access area as granted through a street encroachment permit.
- D. Access utility holes, with a minimum diameter of 24 inches, shall be provided over each grease interceptor chamber and sanitary tee. The utility holes shall also have readily removable covers to facilitate inspection, grease removal and wastewater sampling activities.
- E. The original design of the grease interceptor shall not be modified unless the manufacturer recommends the modification in writing.
 1. Any modification will be at the FFs expense.
 2. The City is not liable for any non-compliance as a result of any modification.
- F. The Utilities Division/Department Manager may require other pretreatment measures or modifications to improve the effectiveness of the grease interceptor.
- G. Connections to the grease interceptor shall be approved by the Utilities Division/Department Manager, and the Utilities Division/Department Manager may require connections to be removed.

13.12.785 – Grease interceptor maintenance requirements.

Grease interceptors shall be maintained in efficient operating condition by periodic complete removal of all contents of the devices including wastewater, accumulated FOG, floating materials, sludge and solids.

- A. No FOG that has accumulated in a grease interceptor shall be allowed to pass into any sewer lateral, sewer system, storm drain, or public right of way during maintenance activities.
- B. When any FF is located in an area that is considered to be a hot spot, the owner will be required to submit data and information necessary to establish a maintenance frequency for their grease interceptor.
- C. The maintenance frequency for all FFs with a grease interceptor shall be determined in one of the following methods:
 - 1. Grease interceptors shall be fully pumped out and cleaned at a frequency such that the combined FOG and solids accumulation does not exceed the Twenty-five Percent Rule. Regardless, the interval between cleaning shall not exceed six months.
 - 2. If the grease interceptor contains, at any time, FOG and solids accumulation that exceeds the Twenty-five Percent Rule, the FF shall be required to have the grease interceptor serviced immediately so that all FOG, sludge and other materials are completely removed from the interceptor. If necessary, the FF may be required to increase the maintenance frequency of the grease interceptor from its current frequency.
- D. Wastewater, accumulated FOG, floating materials, sludge, solids, and other materials removed from the grease interceptor shall be disposed offsite properly by licensed waste haulers or recyclers in accordance with federal, state, and/or local regulations.

13.12.790 – Grease trap requirements.

Grease traps may be authorized by the Utilities Division/Department Manager through a variance under Section 13.12.530 of this chapter with the following conditions:

- A. Grease traps shall be installed in waste lines leading from drains, sinks and other fixtures or equipment where grease may be introduced into the sewer system in quantities that can cause blockage.
- B. Grease traps shall be properly sized and installed in accordance with the latest approved edition of the California Uniform Plumbing Code.
- C. The original design of the grease trap shall not be modified unless the manufacturer recommends the modification in writing.
 - 1. Any modification will be at the FF's expense.
 - 2. The City is not liable for any non-compliance as a result of any modification.
- D. Grease traps shall be maintained in efficient operating conditions by removing accumulated grease. The interval between cleaning will be established by the Utilities Division/Department Manager, but shall not exceed two weeks. Baffles shall be removed and cleaned during the maintenance process, when applicable.
- E. Grease traps shall be kept free of all food residues and any FOG waste removed during the cleaning and scraping process.

- F. Grease traps shall be inspected periodically to check for leaking seams and pipes and for effective operation of the baffles and flow regulating devices.
- G. Grease traps and their baffles shall be maintained free of all caked on FOG and waste.
- H. Dishwashers and food waste disposal units shall not be connected to or discharged into any grease trap.
- I. The temperature of any water entering a grease trap shall not exceed 140° F (60° C).
- J. All wastes shall be properly disposed of in accordance with applicable local and state laws.

13.12.795 – FOG record keeping requirements.

Each owner of an FF shall keep all records, including manifests, receipts and invoices of all cleaning and maintenance of grease removal devices. All records shall be made available to authorized representatives of the City upon request. In addition to the above mentioned documents, records include logbooks of maintenance activity, BMPs and employee training, sampling data, spill reports, line cleaning reports, and any other information deemed appropriate by the Utilities Division/Department Manager to ensure compliance with the FOG Control Program and this section.

Article VIII. – Compliance Monitoring

13.12.800 – Right of entry: inspection and sampling.

The Utilities Division/Department Manager shall have the right to enter the premises of any User to determine whether the User is complying with all requirements of this chapter and any industrial wastewater discharge permit or order issued hereunder. Users shall allow the Utilities Division/Department Manager ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.

- A. Where a User has security measures in force which require proper identification and clearance before entry into its premises, the User shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the Utilities Division/Department Manager shall be permitted to enter without delay for the purposes of performing specific responsibilities.
- B. The Utilities Division/Department Manager shall have the right to set up on the User's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the User's operations.
- C. The Utilities Division/Department Manager may require the User to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the User at its own expense. All devices used to measure wastewater flow and quality shall be calibrated at a frequency established by the Utilities Division/Department Manager, but no less than the frequency recommended by the manufacturer.
- D. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the User at the written or verbal request of the Utilities Division/Department Manager and shall not be replaced. The costs of clearing such access shall be borne by the User.
- E. Unreasonable delays in allowing the Utilities Division/Department Manager access to the User's premises shall be a violation of this chapter.

Article IX – Confidential Information

13.12.900 – Confidential information.

Information and data on a User obtained from reports, surveys, wastewater discharge permit applications, industrial wastewater discharge permits, and monitoring programs, and from the Utilities Division/Department Manager's inspection and sampling activities, shall be available to the public without restriction, unless the User specifically requests, and is able to demonstrate to the satisfaction of the Utilities Division/Department Manager, the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the User furnishing a report such information should be held confidential, unless otherwise required by court order or applicable State law, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other effluent data, as defined at 40 CFR 2.302 shall not be recognized as confidential information and shall be available to the public without restriction.

Article X. – Remedies for Noncompliance

13.12.1000 – Violation.

- A. Unless otherwise specified in this chapter, any violation of any provision of this chapter or any permit or order issued hereunder shall be punishable pursuant to Section 1.16.010 and 1.16.020 of this code.
- B. A violation of any permit or order issued pursuant to this chapter shall be deemed a violation of this code.
- C. Each day, or part thereof, a violation continues shall be regarded as a new and separate offense.

13.12.1015 – Notification of violation.

If the Utilities Division/Department Manager finds a User has violated, or continues to violate, any provision of this chapter, an industrial wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, then the Utilities Division/Department Manager may serve upon that User a written Notice of Violation. Within 10 days after the receipt of such notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the User to the Utilities Division/Department Manager. Submission of such a plan in no way relieves the User of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this Section shall limit the authority of the Utilities Division/Department Manager to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

13.12.1020 – Consent orders.

The Utilities Division/Department Manager may enter into a consent orders, an assurances of compliance, or any other similar document establishing an agreement with any User responsible for noncompliance. Such document shall include specific action to be taken by the User to correct the noncompliance within a time period specified by the document and all penalties, fines and other costs to be

paid by the User. Such documents shall have the same force and effect as the administrative orders issued pursuant to Sections 13.12.1030 or 13.12.1035 of this chapter and shall be judicially enforceable.

13.12.1025 – Show cause hearing.

The Utilities Division/Department Manager may order a User, which has violated, or continues to violate, any provision of this chapter, an industrial wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, to appear before the Utilities Division/Department Manager and show cause why the proposed enforcement action should not be taken. Notice shall be served on the User specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request the User show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least 15 days prior to the hearing. Such notice may be served on any Authorized Representative of the User, as designated pursuant Subdivision 13.12.460.A. of this chapter. A show cause hearing shall not be a bar against, or prerequisite for, taking any action against the User pursuant to this chapter or any Federal, State or local law, rule or regulation.

13.12.1030 – Compliance orders.

If the Utilities Division/Department Manager finds a User has violated, or continues to violate, any provision of this chapter, an industrial wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, then the Utilities Division/Department Manager may issue an order to the User responsible for the discharge directing the User comply within a specified time. If the User does not come into compliance within the time provided, then sewer service may be discontinued, unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend the deadline for compliance established for a Pretreatment Standard or Requirement, nor does a compliance order relieve the User of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the User.

13.12.1035 – Cease and desist orders.

If the Utilities Division/Department Manager finds (i) a User has violated, or continues to violate, any provision of this chapter, an industrial wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, or (ii) the User's past violations are likely to recur, then the Utilities Division/Department Manager may issue an order to the User directing it to cease and desist all such violations and directing the User to:

- A. Immediately comply with all requirements; and
- B. Take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.

Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the User.

13.12.1040 – Administrative citations and fines.

Notwithstanding Chapter 1.03 of this code and in addition to the process described therein, the following provisions shall apply to any violation of this chapter:

- A. If the Utilities Division/Department Manager finds a User has violated, or continues to violate, any provision of this chapter, an industrial wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, then the Utilities Division/Department Manager may fine such User in an amount not to exceed those established in the table below:

Number of offense(s) in one-year period	Amount of Administrative Penalty
First	\$ 1,500.00
Second	\$ 2,500.00
Third and subsequent	\$ 3,500.00

Such fines shall be assessed on a per-violation, per-day, or portion thereof, basis. In the case of monthly or other long-term average discharge limits, fines shall be assessed for each day, or portion thereof, during the period of violation.

- B. Unpaid charges, fines, and penalties shall, after 30 calendar days, be assessed an additional penalty of 10 percent of the unpaid balance, and interest shall accrue thereafter at a rate of one percent per month. A lien against the User’s real property may be sought for unpaid charges, fines, and penalties.

13.12.1045 – Emergency suspensions.

The Utilities Division/Department Manager may immediately suspend a User’s discharge, after informal notice to the User, whenever, as reasonably determined by the Utilities Division/Department Manager, such suspension is necessary to stop an actual or threatened discharge, or cause an imminent or substantial endangerment to the health or welfare of persons. The Utilities Division/Department Manager may also immediately suspend a User’s discharge, after notice and opportunity to respond, that, as reasonably determined by the Utilities Division/Department Manager, threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment.

- A. Any User notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a User’s failure to immediately comply voluntarily with the suspension order, the Utilities Division/Department Manager may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Utilities Division/Department Manager may allow the User to recommence its discharge when the User has demonstrated to the reasonable satisfaction of the Utilities Division/Department Manager the period of endangerment has passed, unless the termination proceedings in Section 13.12.1050 of this chapter are initiated against the User.
- B. A User that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit, to the Utilities Division/Department Manager, as least five working days prior to the date of any show cause or termination hearing under Sections 13.12.1025 or 13.12.1050 of this chapter, a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence.

Nothing in this Section shall be interpreted as requiring a hearing prior to any Emergency Suspension under this Section.

13.12.1050 – Termination of discharge.

In addition to the provisions in Section 13.12.550 of this chapter, any User who violates the following conditions is subject to discharge termination:

- A. Violation of industrial wastewater discharge permit conditions;
- B. Failure to accurately report the wastewater constituents and characteristics of its discharge;
- C. Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;
- D. Refusal of reasonable access to the User's premises for the purpose of inspection, monitoring, or sampling; or
- E. Violation of the Pretreatment Standards set forth in Subdivision 13.12.130.OO. of this chapter.

Such User will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under 13.12.1025 of this chapter why the proposed action should not be taken. Exercise of this option by the Utilities Division/Department Manager shall not be a bar to, or a prerequisite for, taking any other action against the User.

13.12.1060 – Injunctive relief.

If the Utilities Division/Department Manager finds a User has violated, or continues to violate, any provision of this chapter, an industrial wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, then the Utilities Division/Department Manager may petition, through the City's Attorney, with the City Council's consent and in the name of the City, the Superior Court of the County of San Luis Obispo for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the industrial wastewater discharge permit, order, or other requirement imposed by this chapter on activities of the User. The Utilities Division/Department Manager may, with the City Council's consent, also seek such other action as is appropriate for legal and equitable relief, including a requirement for the User to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a User.

3.12.1070 – Remedies nonexclusive.

Enforcement of pretreatment violations will generally be in accordance with the City's enforcement response plan. However, the Utilities Division/Department Manager may take other action against any User when the circumstances warrant. Further, the Utilities Division/Department Manager is empowered to take more than one enforcement action against any noncompliant User.

13.12.1080 - Right to terminate water service.

If any User of the City sewer system fails to meet the requirements set forth in this chapter, then the Utilities Division/Department Manager shall have the authority to terminate water service or use alternate actions to protect the sewer system, including the wastewater treatment facilities, employees and surrounding environment from hazardous discharges, upon 48-hours' written notice, unless imminent public safety requires more immediate action, as reasonably determined by the Utilities Division/Department Manager.

13.12.1090 - Liability for damages for violation.

Any person violating a provision of this chapter or permit issued hereunder shall be liable for all injuries, deaths, real or personal property damage and expenses incurred, including but not limited to, city staff time, including administrative overhead, reasonable attorney's fees and court costs, and fines levied on the city by any regulatory agency arising from any and all actions taken by the City, any other governmental entity or that person related to the correction of such violation.

Article XI. – Construction Requirements, Permits, and Fees

13.12.1100 - Connection permit for annexed territory.

Before a permit shall be issued for a sewer connection in any area now outside the City limits which shall hereafter be annexed to the City, the owner or applicant shall pay to the City for such privilege a sum in accordance with the Master Fee Schedule.

13.12.1105 - Annexed territory connection—Computation of cost.

The sum shall be the equivalent of the cost to similar properties then within the City which have paid for the facilities so to be used.

13.12.1110 - Annexed territory connection—Existing bonds excepted.

The sum shall not include any amounts for which bonds of the City are then outstanding and to which the property shall become subject upon annexation.

13.12.1115 - Main extensions to new customers other than subdivisions.

Mains will be extended to serve new customers under the following terms and conditions:

- A. No main extension will be made by the City except on an approved dedicated street, alley or recorded easement;
- B. Prior to construction of the main, every applicant for sewer service shall enter into a written form agreement for such extension and shall deposit with the department of public works an amount equal to ten percent of the estimated cost of the extension, including engineering and administration. The estimated cost shall be based on the actual size of facilities required to meet the service demands from that extension, except that six inch pipe shall be the minimum size considered for general use. If the sewer department desires to install facilities greater than are needed to meet said service demands, then the cost of the excess size of facilities shall be borne by the City. The engineering department shall then proceed with plans and specifications and shall solicit and open bids for the proposed work. On the basis of the approved bid, plus engineering and administration costs, the department of public works shall inform the applicant as to the cost of the proposed extension. Upon receipt by the City of an amount which, with the original deposit, is equal to the cost of the work, the engineering department shall proceed with the construction of the extension;
- C. In the event that the applicant or applicants fail to deposit the required funds within 60 days after determination of the cost, the extension will not be made and no refund on the ten percent deposit will be made, except that where actual costs are less than the amount of such deposit, the City may refund the unused amount.

13.12.1120 - Calculation of sewer main extension charges.

Immediately upon completion of the sewer extension, the Utilities Division/Department Manager shall prorate the entire cost thereof against all lots or property that may ultimately be benefited by direct connection to said sewer extension in proportion to the frontage thereof, or if the lots be irregular in shape, then in such manner as may, in the opinion of the Utilities Division/Department Manager, provide an equitable distribution of costs. In no case shall any applicant pay an amount less than the prorated cost of the extension for the length of his frontage as determined in this section. The sewer main extension charges shall be in addition to the specified service connection charges.

13.12.1125 - Refunds.

- A. The original applicant or applicants shall, up to ten years from the date of signing the form agreement, be entitled to a refund for each connection made to the extension, based on the prorated cost as determined in Section 16.56.080 for each lot or parcel. The engineering department may make extensions to the facilities constructed under this subsection without obligation to applicant and refunds will not be made for services connected to said additional extensions.
- B. No interest shall be paid on or accrue on such deposits for sewer main extensions. Refunds of the deposit shall be made only if, as and when sewer main extension charges are collected from other consumers requiring service from this sewer main extension.

13.12.1130 - Main extensions to subdivisions.

Where sewer main extensions are required for subdivisions, it will be the responsibility of the owner or subdivider to pay the cost for complete installation of all sewer facilities required within the subdivision and for extension of sewer transmission mains from the subdivision to the nearest existing main of adequate capacity for the area to be served. Such transmission main shall be subject to all the requirements as set forth in standard improvement specifications and drawings of the City, and to any and all modifications and supplements thereto. Upon official acceptance by the City, the City shall assume full ownership, maintenance and control of such mains.

13.12.1135 - Refunds to subdividers.

- A. Upon completion of any sewer transmission main to a subdivision as outlined in Section 13.12.1130 of this chapter, the subdivider may submit to the Utilities Division/Department Manager a certified statement showing the actual cost of such extension. If said extension is larger than six inches in diameter, then the Utilities Division/Department Manager shall adjust the actual cost to the equivalent of a six-inch-diameter main. He shall then prorate the cost for a six-inch main against all lots or parcels which in the future may be served by direct connection to said main. Any and all connections to said main shall be subject to the charges specified in Section 13.12.110 of this chapter. The City may make extensions to facilities constructed under this regulation without obligation, and refunds will not be made for services connected to said additional extension.
- B. The subdivider or owner shall, for a period of ten years from the date of official acceptance of the subdivision, be eligible for a refund on each connection made to the main extension, as provided herein.
- C. No interest shall be paid on or accrue on any funds subject to such refund. Refunds shall be made only if, as, and when sewer connection charges are collected by the City.

13.12.1140 - Use of existing sewer.

Before a permit is issued for a sewer connection in any areas within the City, which property shall use any then-existing sewerage facilities of the City for which such property shall not have made full payment of its share of the cost thereof, the owner or applicant shall pay a sewer availability charge in accordance with the Master Fee Schedule.

A sewer availability charge is a sum of money required to be paid by any person to buy into the municipal sewer system.

13.12.1145 - Discharge of storm water, unpolluted drainage and industrial cooling waters.

Stormwater and all unpolluted drainage shall be discharged to such sewers as are specifically designated as combined sewers or storm sewers, or to a natural outlet approved by the Utilities Division/Department Manager. Unpolluted industrial cooling or unpolluted process waters may be discharged, upon approval of the Utilities Division/Department Manager, to a storm sewer, combined sewer or natural outlet.

13.12.1150 - Federal and state requirements.

Federal and/or state discharge requirements will apply in any case where they are more stringent than those in this chapter.

13.12.1155 - Sewer charges.

All Users other than single and multiple family residences, trailer parks, motels, business establishments, schools, churches, fraternal and nonprofit organizations using more than 1,500 cubic feet per month of sewage, shall be charged on the basis of cubic feet of sewage treated for the installation. Such quantities of sewage shall be determined by the Utilities Division/Department Manager, based upon the flow of sewage through a measuring device. Any occupant so charged who may disagree with the Utilities Division/Department Manager's determination may, at the occupant's own expense, install private measuring devices in accordance with the specifications approved by the Utilities Division/Department Manager.

13.12.1160 - Sewer use charges.

All sewer Users including but not limited to single-family and multiple-family residences; trailer parks; motels; business establishments; schools; churches; public utility and industrial facilities; district, county, state and federal facilities; fraternal and nonprofit organizations shall pay a sewer use charge in order to provide funds to supplement the general taxes in financing construction, maintenance and operation of sewage collection, transport and treatment facilities in and for the City.

13.12.1165 - Collections.

Sewer use charges shall be in addition to the water charges and shall be included in the customer's bimonthly utility bill. Such charges shall be based upon rates in accordance with the Master Fee Schedule.

13.12.1170 - Collection of past due accounts.

Nothing contained in this chapter shall limit the right of the City to proceed against any customer for any delinquencies due under Title 13 of this code. Nothing contained in this chapter shall prevent the city from availing itself of any other legal remedy by which the City might collect such charges, fees, or penalties.

13.12.1175 - Discharging sewage onto City lands.

It is unlawful for any person to dump or discharge raw or chemically treated sewage from any source onto the surface of any lands within the City.

13.12.1180 - Designated sewage dumping places.

Raw or chemically treated sewage from holding tanks and sources other than septic tanks may be discharged or dumped within the City only at the places owned and/or operated by the City and designated by the Utilities Division/Department Manager or at such privately owned facilities for which a current operating permit has been issued as provided in this chapter.

13.12.1185 - Discharge fees.

Each person dumping or discharging raw or chemically treated sewage from sources other than septic tanks into the facilities of the City shall pay the following fees:

- A. House trailers or campers — See Master Fee Schedule;
- B. Tank trucks or other commercial carriers — For each vehicle, see Master Fee Schedule for charge for each 1,000-gallon capacity or fraction thereof, regardless of the actual amount discharged.

13.12.1190 - Commercial facilities.

It is unlawful for any person to discharge or dump raw or chemically treated sewage from commercial tank trucks or from other commercial sources into any privately-owned or privately-operated facility. Each person discharging or dumping such commercial source shall do so only into the City sewer system with the prior approval of the Utilities Division/Department Manager.

13.12.1192 - Private facility—Operation.

No owner or operator of any facility for the reception of raw or chemically treated sewage shall permit any raw or chemically treated sewage to be dumped into such facility until an operating permit for such facility has been obtained from the Utilities Division/Department Manager as provided for in this chapter and conspicuously posted near such facility. Upon application to the Utilities Division/Department Manager, the Utilities Division/Department Manager shall issue, in accordance with the Master Fee Schedule, an operating permit to the owner of any such privately owned facility upon certification to the Utilities Division/Department Manager by the building official that such facilities have been constructed in conformance with the approved plans and specifications of the City. Such operating permit shall be conditional upon continued operation of such facilities in compliance with the rules, regulations and directives of the Utilities Division/Department Manager relating to such operation, including maintenance and cleaning of such facilities. The owner or operator of such facilities shall keep a log of discharger's name, driver's license number, vehicle type and license number, date and time of discharge. The owner or operator of the facility shall not permit commercial use of the discharge facility. Any officials of the City shall have the right of entry into buildings or premises regulated by this chapter in accordance with the provisions of Section 1.08.010 of this code.