

VANDENBERG VILLAGE COMMUNITY SERVICES DISTRICT



WASTEWATER USER ORDINANCE

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2.20 WASTEWATER SERVICE CONNECTIONS, METERS, AND ~~CUSTOMER'S~~ CUSTOMERS' FACILITIES

2.20.1 GENERAL

This Ordinance sets forth uniform requirements for Vandenberg Village Users of the Lompoc Regional Wastewater Reclamation Plant and enables the District to comply with the requirements set forth in the contract between the City of Lompoc and Vandenberg Village Community Services District, all applicable State and Federal laws, including the Clean Water Act (33 United States Code [U.S.C.] section 1251 et seq.), and the General Pretreatment Regulations (Title 40 of the Code of Federal Regulations [CFR] Part 403). The objectives of this ordinance are:

- To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will interfere with its operation;
- To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will pass through the Publicly Owned Treatment Works, inadequately treated, into receiving waters, or otherwise be incompatible with the Publicly Owned Treatment Works;
- To protect both Publicly Owned Treatment Works personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
- To promote reuse and recycling of industrial wastewater and sludge from the Publicly Owned Treatment Works;
- To support compliance with the City of Lompoc's National Pollutant Discharge Elimination System permit conditions consistent with the Wastewater Service Agreement.

This Ordinance shall apply to all Users of the Publicly Owned Treatment Works within the jurisdiction of Vandenberg Village Community Services District. The ordinance authorizes the issuance of individual wastewater discharge permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; and requires User reporting.

The District shall adopt an Enforcement Response Plan ("ERP") within 180 days of the effective date of this Ordinance. The ERP shall be consistent with the requirements of 40 CFR Part 403 and the City's approved Pretreatment Program and shall establish procedures for identifying violations, determining appropriate enforcement responses, ensuring timely and consistent enforcement, and achieving compliance with applicable pretreatment standards and requirements.

The ERP shall be maintained as an administrative document adopted by resolution of the Board of Directors and may be amended from time to time as necessary to maintain compliance with applicable State and Federal requirements.

2.20.1.1 DEFINITIONS

25 Percent Rule – a benchmark for FOG interceptor servicing when the combined fats, oils, and grease and solids accumulation in the interceptor equals 25 percent of its design hydraulic depth.

Act or the Act – the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. § 1251 et seq.

Applicable regulations, standards and limitations – all local, State, and Federal regulations, standards, and limitations to which a discharge or related activity is subject under the Act, effluent limitations, water quality standards, standards of performance, toxic effluent standards or prohibitions, best management practices, and pretreatment standards under Sections 301, 304, 306-308, 403, and 405 of the Act.

Authorized or Duly Authorized Representative of the User – the person who signed for service; 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; the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions; the director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility; or their duly authorized representative.

Best management practices (BMPs) – schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement general and specific discharge prohibitions. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

Biochemical Oxygen Demand or BOD – the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20 degrees centigrade, usually expressed as a concentration (e.g., mg/l).

Brine – a heavily concentrated solution containing sodium, potassium, or chloride.

Bypass – the intentional diversion of waste streams from any portion of a User's treatment facility.

Categorical pretreatment 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.

City – City of Lompoc

Control Authority – Vandenberg Village Community Services District serves as the Control Authority within its jurisdiction, consistent with 40 CFR Part 403, while coordinating with the City of Lompoc, the POTW owner.

District – Vandenberg Village Community Services District

EPA – the U.S. Environmental Protection Agency, or, where appropriate, the term may also be used as a designation for the Administrator or other duly authorized official of the EPA.

Extra strength concentration – any wastewater discharges containing concentrations of TSS or BOD greater than 300 mg/L.

Fats, oils, and grease (FOG) – any non-polar or polar fats, oils, and grease substance, such as a vegetable or animal product that is used in, or is a byproduct of, the cooking or food preparation process, that turns or may turn viscous or solidifies with a change in temperature or other conditions or has the potential to cause interference with or obstruction to the publicly owned treatment works.

FOG control device – any FOG interceptor, FOG 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 FOG prior to it being discharged into the sewer system. A FOG control device may also include any other proven mechanism to reduce FOG subject to the approval of VVCSD.

FOG control program – the FOG Control Program adopted by VVCSD, setting forth, among other things, the Best Management Practices for FSEs and establishing appropriate standards and specifications for FOG control devices.

FOG 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 an FSE and the connection to the sewer system. These devices primarily use gravity to separate FOG from the wastewater as it moves from one compartment to the next.

FOG trap – a FOG control device that is used to serve individual fixtures and have limited effect and is only used in situations where the use of a FOG interceptor or other FOG control device is determined to be impossible or impractical.

Food service establishment (FSE) – a food facility as defined in the California Uniform Retail Food Facility Law (CURFFL), Health & Safety Code (HSC) § 113789, which includes any operation where food is consumed on or off the premises, public and private school cafeterias, restricted food service facilities, licensed health care facilities, commissaries, mobile food facilities, mobile support units, temporary food facilities, vending machines, certified farmers' markets, and farm stands. Note that food facilities as defined under HSC § 113789 exclude private homes and specific food service events or premises. In addition, the definition of FSE includes any commercial or public entity within the boundaries of the District's jurisdiction, 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.

Hazardous Substance – any substance capable of creating imminent endangerment to health or the environment including, but not limited to, those substances defined under Section 309 (c) of the Act (33 USC 1251 et seq.) as follows:

- Any substance designated under 40 CFR Part 116 pursuant to Section 311 (b)(2)(A) of the Act;
- Any element, compound, mixture, solution, or substance designated pursuant to Section 102 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 USC 9601 et seq.);
- Any hazardous waste having the characteristics identified under or listed pursuant to Section 3001 of 41 U.S.C. 3251 et seq. but not including any waste the regulation of which under the SWDA has been suspended by the Act;
- Any toxic pollutant listed under Section 307(a) of the Act;
- Any imminently hazardous chemical substance or mixture with respect to which the EPA has taken action pursuant to Section 7 of the TSCA (15 USC 2601 et seq.); and

Any waste determined to be hazardous or extremely hazardous in accordance with Title 22 of the CCR, as amended.

Indirect Discharge or Discharge – the introduction of pollutants into the POTW from any nondomestic source.

Instantaneous Maximum – 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.

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: 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.

Local limit – specific discharge limits developed and enforced by the District upon industrial or commercial facilities to implement general and specific discharge prohibitions.

Maximum daily limit – the maximum allowable discharge limit of a pollutant during a calendar day. Where maximum daily limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where maximum daily

limits are expressed in terms of concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

Medical facility – any hospital, clinic, medical laboratory, office of a doctor or dentist, convalescent home, or related medical or therapeutic facility.

Medical waste – isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, X-ray processing wastes, and radioactive waste.

Milligram per liter (mg/L) – a unit of the concentration of a water or wastewater pollutant. It is 0.001 grams of the pollutant in one liter of water, generally considered equivalent to ppm.

National Pollutant Discharge Elimination System Permit (NPDES Permit) – a permit issued to a POTW pursuant to Section 402 of the Act (33 USC 1342).

National Pretreatment Standard (NPS) or pretreatment standard – any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act (33 USC 14347), which applies to industrial users (IUs). NPS includes prohibitive discharge limits established pursuant to 40 CFR Part 403. 5, and categorical standards specified in 40 CFR Parts 401-471.

National Prohibitive Discharge Standard or prohibitive discharge standard – any regulation developed under the authority of Section 307 (b) of the Act and 40 CFR Part 403. 5.

New Source – any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced after publication of proposed pretreatment standards applicable to such source and that otherwise meets the requirements of 40 CFR 403.3(m).

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.

Pollutant – any dredged soil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, medical wastes, biological materials, radioactive materials, high-temperature waste, wrecked or discharged equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural wastes, or any pollutant or characteristic of wastewater on which a discharge limitation may be imposed either by the District or by other regulatory agencies (e.g., pH, temperature, turbidity, color, toxicity, odor).

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 discharging or otherwise introducing such pollutants into the wastewater system.

Pretreatment requirement – any substantive or procedural requirement related to pretreatment, other than a Pretreatment Standard, imposed on a user.

Pretreatment standards or standards – prohibited discharge standards, categorical pretreatment standards, and local limits.

Publicly owned treatment works (POTW) – a treatment works as defined by Section 212 of the Act (33 USC Section 1292), including any sewers that convey wastewater to the POTW treatment plant, and any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature (see also wastewater system).

POTW treatment plant – that portion of the POTW which is designed to provide treatment (including recycling and reclamation of municipal sewage and industrial waste) (see also wastewater treatment plant).

Public sewer – the VVCSD wastewater collection system.

Regulatory agencies – those agencies having jurisdiction to regulate the operation of, and having appropriate jurisdiction over, the District's wastewater system and/or users, including but not limited to the EPA, the SWRCB, and the RWQCB.

Sanitary sewer – a sewer that conveys sewage or industrial wastes or a combination of both, but into which storm, surface, or ground waters or other unpolluted waters are not intentionally admitted.

Sanitary sewer overflow (SSO) – untreated or partially treated sewage overflows from a sanitary sewer collection system.

Self-regenerating water softener – water softening equipment or conditioning appliances that discharge brine into the District's sewer system.

Sewage – see wastewater.

Sewer – a pipe or conduit for conveying domestic and/or industrial wastewater.

Sewer lateral – the sewer from the premises of a user to the public sewer main.

Sewer main – a portion of the public sewer lying in a public easement or street and does not mean a sewer lateral.

Significant industrial user (SIU) – any user that:

- Is subject to Federal categorical pretreatment standards; or
- Discharges 25,000 gallons per day (gal/d) or more of process wastewater (average annual daily flow) to the POTW (excluding sanitary, noncontact cooling, and boiler blowdown wastewater); or

- Contributes a process wastestream which makes up five percent or more of the average dry weather hydraulic or organic loading capacity of the wastewater treatment plant; or
- Is designated as such by the District on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.

Significant Noncompliance – shall be applicable to any user violations that meet one or more of the following criteria:

- Violations of wastewater discharge limits:
 - Chronic violations of wastewater discharge limits, defined here as those in which 66 percent or more of all of the measurements taken for the same pollutant parameter during a 6-month period exceed (by any magnitude) a numeric pretreatment standard or requirement, including instantaneous limits.
 - Technical Review Criteria (TRC) violations, defined here as those in which 33 percent or more of all of the measurements taken for the same pollutant parameter during a 6-month period equal or exceed the product of the numeric pretreatment standard or requirement, including instantaneous limits, multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil, and grease, and 1.2 for all other pollutants except pH).
 - Any other violation(s) of a pretreatment standard or requirement that the District determines has caused, alone or in conjunction with other discharges, interference or pass-through; or endangered the health of the general public or employees of the wastewater system.
 - Any discharge that has caused imminent endangerment to human health or welfare, or the environment, resulting in the exercise of emergency authority to halt or prevent such a discharge.
- Violations of permit compliance schedule milestones by 90 days or more after the schedule date;
- Failure to provide required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules, or any other reports required by this Chapter or established as a facility requirement (e. g., in a permit or by other means), by 30 days or more from the due date;
- Failure to accurately report noncompliance;
- Any other violation(s), which may include a violation of best management practices, that the District determines will adversely affect the operation or implementation of the local pretreatment program.

Slug load or discharge – any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards of this Ordinance. 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.

Spill containment – a protective system installed by a user to prevent the accidental discharge of incompatible pollutants to the sewer.

Standard Industrial Classification (SIC) – a classification pursuant to the Standard Industrial Classification Manual, as most recently amended and issued by the Executive Office of the President, Office of Management and Budget.

State – State of California.

Storm drain – a pipe or conduit that carries storm, surface, or groundwater drainage, but excludes domestic and industrial wastewater.

Storm water – any flow occurring during or following any form of natural precipitation and resulting from such precipitation.

Total suspended solids (TSS) – 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. The laboratory determination shall be made in accordance with procedures established by the EPA and specified in 40 CFR Part 136, as amended.

Toxic pollutant – any pollutant or combination of pollutants listed as toxic in regulations promulgated by the EPA under Section 307(a) of the Act.

Trap/interceptor – any gravity separation interceptor designed to remove floatable and/or settleable material from a waste prior to its discharge to a District sewer.

Upset – an exceptional incident in which unintentional and temporary noncompliance with categorical pretreatment standards occurs because of factors beyond the reasonable control of the User.

User or Industrial User – a source of indirect discharge.

VVCSD – Vandenberg Village Community Services District

Wastewater – the liquid and water-borne industrial or domestic wastes from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, together with any groundwater, surface water, and stormwater that may be present, whether treated or untreated, which is contributed into or permitted to enter the wastewater system.

Wastewater system – all facilities for collecting, pumping, treating, or disposing of wastewater, including the sewerage system and the wastewater treatment plant.

Wastewater treatment plant – the Lompoc Regional Wastewater Reclamation Plant.

2.20.1.2.20.1.2 DISTRICT'S RESPONSIBILITY

In urban areas with dedicated front streets, rear service roads, or public District easements, the District will furnish and install its portion of the service line, ~~for the purpose of allowing to allow~~ the customer to connect to the collection system, except ~~for temporary services~~, as otherwise provided in Ordinance § 2.14. The connection to the collection system will be made at a convenient place between the property line and the curb, or inside the customer's property line where necessary.

In areas that do not have dedicated front streets, rear service roads, or public District easements, the District will furnish and install the service line as above provided, but at a convenient point on or near the customer's property.

Where the charge for wastewater service is based on metered water consumption, the District will arrange to use water meter readings.

2.20.1.2.20.1.3 CUSTOMER'S CUSTOMERS' RESPONSIBILITIES

The customer, as a condition precedent to receiving service at a new wastewater connection, shall:

- Furnish and lay the necessary piping to make the private connection at the District service connection and shall keep such piping in good repair in accordance with such reasonable requirements of the District as may be required.
- Provide a backflow check valve or overflow device on the piping between the service connection and the point of customer use, as may be required by the District or other governmental ~~agency~~ agencies.
- Provide a surface-level cleanout, which is both visible and at all times accessible to District personnel, at the property line or on customer premises for District maintenance and/or inspection of service laterals within the public right of way.

2.20.1.3.20.1.4 CUSTOMER MAINTENANCE AND REPAIR RESPONSIBILITIES

The customer is responsible for maintaining the sewer lateral from the waste-~~generating~~ facilities to the District's wastewater main or manhole connection. This includes cleaning and keeping service laterals free of obstructions, including grease, solids buildup, root infestation emanating from customer piping (including the joint to the connection with the District-owned laterals), and the like.

The customer is responsible for the repair, of each and every ~~kind, on~~ service laterals located outside the public right of way or on the customer side of the point of service connection. The District is responsible for the repair of service laterals within the public right of way for broken lines, joint separations, or line replacement.

The District may provide existing customers with the necessary materials to install a surface-level cleanout. The customer is responsible for providing the labor required to install such.

The customer's piping shall extend to that point on the curb line or property line with the easiest and/or closest access to the District from its existing wastewater system or requiring the least extension of the existing wastewater main. The District shall be consulted before installation thereof and its approval of location shall be obtained. The installation of the cleanout must be inspected and signed off by District personnel before the piping is covered.

In cases where District facilities must be installed in other than streets, rear service roads, or dedicated public easements, owners shall furnish dedicated public utility easements to the District for installation, operation, maintenance, repair, or replacement of District facilities.

2.20.1.3.12.20.1.4.1 ROOT CUTTING

In cases where blockage of sewer laterals within public rights of way, as determined by investigation by the Operations and Maintenance Manager, is likely caused by root infestation of District-owned facilities, the General Manager is authorized to reimburse customers for private plumbing costs (for root cutting only) up to 50 percent of the plumbing bill to a maximum of \$250.00 within any five-year period. It is the customer's responsibility to timely notify the District so that an investigation can be made during the plumber's visit to verify the location and type of blockage is eligible for reimbursement. Reimbursement is not intended to be made for non-root caused blockages such as grease buildup or solids blockage over which the District has no control for customer-introduced effluent.

2.20.1.42.20.1.5 OWNERSHIP AND ABSENCE OF RENTAL OBLIGATION WHERE FACILITIES ARE ON THE PREMISES OF THE CUSTOMER

The service line and related appurtenances furnished by the District and located wholly or partially upon a customer's premises are the property of the District.

No rent or other charge will be paid by the District where the District-owned service facilities are located on a customer's premises.

2.20.1.52.20.1.6 ACCESS TO THE PREMISES OF THE CUSTOMER

The District shall at all reasonable hours have access to meters, service connections, cleanouts, and other property that may be located on a customer's premises for purposes of installation, maintenance, operation, or removal of the property. The customer's system should be open for inspection at all reasonable times to authorized representatives of the District.

Any inspection work or recommendations made by the District or its agents in connection with plumbing, fixtures, or use of wastewater service on the customer's premises as a result of a complaint will be made without charge.

The District shall have the right to enter the premises of any User to determine whether the User is complying with all requirements of this Ordinance. Users shall allow the District 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.

- Where a User has security measures in force that require proper identification and clearance before entry to its premises, the User shall make the necessary arrangements with its security so that, upon presentation of suitable identification, the District shall be permitted to enter without delay to perform specific responsibilities.
- The District 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.
- The District 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 in accordance with the manufacturer's instructions to ensure accuracy.
- 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 upon the District's written or verbal request and shall not be replaced. The costs of clearing such access shall be borne by the User.
- Unreasonable delays in allowing the District access to the User's premises shall be a violation of this Ordinance.
- All inspection, sampling, and access provisions of this Section apply to inspections conducted by the District as the Control Authority.
- Nothing in this Section shall be construed to grant inspection, entry, or enforcement authority to the City of Lompoc except as expressly provided in the Wastewater Service Agreement.

2.20.1.62.20.1.7 RESPONSIBILITY FOR LOSS OR DAMAGE

The District will not be responsible for any loss or damage caused by the negligence or wrongful act of a customer or of a customer's authorized representatives in installing, maintaining, operating, or using any or all appliances, facilities, or equipment for which service is supplied.

The customer will be held responsible for damage to meters and other property resulting from the use or operation of facilities on the customer's premises, or discharge of wastes prohibited by these rules.

The District will not be responsible for any loss or damage due to or resulting from the backflow of wastewater occurring in the District's main line or in other customer-owned laterals as a result of stoppage over which it has no control.

2.20.2 SERVICES

2.20.2.1 CONNECTIONS

To control discharges to the POTW system, the District shall regulate users through applicable Ordinance, standard requirements, and approved permanent connections. New connections are initiated through the District's Can and Will Service process.

2.20.2.2 CATEGORIES OF USERS

VVCSD provides wastewater service to four types of users: single-family residential, multi-family residential, commercial, and institutional/public school.

- **Single-family residential** – a detached dwelling unit designed for occupancy by one household or family. Wastewater generated from this category is primarily domestic in nature and includes typical residential uses such as kitchen, bathroom, laundry, and sanitary flows. Each unit is served by an individual service connection unless otherwise specified.
- **Multi-family Residential** – any building or group of buildings containing two or more dwelling units intended for occupancy by separate households. Examples include duplexes, apartments, condominiums, and townhomes. Wastewater generated is primarily domestic but may be aggregated through shared service connections or internal plumbing systems.
- **Commercial** – any non-residential establishment engaged in business, trade, or service activities. This category includes, but is not limited to, retail stores, restaurants, offices, hotels, and service providers. Wastewater flows may vary in volume and composition depending on the nature of the business and may include sanitary waste along with process-related discharges, subject to applicable regulations and pretreatment requirements.
- **Institutional/Public School** – publicly or privately operated facilities providing educational or institutional services. This includes elementary schools, high schools, and other educational establishments. Wastewater from these users is primarily domestic in character but may include specialized discharges (e.g., laboratory wastes, cafeteria flows) that require monitoring or management in accordance with regulatory standards.

2.20.2.12.20.2.3 CHARGE FOR SERVICE CONNECTIONS

The District shall require capacity charges from the developer or homeowner for newly established connections as provided elsewhere and as may be amended from time to time by the Board of Directors, and as otherwise provided in the District's main extension rules or development agreements (See Ordinance § 3.2.1 and Ordinance § 4.10).

2.20.2.22.20.2.4 SIZE OF SERVICE LATERAL

The minimum size of the service lateral shall be a 4-inch nominal size.

A customer's request for a service lateral greater than four inches must be supported by appropriate data and may be subject to a monthly service charge greater than that established for residential service.

~~2.20.2.3~~2.20.2.5 INSTALLATION

Only duly authorized employees or agents of the District will be permitted to install a service pipe from the District's main to the customer's premises. Connection to the District's service lateral shall be done only after notification of the District so that the District may inspect the actual connection.

2.20.3 CROSS CONNECTION AND PROTECTIVE DEVICES

2.20.3.1 PHYSICAL CONNECTION

No physical connection between the wastewater system of the District and any other water or wastewater supply will be permitted except when authorized by the District.

2.20.3.2 PROTECTIVE DEVICES REQUIRED

The District will require the installation of approved backflow protection where the circumstances are such that there is a special danger of backflow of wastewater onto the property owner's premises.

2.20.3.3 TYPE AND EXPENSE OF PROTECTIVE DEVICES

See Ordinance § 2.16.3.4.

2.20.3.4 PERIODIC INSPECTION OF PROTECTIVE DEVICES

See Ordinance § 2.16.3.5.

2.20.3.5 REFUSAL TO SERVE OR DISCONTINUANCE OF SERVICE FOR FAILURE TO INSTALL PROTECTIVE DEVICES

See Ordinance § 2.16.3.6.2.

2.20.4 ACCESSORY DWELLING UNIT

A separate sewer connection shall not be required for a Single-Family Accessory Dwelling Unit (ADU) that is consistent with the description outlined in California Government Code § 66313 unless the Accessory Dwelling Unit is to be constructed with a new single-family dwelling, in which case, a separate sewer connection may be required.

A separate sewer connection shall not be required for a Junior Accessory Dwelling Unit as defined in the aforementioned section of the Government Code.

A separate sewer connection shall be required for a Multi-Family Accessory Dwelling Unit.

2.21 LIMITATION ON WASTE DISCHARGED INTO THE UTILITY'S WASTEWATER SYSTEM

2.21.1 GENERAL DISCHARGE PROHIBITIONS

No user may introduce or cause or allow to be introduced into the POTW any pollutant(s) or wastewater which causes pass-through or interference (as defined in Ordinance § 2.20.1.1 and 40 CFR Part 403.3) with the wastewater system or causes or significantly contributes to an exceedance of the calculated maximum allowable headworks loading for any given pollutant. 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.

No person may discharge pollutants to the ground, storm drains, or watercourses without proper authorization from applicable regulatory agencies.

2.21.2 SPECIFIC DISCHARGE PROHIBITIONS

Except with the written consent of the District, none of the following described waters or wastes may be discharged into the wastewater system:

- **Chemicals** – Any amount of ~~a~~-chlorinated hydrocarbon or an organic phosphorus compound, commonly known as pesticides, herbicides, or fungicides.
- **Color** – Any waste which results in discoloration of treatment plant effluent.
- **Concentration** – Any waste with a concentration of reducing agents or substances that will significantly increase the amount of chlorine or other disinfecting agents or upset biological stabilization in any way.
- **Excessive Flow or Pollutant Concentrations** – 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.
- **Fats, oils, and grease** – Any discharge of fat, oils, or grease, including, but not limited to, oils of animal or vegetable origin, lubricating oil, petroleum oil, non-biodegradable cutting oil, refined petroleum products, or products of mineral oil origin, into any onsite sewage treatment and disposal system or the sanitary sewer system in amounts which hinder the operation of any onsite sewage treatment and disposal system or sewage collection, transmission, or treatment system; exceeds the oil and grease effluent limits in this Chapter; cause a sanitary nuisance; or cause or contribute to interference or pass through at the POTW. ~~Any waste which contains more than 100 mg/l of fat, oil, or grease~~ Any waste

~~lubricating oil or concentration of non-biodegradable oil, petroleum oil, or refined petroleum products greater than 10 mg/l (See Ordinance § 2.22.7-2.22.2).~~

- **Fire or Explosion Hazards** – Any solids, liquids, or gases which by themselves or by interaction with other substances may cause fire or explosion hazards, or in any other way be injurious to the person, property, or the operation of the wastewater system. These substances include but are not limited to gasoline, benzene, naphtha, solvent, and fuel oil.
- **Gases** – 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.
- **Heat** – Heat in amounts that will inhibit biological activity in the wastewater treatment plant, resulting in interference. In no case shall any discharge to the sewerage system exceed 140 degrees Fahrenheit (60 degrees Celsius) at the point of discharge or cause the temperature at the influent to the wastewater treatment plant to exceed 104 degrees Fahrenheit (40 degrees Celsius).
- **Illegal Connections** – Any connection that allows stormwater, surface water, groundwater, roof runoff, subsurface drainage, cooling water, or unpolluted industrial process waters to enter the sanitary sewer system.
- **Interference** – Any substance which may cause the wastewater system, its effluent, or any other product such as residues, sludges, or scums, to be unsuitable for reclamation or reuse, or to interfere with the reclamation process. In no case shall any substance discharged to a City sewer cause the City to be in violation of its NPDES permit (including an increase in the magnitude or duration of a violation), or prevent sludge use and disposal in compliance with any statutory provision contained in:
 1. Section 405 of the Act;
 2. The SWDA (including Title 11, more commonly referred to as the RCRA);
 3. The Clean Air Act;
 4. The TSCA;
 5. The Marine Protection, Research, and Sanctuaries Act; and
 6. Any State criteria applicable to the sludge management method used by the District.
- **pH or Corrosion Hazards** – Any liquids having a pH lower than 6.5 or higher than ~~8.3, or 8.5~~ or having any corrosive property capable of causing damage or hazards to structures, equipment, or the wastewater system.
- **Reactive Materials** – Any noxious or malodorous solid, liquid, or gas, which either singly or by interaction with other substances, is capable of interfering with

wastewater treatment or processes, creating a public nuisance or hazard, may cause acute worker health and safety problems, present hazard to life, or are sufficient to prevent or preventing entry into the wastewater system for their its maintenance and repair.

- **Sludge material** – Sludges, screenings, or other residues from the pretreatment of industrial wastes.
- **Slug Loads** – Slug loads of compatible or incompatible pollutant(s).
- **Solid or Viscous Waste** – Any ashes, asphalt, dead animals, offal, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, whole blood, animal manure, bones, hair, or fleshings, entrails, paper dishes, paper cups, milk containers, or other similar paper products or any other solids, greases, slurries or viscous materials of such character or in such quantity that it may cause an obstruction to the flow in the wastewater or interfere with the proper function of the wastewater system. Any liquid or vapor that will solidify at normal wastewater system temperatures Including, but not limited to, liquid or vapor that will solidify at normal wastewater system temperatures. ~~Any~~ garbage that may cause obstruction to the wastewater flow, including, but not limited to, such as diapers and “flushable” wipes.
- **Surfactants** – Any water or wastes containing detergents, surface-active agents, non-biodegradable cutting oils, commonly called soluble oils, which form persistent water emulsions or might cause excessive foaming.
- **Toxicity** – Any toxic substance, chemical element, or compound in quantities sufficient to impair the operation efficiency of the wastewater treatment facilities, or that will pass through the wastewater treatment plant and cause the effluent thereof to exceed state or federal water quality requirements established under section 307a of the Clean Water Act, or otherwise cause the treatment plant's effluent to fail a toxicity test.
- **Trucked or Hauled Waste** – Trucked or hauled pollutants may not be discharged except as expressly authorized in writing by the District. Any pumping wastes from septic tanks, cesspools, or chemical toilets.

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.

2.21.3 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 District 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.

2.21.4 LOCAL LIMITATIONS AND CONDITIONS OF DISCHARGE

The following pollutant limits are established to protect against Pass-Through and Interference. No user shall discharge wastewater containing pollutants in excess of the quantities specified below. The limits below apply at the point where the wastewater is discharged to the POTW. All concentrations for metallic substances are for total metal unless indicated otherwise. The District may impose mass limitations in addition to, or in lieu of, the concentration-based limitations. Any water or wastes containing toxic substances exceeding the following concentrations in mg/l:

<u>Constituent</u>	<u>Concentration¹</u>	<u>Type of Limit</u>
Ammonia	55	<u>Maximum Daily Average</u>
Arsenic	2.0	<u>Maximum Daily Average</u>
Beryllium	3.0	<u>Maximum Daily Average</u>
Cadmium	0.2	<u>Maximum Daily Average</u>
Chloride	250	<u>Maximum Daily Average</u>
Chromium	2.0	<u>Maximum Daily Average</u>
Copper	2.0	<u>Maximum Daily Average</u>
Cyanide (total)	1.0	<u>Instantaneous Maximum</u>
Lead	1.0	<u>Maximum Daily Average</u>
Mercury	0.01	<u>Maximum Daily Average</u>
Nickel	3.0	<u>Maximum Daily Average</u>
<u>Oil and Grease (total)</u>	<u>100</u>	<u>Instantaneous Maximum</u>
<u>pH (pH units)</u>	<u>Acceptable range 6.5-8.5</u>	<u>Instantaneous Maximum</u>
Phenol	25.0	<u>Instantaneous Maximum</u>
Selenium	0.4	<u>Maximum Daily Average</u>
Silver	1.5	<u>Maximum Daily Average</u>
Sodium	270	<u>Maximum Daily Average</u>
Total Dissolved Solids	1100	<u>Maximum Daily Average</u>
Zinc	1.0	<u>Maximum Daily Average</u>

Where the City of Lompoc local limits are more stringent, those limits shall apply. Any water added for the purpose of diluting wastes which waste would otherwise exceed applicable maximum concentration limitations except at the direction or approval of the District.

Any waste that may have an adverse or harmful effect on wastewater, maintenance personnel, wastewater treatment plant personnel or equipment, wastewater treatment plant effluent quality, public or private property, or may otherwise endanger the public, the local environment, or create a public nuisance.

The District may, by Ordinance or Board Action, develop Best Management Practices (BMPs) to implement local limits and these requirements. Such BMPs shall be considered local limits and Pretreatment Standards for the purposes of this part and section 307(d) of the Act.

¹ All concentrations are in mg/L, determined in accordance with analytical procedures specified by 40 CFR Part 136

The District may establish mass-based limits, flow-based restrictions, and Best Management Practices (BMPs) as necessary to protect the POTW and ensure compliance with the City of Lompoc's NPDES permit.

The District may revise local limits periodically based on updated headworks analysis.

2.21.5 WATER SOFTENER RESTRICTIONS

Effective July 1, 2020, new residential or non-residential self-regenerating water softeners may not be installed. Existing residential or non-residential self-regenerating water softeners are not required to be removed unless the unit violates the efficiency requirements of Health & Safety Code § 116785. However, they may not be replaced or enlarged. This rule does not prohibit the use of exchange canister-type water softener units; they are encouraged.

Any brine solution wasted in water softener recharge from any water softener connected to the wastewater system ~~that does not~~must meet the efficiency requirements of Health & Safety Code § 116785.

~~NOTE: This rule does not prohibit the use of exchange canister-type water softener units which are encouraged to be used.~~

2.21.12.21.6 DENTAL AMALGAM REQUIREMENTS

Effective July 14, 2020, all dental offices must install amalgam separators to achieve at least a 95%percent removal efficiency in accordance with 40 CFR Part 441.

2.21.7 MEDICAL WASTES

No User shall discharge medical wastes to the POTW except as specifically authorized by the District in a wastewater discharge permit.

- ~~• Any infectious waste which cannot be effectively disinfected by chlorination.~~
- ~~• Any unused, unwanted, or expired pharmaceuticals (both over the counter and prescription-only medications) except in accordance with federal and state regulations.~~
- ~~• Any hypodermic needles, syringes, or associated articles.~~

2.21.8 HAZARDOUS WASTES

The discharge of any hazardous substance is prohibited. Any user that generates, treats, stores, transports, or disposes of hazardous waste must notify the appropriate Federal, State, and local oversight authorities and shall comply with all applicable hazardous waste management requirements.

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 one hundred (100) kilograms of such waste per calendar month to the POTW, 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 twelve (12) months.

All notifications must take place no later than one hundred and eighty (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 Ordinance § 2.22.3.9. The notification requirement in this Ordinance does not apply to pollutants already reported by Users subject to categorical Pretreatment Standards under the self-monitoring requirements of this Ordinance.

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 District, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.

This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this Ordinance or any applicable Federal or State law.

2.21.9 RADIOACTIVE WASTES

Any wastes containing radioactive substances:

No user shall discharge, or cause to be discharged, any radioactive waste into a public sewer unless:

- Discharged in strict conformity with applicable regulations, standards, and limitations;
- Authorized to use radioactive materials by the State Department of Health and/or other Governmental agencies empowered to regulate the use of radioactive materials; and
- Authorized by the District in writing.

2.22 COMMERCIAL, INSTITUTIONAL, AND INDUSTRIAL WASTES

2.22.1 SERVICE SUBJECT TO SPECIAL CONDITIONS

Every commercial, institutional, or industrial applicant for service will be required to furnish the utility with an estimate of the quantity and characteristics of the wastes proposed to be discharged into the wastewater system. If, in the District's judgment, the waste discharge will have a harmful effect upon the wastewater works, processes, plant, equipment, or ~~which~~ otherwise creates a hazard to life or constitutes a public nuisance, the District ~~may~~has the authority to:

- Reject the ~~wastes~~waste.
- Require pretreatment to an acceptable condition for discharge into the wastewater system.
- Require control over quantities and rates of discharge.
- Require the construction of control manholes for the purpose of monitoring, measuring, and testing the quantity and characteristics of waste to be discharged.
- Require, as a condition of service, periodic reports on flows and characteristics of discharged wastes to ensure compliance with the rules of the District and conditions of service.

2.22.2 INDIVIDUAL WASTEWATER DISCHARGE PERMITS

No Significant Industrial User shall discharge wastewater into the POTW without first obtaining an individual wastewater discharge permit from the District. The District may require other Users to obtain individual wastewater discharge permits as necessary to carry out the purposes of this Ordinance.

An individual wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the District 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.

Any violation of the terms and conditions of an individual wastewater discharge permit shall be deemed a violation of this Ordinance and subject the wastewater discharge permittee to the sanctions set forth in Ordinance § 2.23 and Ordinance § 2.24. Obtaining an individual 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.

The District shall not utilize general permits for the regulation of wastewater discharges.

All Significant Industrial Users and any other Users designated by the District shall be required to obtain an individual wastewater discharge permit.

Each permit shall be developed based on the specific characteristics of the User's discharge, including flow, pollutant concentrations, and potential for pass-through or interference, and shall include user-specific effluent limits, monitoring requirements, and compliance conditions.

2.22.2.1 DECISIONS

The District will evaluate the data furnished by the User and may require additional information. Within thirty (30) days of receipt of a complete permit application, the District will determine whether to issue an individual wastewater discharge permit. The District may deny any application for an individual wastewater discharge permit.

2.22.2.2 DURATION

An individual wastewater discharge permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. An individual wastewater discharge permit may be issued for a period less than five (5) years, at the discretion of the District. Each individual wastewater discharge permit will indicate a specific date upon which it will expire.

Users wishing to continue discharging after the permit's expiration shall apply for permit renewal at least 180 days before the existing permit's expiration date. A permit shall remain in effect after its expiration date, provided a complete and timely renewal application has been submitted, and the District has not yet acted on the renewal.

All approved monitoring waivers shall be reevaluated upon permit renewal.

2.22.2.3 CONTENTS

Individual wastewater discharge permits must contain:

- A statement that indicates the wastewater discharge permit issuance date, expiration date, and effective date;
- A statement that the wastewater discharge permit is nontransferable;
- Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards;
- Self-monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include identification of pollutants (or best management practices) to be monitored, sampling locations, sampling frequencies, and sample types, based on Federal, State, and local law.
- A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements, and any applicable compliance schedule. Such a schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law.
- Requirements to control Slug Discharge, if determined by the District to be necessary.

- Identification of any approved monitoring waiver, associated certification requirements, and conditions under which the waiver may be modified or revoked.

2.22.3 PRETREATMENT

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

Upon the promulgation of National Pretreatment Standards, including categorical pretreatment standards, the NPS, if more stringent than the limitations imposed under this Ordinance, shall immediately supersede the limitations imposed under the provisions of this Ordinance. The District shall notify all affected users of the promulgation of applicable pretreatment standards, and of the applicable reporting requirements of 40 CFR Part 403.12.

Users shall provide wastewater treatment as necessary to comply with this Ordinance and shall achieve compliance with all categorical pretreatment standards, local limits, and the prohibitions set out in Ordinance § 2.21 within the time limitations specified by EPA, the State, or the District, 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 District for review and shall be acceptable to the District before such facilities are constructed.

The review of such plans and operating procedures shall in no way relieve the user of responsibility for modifying such facilities as necessary to produce a discharge acceptable to the District under the provisions of this Ordinance.

2.22.3.1 MONITORING

The District may require any user to provide, operate, and maintain at the user's expense flow monitoring, process monitoring, and/or sampling facilities. Upon notification from the District, the user shall provide, operate, and maintain such facilities in accordance with pretreatment requirements specified by the District.

Any sample taken from a sampling facility installed in accordance with this Ordinance is presumed to be discharging to the District's sewer system.

Monitoring or metering facilities may be required to have a security closure that can be locked with a District-provided hasp lock during sampling and monitoring.

2.22.3.2 REPORTING

Users who become subject to new or revised categorical Pretreatment Standards are required to comply with the following reporting requirements.

2.22.3.3 MONITORING WAIVERS FOR POLLUTANTS NOT PRESENT

The District may authorize an Industrial User subject to reporting requirements under this Ordinance to forego sampling of a pollutant regulated by an applicable categorical Pretreatment Standard where the User demonstrates through sampling and other technical factors that the pollutant is neither present nor expected to be present in the Discharge or is present only at background levels from intake water and without any increase in the pollutant due to activities of the Industrial User.

This authorization is subject to the following conditions:

- The waiver may be authorized where a pollutant is determined to be present solely due to sanitary wastewater discharged from the facility provided that the sanitary wastewater is not regulated by an applicable categorical Standard and otherwise includes no process wastewater.
- A monitoring waiver is valid only for the duration of the permit term, not to exceed five (5) years. A new waiver request must be submitted and reevaluated during each permit renewal, modification, or reissuance. Approval of a waiver for one permit term does not guarantee approval for subsequent permit terms. See Ordinance § 2.22.2.
- In making a demonstration that a pollutant is not present, the Industrial User must provide data from at least one sampling of the facility's process wastewater prior to any treatment present at the facility that is representative of all wastewater from all processes.
- The request for a monitoring waiver must be signed in accordance with Ordinance § 2.20.1.1 and include the certification statement in Ordinance § 2.22.3.4.
- Non-detectable sample results may be used only as a demonstration that a pollutant is not present if the EPA-approved method from 40 CFR Part 136 with the lowest minimum detection level for that pollutant was used in the analysis.
- Any grant of the monitoring waiver by the District must be included as a condition in the Individual Wastewater Discharge Permit and shall be specifically identified in the permit. The reasons supporting the waiver and any information submitted by the User in its request for the waiver must be maintained by the District for three (3) years after expiration of the waiver.
- In the event that a waived pollutant is found to be present or is expected to be present because of changes that occur in the User's operations, the User must immediately notify the District in writing. Upon such notification, the monitoring waiver shall automatically terminate, and monitoring shall resume in accordance with permit requirements in Ordinance § 2.22.3.8 until the District determines otherwise.
- This provision does not supersede certification processes and requirements established in categorical Pretreatment Standards, except as otherwise specified in the categorical Pretreatment Standard.

- The District may require additional information or sampling before approving a monitoring waiver.
- The District may modify or revoke a monitoring waiver at any time based upon new information, inspection findings, monitoring results, process changes, changes in raw materials, changes in applicable regulations, or any other information indicating the pollutant may be present.
- Any User receiving a monitoring waiver shall certify in each periodic compliance report that the waived pollutant continues to be neither present nor expected to be present in the discharge. The certification shall state:

"Based on my inquiry of the person or persons directly responsible for managing compliance with the pretreatment program, I certify that there has been no increase in the pollutant in the waste stream due to activities at the facility and that the pollutant remains neither present nor expected to be present in the discharge."

2.22.3.4 SIGNATORIES AND CERTIFICATIONS

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 below:

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

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 Ordinance must be submitted to the District prior to or together with any reports to be signed by an Authorized Representative.

2.22.3.5 BASELINE REPORTING

Within either one hundred eighty (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, existing Categorical Industrial Users currently discharging to or scheduled to discharge to the POTW shall submit to the District a report which contains the information listed below.

At least ninety (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 District a report which contains the information listed below. A New Source shall report the method of pretreatment it intends to use to meet applicable categorical Standards. A New Source shall also give estimates of its anticipated flow and quantity of pollutants to be discharged.

- Identifying User Information.
 - The name and address of the facility, including the name of the operator and owner.
 - Contact information, description of activities, facilities, and plant production processes on the premises.
- Environmental Permits. A list of any environmental control permits held by or for the facility.
- Description of Operations.
 - 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.
 - 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;
 - Number and type of employees, hours of operation, and proposed or actual hours of operation;
 - Type and amount of raw materials processed (average and maximum per day);
 - 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.
- 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 Section 2.2C (40 CFR 403.6(e)).
- Measurement of Pollutants.
 - The User shall provide the following information:

- The categorical Pretreatment Standards applicable to each regulated process and any new categorically regulated processes for Existing Sources.
 - The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the Standard or by [the Superintendent], of regulated pollutants in the discharge from each regulated process.
 - Instantaneous, Daily Maximum, and long-term average concentrations, or mass, where required, shall be reported.
 - The sample shall be representative of daily operations and shall be analyzed in accordance with District requirements. Where the Standard requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the District or the applicable Standards to determine compliance with the Standard.
- The User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph.
- 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;
- The District may allow the submission of a baseline report which utilizes only historical data so long as the data provides sufficient information to determine the need for industrial pretreatment measures;
- 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.
- Compliance Certification. The certification statement, reviewed by the User's Authorized Representative 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.
- Compliance Schedule. If additional pretreatment and/or O&M are 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 must meet the requirements set out in Ordinance § 2.22.3.6.

- Signature and Report Certification. All baseline monitoring reports must be certified with the statement detailed in Ordinance § 2.22.3.4 and signed by an Authorized Representative.

2.22.3.6 COMPLIANCE SCHEDULE PROGRESS REPORTS

The following conditions shall apply to the compliance schedule required in Ordinance § 2.22.3.5.

- 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);
- No increment referred to above shall exceed nine (9) months;
- The User shall submit a progress report to the District no later than fourteen (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
- In no event shall more than nine (9) months elapse between such progress reports to the District.

2.22.3.7 REPORTS ON COMPLIANCE WITH CATEGORICAL PRETREATMENT STANDARD DEADLINE

Within ninety (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 District a report containing the information described in Ordinance § 2.22.2.3 and Ordinance § 2.22.3.5. For Users subject to equivalent mass or concentration limits established in accordance with the procedures in Ordinance § 2.22.3, this report shall contain a reasonable measure of the User's long-term production rate. For all other 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 Ordinance § 2.22.3.4. All sampling will be done in conformance with Ordinance § 2.22.4.1.

2.22.3.8 PERIODIC COMPLIANCE REPORTS

All Significant Industrial Users shall submit periodic compliance reports, at least twice per year at intervals specified in the wastewater discharge permit and no less frequently than required by applicable pretreatment regulations, 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 a Best Management Practice (BMP) or pollution prevention alternative, the User must submit documentation required by the District or the Pretreatment Standard necessary to determine the compliance status of the User. All periodic compliance reports must be signed and certified in accordance with Ordinance § 2.22.3.4.

If a User subject to the reporting requirement in this Ordinance monitors any regulated pollutant at the appropriate sampling location more frequently than required by the District, using the procedures prescribed in Ordinance § 2.22.4.1. The results of this monitoring shall be included in the report.

Any User operating under an approved monitoring waiver shall include the certification required by Ordinance § 2.22.3.3 in each periodic compliance report.

2.22.3.9 REPORTS OF CHANGED CONDITIONS

Each User must notify the District of any significant changes to the User's operations or system, which might alter the nature, quality, or volume of its wastewater at least ten (10) days before the change. The District may require the User to submit such information as it deems necessary to evaluate the changed condition.

2.22.3.10 REPORTS OF POTENTIAL PROBLEMS

In the case of any upset or discharge, including, but not limited to, accidental discharges, discharges of a nonroutine or episodic nature, a noncustomary batch discharge, a Slug Discharge, or Slug Load, that might cause potential problems for the POTW, the User shall immediately, and no later than 24 hours after the occurrence, telephone and notify the District of the incident. This notification shall include the location of the discharge, the type of waste, the concentration and volume, if known, and the corrective actions taken by the User.

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 above. Employers shall ensure that all employees who could cause such a discharge to occur are advised of the emergency notification procedure.

Significant Industrial Users are required to notify the District immediately of any changes at their facility affecting the potential for a Slug Discharge.

Written notice. Within five (5) days following such upset or discharge, the user shall, unless waived by the District, submit a detailed written report describing the characteristics of the wastewater discharged; the cause(s) of the upset or discharge; the

period of noncompliance, including exact dates and times; 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 ordinance.

2.22.3.11 BYPASS

User may allow any bypass to occur which does not cause Pretreatment Standards or Requirements to be violated, but only if it also is essential for maintenance to ensure efficient operation.

Bypass Notifications

- If a User knows in advance of the need for a bypass, it shall submit prior notice to the District, at least ten (10) days before the date of the bypass, if possible.
- A User shall submit oral notice to the District of an unanticipated bypass that exceeds applicable Pretreatment Standards within twenty-four (24) hours from the time it becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The District may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.

Bypass

- Bypass is prohibited, and the District may take an enforcement action against a User for a bypass, unless
 - Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - The User submitted notices as required in this section.
- The District may approve an anticipated bypass, after considering its adverse effects, if the District determines that it will meet the three conditions listed in this Section.

2.22.4 SAMPLING AND ANALYSIS

2.22.4.1 SAMPLE COLLECTION

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.

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.

Except as indicated 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 District. Where time-proportional composite sampling or grab sampling is authorized by the District, 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 District, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.

Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.

For sampling required in support of baseline monitoring and 90-day compliance reports required in Ordinance § 2.22.3.5 and Ordinance § 2.22.3.7 [40 CFR 403.12(b) and (d)], 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 District may authorize a lower minimum. For the reports required by Ordinance § 2.22.3.8 (40 CFR 403.12(e) and 403.12(h)), The Industrial User is required to collect the number of grab samples necessary to assess and assure compliance with applicable Pretreatment Standards and Requirements.

2.22.4.2 ANALYTICAL REQUIREMENTS

All pollutant analyses, including sampling techniques, to be submitted as part of a 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 that the Part 136 sampling and

analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the District or other parties approved by EPA.

2.22.5 VIOLATIONS AND REPEAT SAMPLING

If sampling performed by a User indicates a violation, the User must notify the District within twenty-four (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 District within thirty (30) days after becoming aware of the violation. Resampling by the Industrial User is not required if the District performs sampling at the User's facility at least once a month, or if the District performs sampling at the User between the time when the initial sampling was conducted and the time when the User or the District receives the results of this sampling, or if the District has performed the sampling and analysis in lieu of the Industrial User.

2.22.6 RECORDKEEPING

Users subject to the reporting requirements of this Ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this Ordinance, 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 Ordinance § 2.21.4.

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 (3) years. This period shall be automatically extended for the duration of any litigation concerning the User or the District, or where the User has been specifically notified of a longer retention period by the District.

2.22.22.7 FATS, OILS, AND GREASE (FOG) CONTROL PROGRAM

The District shall administer a FOG Control Program to prevent the introduction of fats, oils, and grease into the wastewater system in quantities that may cause or contribute to blockages, sanitary sewer overflows, interference, pass through, or adverse impacts to the POTW.

The District may establish and enforce Best Management Practices (BMPs), FOG Management Plans, maintenance requirements, inspection requirements, and reporting requirements necessary to implement this program.

All Food Service Establishments (FSEs) shall comply with the requirements of this Section and any administrative procedures adopted by the District.

2.22.2.12.22.7.1 PROGRAM ADMINISTRATION

In accordance with California Government Code § 61000(b) and California Health and Safety Code §§ 6400 et seq., the District has the legal authority to prohibit discharges to the system; identify measures to prevent sewer system overflows and blockages caused by fats, oils, and grease; enforce fees for monitoring and inspecting wastewater discharges; and require reimbursement for any costs incurred in the administration of this program.

2.22.2.2 The District may inspect any Food Service Establishment, grease interceptor, grease trap, or related facilities at reasonable times to determine compliance with this Ordinance and any applicable FOG program requirements.

2.22.2.3 2.22.7.2 FEES AND CHARGES

All non-routine services provided by the District in connection with the enforcement of this FOG control program will be charged to the customer who caused the blockage, if determined, at the hourly rate of the person performing the service and equipment required, plus the current overhead rate or the actual cost of work performed by a private contractor. Fines and penalties may also be ~~enforced in response to~~imposed for non-compliance with this Ordinance.

2.22.2.4 2.22.7.3 FOOD SERVICE ESTABLISHMENTS (FSE)

No food service establishments may discharge or cause to be discharged into the sewer system fats, oils, or grease (FOG) that may accumulate or cause or contribute to blockages in the sewer system or at the sewer system lateral that connects the FSE to the sewer system.

All food service establishments are required to install, operate, and maintain an approved grease interceptor. All devices shall be sized, installed, configured, and connected ~~according to~~in accordance with the most recent Uniform Plumbing Code and approved by District personnel.

All grease removal devices ~~are required to operate according to the manufacturer's recommendations for optimum~~must operate in accordance with the manufacturer's recommendations to ensure optimal grease removal. Tampering with the operation of the grease removal device may result in the discontinuance of water service.

All grease removal devices are required to be cleaned and maintained, including the pumping of hydro-mechanical and gravity grease interceptors, according to the 25 Percent Rule, or, at a minimum, once every three months, whichever is more frequent~~manufacturer's recommendations for optimum grease removal~~. Cleaning and maintenance records are to be kept on-site for a minimum of three calendar years and made available upon request of District personnel.

2.22.7.4 FOG BEST MANAGEMENT PRACTICES

The District may require any Food Service Establishment to implement Best Management Practices (BMPs) designed to minimize the discharge of fats, oils, and grease to the sewer system.

Required BMPs may include, but are not limited to:

- Employee training programs;
- Dry wiping of cookware, utensils, and food preparation areas prior to washing;
- Proper grease and cooking oil recycling practices;
- Control of grease spills and leaks;
- Prohibition of grease discharge through sinks, floor drains, and other plumbing fixtures;
- Proper disposal of food waste;
- Maintenance procedures for grease removal devices; and
- Any other BMPs deemed necessary by the District to protect the wastewater system.

Failure to implement required BMPs shall constitute a violation of this Ordinance.

2.22.7.5 FOG MANAGEMENT PLAN

The District may require any Food Service Establishment to prepare and implement a written FOG Management Plan.

The plan may include:

- Description of facility operations;
- Identification of grease-generating activities;
- Location and design of grease removal devices;
- Cleaning and maintenance schedules;
- Employee training procedures;
- Spill response procedures;
- Waste cooking oil handling procedures; and
- Recordkeeping requirements.

The FOG Management Plan shall be maintained on-site and made available to the District upon request.

2.22.7.6 SPILL REPORTING REQUIREMENTS

Any spill, leak, discharge, or release of fats, oils, grease, cooking oil, food waste, or grease interceptor contents that may enter the wastewater collection system, storm drain system, or environment shall be immediately reported to the District.

Notification shall include:

- Location of the incident;
- Estimated quantity released;
- Cause of the release;
- Corrective actions taken; and
- Measures implemented to prevent recurrence.

The User shall take all reasonable measures necessary to contain, clean up, and mitigate the effects of the spill.

Failure to provide timely notification shall constitute a violation of this Ordinance.

2.22.7.7 CORRECTIVE MEASURES

Where the District determines that a Food Service Establishment is contributing fats, oils, and grease to the wastewater system or is otherwise violating this Ordinance, the District may require corrective actions including:

- Increased interceptor cleaning frequency;
- Installation of additional grease control devices;
- Modification of existing grease control devices;
- Additional BMP implementation;
- Employee retraining;
- Development or revision of a FOG Management Plan;
- Additional monitoring or reporting requirements; and
- Any other reasonable action necessary to protect the wastewater system.

Failure to complete required corrective actions shall constitute a violation of this Ordinance.

2.22.7.8 RECORDS

Food Service Establishments shall maintain records of:

- Grease interceptor and trap cleaning;
- Disposal manifests and hauling records;
- BMP inspections;
- Employee training;
- Maintenance and repair activities; and
- FOG Management Plan updates.

2.22.2.5 Records shall be retained for a minimum of three (3) years and made available to the District upon request.~~PRELIMINARY TREATMENT OF WASTES~~

~~Where pretreatment, monitoring, measuring, and testing facilities are required they shall be maintained continuously and operated in a satisfactory and effective manner at the applicant's expense.~~

~~Except where expressly authorized to do so by an applicable pretreatment standard, process water is not to be used to dilute a discharge as a partial or complete substitute for adequate pretreatment to achieve compliance with pretreatment standards or requirements.~~

2.22.8 SURCHARGE PROGRAM

Users discharging wastewater with concentrations of BOD or TSS greater than 300 mg/L may be subject to a surcharge.

Any surcharge, fee, or cost imposed on the District by the City of Lompoc for the treatment of high-strength wastewater shall be passed through directly to the User responsible for the discharge.

The amount of the surcharge shall reflect the actual costs incurred by the District, including but not limited to charges from the City of Lompoc for treatment, as well as any associated administrative, monitoring, or handling costs.

The District may require pretreatment in lieu of surcharge at its discretion.

Authorization to discharge high-strength wastewater subject to surcharge may be revoked at any time if necessary to ensure compliance with applicable regulations or contractual obligations with the City of Lompoc.

2.22.9 SPECIAL AGREEMENTS

The District may enter into special agreements with Users for the acceptance of wastewater of unusual strength or character, provided that:

- Such discharge does not cause pass-through or interference;

- The User reimburses the District for any additional costs incurred;
- All applicable State and Federal requirements are met.

2.22.10 INTERAGENCY REQUIREMENTS

The District shall implement its pretreatment and wastewater control programs in a manner consistent with the Wastewater Service Agreement with the City of Lompoc and applicable State and Federal regulations.

The District shall:

- Maintain an inventory of Industrial Users and provide reports, at a minimum, quarterly, including inspection, sampling, compliance, and enforcement data for industrial users as required by the Wastewater Service Agreement.
- Implement pretreatment, FOG, and related wastewater control programs that are consistent with applicable requirements of the Wastewater Service Agreement and applicable law.
- Cooperate with the City of Lompoc and respond to reasonable requests for information, data, and documentation necessary to verify compliance with applicable regulations and the Wastewater Service Agreement.
- Allow inspections, inquiries, and access to records and facilities by the City of Lompoc only to the extent provided under the Wastewater Service Agreement, including mutual inspection rights related to operations and maintenance of the respective wastewater systems.
- Retain sole responsibility for inspection, monitoring, and enforcement of Industrial Users within the District's jurisdiction unless otherwise provided by written agreement.

Nothing in this Section shall be construed to grant the City of Lompoc authority to directly regulate, inspect, or enforce against Industrial Users within the District's jurisdiction except as expressly provided in the Wastewater Service Agreement or other duly executed agreement between the parties.

2.23 ADMINISTRATIVE ENFORCEMENT REMEDIES

2.23.1 AUTHORITY

The District shall make and enforce the regulations necessary to ensure the public health, safety, and welfare. The District shall also ensure the economical and efficient management and protection of the District's sanitary sewer system, and the regulation, collection, rebating, and refunding of charges, fees, levies, and assessments, as deemed appropriate by the Board of Directors.

In the event of a violation of any of the laws of the State of California, Santa Barbara County, or the Ordinance of the District or rules and regulations so established referring to the

discharge of wastewater, the District has the authority under the Clean Water Act (33 United States Code [U.S.C.] section 1251 et seq.), the General Pretreatment Regulations (Title 40 of the Code of Federal Regulations [CFR] Part 403) and California Government Code § 61000 et seq. to disconnect the user from the wastewater system, require pretreatment, require monitoring and reporting, and enforce fines and penalties.

2.23.2 ENFORCEMENT RESPONSE PLAN (ERP)

The District shall implement and maintain an Enforcement Response Plan ("ERP") in accordance with 40 CFR 403.8(f)(5). The ERP shall establish procedures for the consistent and timely enforcement of applicable pretreatment standards, wastewater discharge permits, and the requirements of this Ordinance.

The ERP shall include, at a minimum:

- Identification and classification of violations;
- Minimum enforcement responses for each category of violation;
- Escalating enforcement actions for continuing or repeat violations;
- Timeframes for initiation and completion of enforcement actions;
- Procedures for documenting violations and enforcement activities;
- Procedures for determining and addressing Significant Noncompliance;
- Procedures for emergency response and suspension of service when necessary to protect public health, safety, the environment, or the POTW; and
- Procedures for tracking compliance and returning Users to compliance in a timely manner.

The ERP shall be maintained as an administrative document and may be revised periodically without amendment of this Ordinance, provided that such revisions remain consistent with applicable State and Federal requirements.

Nothing in this Section shall limit the District's authority to take immediate or more stringent enforcement action when necessary to address actual or threatened violations, protect the POTW, prevent pass-through or interference, or protect public health, safety, or the environment.

2.23.3 PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE

The District shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the POTW, a list of the Users that, at any time during the previous twelve (12) months, were in Significant Noncompliance with applicable Pretreatment Standards and Requirements.

The term Significant Noncompliance shall be applicable to all Significant Industrial Users (or any other Industrial User that violates bullet 3, 4, or 8 of this Section) and shall mean:

- Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six- (6-) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined in Ordinance § 2.21.4;
- Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six- (6-) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by Ordinance § 2.21.4 multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
- Any other violation of a Pretreatment Standard or Requirement as defined by Ordinance § 2.21.4 (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the District determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;
- Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the District's exercise of its emergency authority to halt or prevent such a discharge;
- Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an enforcement order for starting construction, completing construction, or attaining final compliance;
- Failure to provide, within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- Failure to accurately report noncompliance; or
- Any other violation(s), which may include a violation of Best Management Practices, that the District determines will adversely affect the operation or implementation of the local pretreatment program.

2.23.4 NOTIFICATION OF VIOLATION

When the District finds that a User has violated, or continues to violate, any provision of this Ordinance, an individual wastewater discharge permit, or any other Pretreatment Standard or Requirement, the District may serve upon that User a written Notice of Violation. Within fifteen (15) days of 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 District. 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 Ordinance shall limit the authority of the District to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

2.23.5 SHOW CAUSE HEARING

The District may order a User who has violated, or continues to violate, any provision of this Ordinance, an individual wastewater discharge permit, or any other Pretreatment Standard or Requirement, to appear before the District 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 that 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 five (5) days prior to the hearing. Such notice may be served on any Authorized Representative of the User and required by Ordinance § 2.22.3.4. A show-cause hearing shall not be a bar to, or a prerequisite for, taking any other action against the User.

Decisions of the District following a show cause hearing may be appealed to the Board of Directors in accordance with procedures established by the District.

2.23.6 COMPLIANCE ORDERS

When the District finds that a User has violated, or continues to violate, any provision of this Ordinance, an individual wastewater discharge permit, or any other Pretreatment Standard or Requirement, the District may issue an order to the User responsible for the discharge directing that the User come into compliance within a specified time. If the User does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders may also contain other requirements to address 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 compliance deadline 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.

2.23.7 EMERGENCY SUSPENSIONS

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

- 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 District 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 District may allow the User to recommence its discharge when the User has demonstrated to the satisfaction of the District that the period of endangerment has passed, unless the termination proceedings in Ordinance § 2.23.8 are initiated against the User.
- A User that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the District prior to the date of any show cause or termination hearing under Ordinance § 2.23.5 or Ordinance § 2.23.8.
- Nothing in this Ordinance shall be interpreted as requiring a hearing prior to any Emergency Suspension under this Ordinance.

2.23.8 TERMINATION OF DISCHARGE

Any User who violates the following conditions is subject to discharge termination:

- Violation of any provision of this Ordinance, an individual wastewater discharge permit, or any other Pretreatment Standard or Requirement;
- Failure to accurately report the wastewater constituents and characteristics of its discharge;
- Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;
- Refusal of reasonable access to the User's premises for the purpose of inspection, monitoring, or sampling; or
- Violation of the Pretreatment Standards in Ordinance § 2.22.3.

Such a User will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Ordinance § 2.23.5 why the proposed action should not be taken. Exercise of this option by the District shall not be a bar to, or a prerequisite for, taking any other action against the User.

2.23.9 ADMINISTRATIVE PENALTIES

The District may assess administrative fines for violations of this Ordinance.

The amount of such fines shall be based on:

- Severity of violation

- Duration
- Economic benefit gained
- Compliance history

Administrative penalties may be imposed in addition to other enforcement actions.

2.23.10 APPEALS

Any User affected by a decision or enforcement action of the District may appeal such a decision in accordance with procedures established by the District.

The filing of an appeal shall not stay enforcement unless expressly authorized.

2.24 JUDICIAL ENFORCEMENT REMEDIES

The District may seek injunctive relief, civil penalties, and any other remedies available at law or equity.

The District may also declare violations of this Ordinance to be a public nuisance.

2.24.1.1 INJUNCTIVE RELIEF

When the District finds that a User has violated, or continues to violate, any provision of this Ordinance, an individual wastewater discharge permit, or any other Pretreatment Standard or Requirement, the District may petition the Santa Barbara County Court through the District's Legal Counsel for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the requirement imposed by this Ordinance on activities of the User. The District may also seek such other action as is appropriate for legal and/or equitable relief, including requiring 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.

2.24.1.2 CIVIL PENALTIES

Any User who violates any provision of this Ordinance, a wastewater discharge permit, or any applicable Pretreatment Standard shall be subject to:

- Administrative penalties established by resolution of the Board;
- Civil penalties of not less than \$1,000 per violation per day, and up to the maximum allowed by law;
- Recovery of all costs incurred by the District, including sampling, monitoring, administrative, legal, and remediation costs, including the cost of any actual damages incurred.

Each day of violation shall constitute a separate and distinct offense.

In determining the amount of civil liability, the Court shall consider all relevant circumstances, including:

- The extent of harm caused by the violation;
- The magnitude and duration of the violation;
- Any economic benefit gained by the User;
- Corrective actions taken by the User;
- The compliance history of the User;
- Any other factors as justice may require.

The remedies provided herein are cumulative and not exclusive, and the District may pursue any and all available remedies at law or in equity.

2.24.1.3 CRIMINAL PROSECUTION

Violations shall be subject to fines of up to \$1,000.00 and imprisonment not exceeding six months pursuant to Penal Code § 19 as referenced in Government Code § 61064(a). Additional fines and penalties may be imposed pursuant to 33 U.S.C. § 1319, which specifies criminal penalties for violations of the Act.

2.24.1.4 REMEDIES NONEXCLUSIVE

The remedies provided for in this Ordinance are not exclusive. The District may take any, all, or any combination of these actions against a noncompliant User. Enforcement of pretreatment violations will generally be in accordance with the District's enforcement response plan. However, the District may take other action against any User when the circumstances warrant. Further, the District is empowered to take more than one enforcement action against any noncompliant User.

2.25 CONFIDENTIAL INFORMATION

Information and data on a User obtained from reports, surveys, and monitoring programs, and from the District'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 District, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable California Government Code § 7920 et seq. 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 that such information should be held confidential, 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.

VANDENBERG VILLAGE COMMUNITY SERVICES DISTRICT



WASTEWATER USER ORDINANCE

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2.20 WASTEWATER SERVICE CONNECTIONS, METERS, AND CUSTOMERS' FACILITIES

2.20.1 GENERAL

This Ordinance sets forth uniform requirements for Vandenberg Village Users of the Lompoc Regional Wastewater Reclamation Plant and enables the District to comply with the requirements set forth in the contract between the City of Lompoc and Vandenberg Village Community Services District, all applicable State and Federal laws, including the Clean Water Act (33 United States Code [U.S.C.] section 1251 et seq.), and the General Pretreatment Regulations (Title 40 of the Code of Federal Regulations [CFR] Part 403). The objectives of this ordinance are:

- To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will interfere with its operation;
- To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will pass through the Publicly Owned Treatment Works, inadequately treated, into receiving waters, or otherwise be incompatible with the Publicly Owned Treatment Works;
- To protect both Publicly Owned Treatment Works personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
- To promote reuse and recycling of industrial wastewater and sludge from the Publicly Owned Treatment Works;
- To support compliance with the City of Lompoc's National Pollutant Discharge Elimination System permit conditions consistent with the Wastewater Service Agreement.

This Ordinance shall apply to all Users of the Publicly Owned Treatment Works within the jurisdiction of Vandenberg Village Community Services District. The ordinance authorizes the issuance of individual wastewater discharge permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; and requires User reporting.

The District shall adopt an Enforcement Response Plan ("ERP") within 180 days of the effective date of this Ordinance. The ERP shall be consistent with the requirements of 40 CFR Part 403 and the City's approved Pretreatment Program and shall establish procedures for identifying violations, determining appropriate enforcement responses, ensuring timely and consistent enforcement, and achieving compliance with applicable pretreatment standards and requirements.

The ERP shall be maintained as an administrative document adopted by resolution of the Board of Directors and may be amended from time to time as necessary to maintain compliance with applicable State and Federal requirements.

2.20.1.1 DEFINITIONS

25 Percent Rule – a benchmark for FOG interceptor servicing when the combined fats, oils, and grease and solids accumulation in the interceptor equals 25 percent of its design hydraulic depth.

Act or the Act – the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. § 1251 et seq.

Applicable regulations, standards and limitations – all local, State, and Federal regulations, standards, and limitations to which a discharge or related activity is subject under the Act, effluent limitations, water quality standards, standards of performance, toxic effluent standards or prohibitions, best management practices, and pretreatment standards under Sections 301, 304, 306-308, 403, and 405 of the Act.

Authorized or Duly Authorized Representative of the User – the person who signed for service; 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; the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions; the director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility; or their duly authorized representative.

Best management practices (BMPs) – schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement general and specific discharge prohibitions. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

Biochemical Oxygen Demand or BOD – the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20 degrees centigrade, usually expressed as a concentration (e.g., mg/l).

Brine – a heavily concentrated solution containing sodium, potassium, or chloride.

Bypass – the intentional diversion of waste streams from any portion of a User's treatment facility.

Categorical pretreatment 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.

City – City of Lompoc

Control Authority – Vandenberg Village Community Services District serves as the Control Authority within its jurisdiction, consistent with 40 CFR Part 403, while coordinating with the City of Lompoc, the POTW owner.

District – Vandenberg Village Community Services District

EPA – the U.S. Environmental Protection Agency, or, where appropriate, the term may also be used as a designation for the Administrator or other duly authorized official of the EPA.

Extra strength concentration – any wastewater discharges containing concentrations of TSS or BOD greater than 300 mg/L.

Fats, oils, and grease (FOG) – any non-polar or polar fats, oils, and grease substance, such as a vegetable or animal product that is used in, or is a byproduct of, the cooking or food preparation process, that turns or may turn viscous or solidifies with a change in temperature or other conditions or has the potential to cause interference with or obstruction to the publicly owned treatment works.

FOG control device – any FOG interceptor, FOG 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 FOG prior to it being discharged into the sewer system. A FOG control device may also include any other proven mechanism to reduce FOG subject to the approval of VVCSD.

FOG control program – the FOG Control Program adopted by VVCSD, setting forth, among other things, the Best Management Practices for FSEs and establishing appropriate standards and specifications for FOG control devices.

FOG 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 an FSE and the connection to the sewer system. These devices primarily use gravity to separate FOG from the wastewater as it moves from one compartment to the next.

FOG trap – a FOG control device that is used to serve individual fixtures and have limited effect and is only used in situations where the use of a FOG interceptor or other FOG control device is determined to be impossible or impractical.

Food service establishment (FSE) – a food facility as defined in the California Uniform Retail Food Facility Law (CURFFL), Health & Safety Code (HSC) § 113789, which includes any operation where food is consumed on or off the premises, public and private school cafeterias, restricted food service facilities, licensed health care facilities, commissaries, mobile food facilities, mobile support units, temporary food facilities, vending machines, certified farmers' markets, and farm stands. Note that food facilities as defined under HSC § 113789 exclude private homes and specific food service events or premises. In addition, the definition of FSE includes any commercial or public entity within the boundaries of the District's jurisdiction, 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.

Hazardous Substance – any substance capable of creating imminent endangerment to health or the environment including, but not limited to, those substances defined under Section 309 (c) of the Act (33 USC 1251 et seq.) as follows:

- Any substance designated under 40 CFR Part 116 pursuant to Section 311 (b)(2)(A) of the Act;
- Any element, compound, mixture, solution, or substance designated pursuant to Section 102 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 USC 9601 et seq.);
- Any hazardous waste having the characteristics identified under or listed pursuant to Section 3001 of 41 U.S.C. 3251 et seq. but not including any waste the regulation of which under the SWDA has been suspended by the Act;
- Any toxic pollutant listed under Section 307(a) of the Act;
- Any imminently hazardous chemical substance or mixture with respect to which the EPA has taken action pursuant to Section 7 of the TSCA (15 USC 2601 et seq.); and

Any waste determined to be hazardous or extremely hazardous in accordance with Title 22 of the CCR, as amended.

Indirect Discharge or Discharge – the introduction of pollutants into the POTW from any nondomestic source.

Instantaneous Maximum – 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.

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: 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.

Local limit – specific discharge limits developed and enforced by the District upon industrial or commercial facilities to implement general and specific discharge prohibitions.

Maximum daily limit – the maximum allowable discharge limit of a pollutant during a calendar day. Where maximum daily limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where maximum daily limits are expressed in terms of concentration, the daily discharge is the arithmetic average

measurement of the pollutant concentration derived from all measurements taken that day.

Medical facility – any hospital, clinic, medical laboratory, office of a doctor or dentist, convalescent home, or related medical or therapeutic facility.

Medical waste – isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, X-ray processing wastes, and radioactive waste.

Milligram per liter (mg/L) – a unit of the concentration of a water or wastewater pollutant. It is 0.001 grams of the pollutant in one liter of water, generally considered equivalent to ppm.

National Pollutant Discharge Elimination System Permit (NPDES Permit) – a permit issued to a POTW pursuant to Section 402 of the Act (33 USC 1342).

National Pretreatment Standard (NPS) or pretreatment standard – any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act (33 USC 14347), which applies to industrial users (IUs). NPS includes prohibitive discharge limits established pursuant to 40 CFR Part 403. 5, and categorical standards specified in 40 CFR Parts 401-471.

National Prohibitive Discharge Standard or prohibitive discharge standard – any regulation developed under the authority of Section 307 (b) of the Act and 40 CFR Part 403. 5.

New Source – any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced after publication of proposed pretreatment standards applicable to such source and that otherwise meets the requirements of 40 CFR 403.3(m).

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.

Pollutant – any dredged soil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, chemical wastes, medical wastes, biological materials, radioactive materials, high-temperature waste, wrecked or discharged equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural wastes, or any pollutant or characteristic of wastewater on which a discharge limitation may be imposed either by the District or by other regulatory agencies (e.g., pH, temperature, turbidity, color, toxicity, odor).

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 discharging or otherwise introducing such pollutants into the wastewater system.

Pretreatment requirement – any substantive or procedural requirement related to pretreatment, other than a Pretreatment Standard, imposed on a user.

Pretreatment standards or standards – prohibited discharge standards, categorical pretreatment standards, and local limits.

Publicly owned treatment works (POTW) – a treatment works as defined by Section 212 of the Act (33 USC Section 1292), including any sewers that convey wastewater to the POTW treatment plant, and any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature (see also wastewater system).

POTW treatment plant – that portion of the POTW which is designed to provide treatment (including recycling and reclamation of municipal sewage and industrial waste) (see also wastewater treatment plant).

Public sewer – the VVCSW wastewater collection system.

Regulatory agencies – those agencies having jurisdiction to regulate the operation of, and having appropriate jurisdiction over, the District's wastewater system and/or users, including but not limited to the EPA, the SWRCB, and the RWQCB.

Sanitary sewer – a sewer that conveys sewage or industrial wastes or a combination of both, but into which storm, surface, or ground waters or other unpolluted waters are not intentionally admitted.

Sanitary sewer overflow (SSO) – untreated or partially treated sewage overflows from a sanitary sewer collection system.

Self-regenerating water softener – water softening equipment or conditioning appliances that discharge brine into the District's sewer system.

Sewage – see wastewater.

Sewer – a pipe or conduit for conveying domestic and/or industrial wastewater.

Sewer lateral – the sewer from the premises of a user to the public sewer main.

Sewer main – a portion of the public sewer lying in a public easement or street and does not mean a sewer lateral.

Significant industrial user (SIU) – any user that:

- Is subject to Federal categorical pretreatment standards; or
- Discharges 25,000 gallons per day (gal/d) or more of process wastewater (average annual daily flow) to the POTW (excluding sanitary, noncontact cooling, and boiler blowdown wastewater); or

- Contributes a process wastestream which makes up five percent or more of the average dry weather hydraulic or organic loading capacity of the wastewater treatment plant; or
- Is designated as such by the District on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.

Significant Noncompliance – shall be applicable to any user violations that meet one or more of the following criteria:

- Violations of wastewater discharge limits:
 - Chronic violations of wastewater discharge limits, defined here as those in which 66 percent or more of all of the measurements taken for the same pollutant parameter during a 6-month period exceed (by any magnitude) a numeric pretreatment standard or requirement, including instantaneous limits.
 - Technical Review Criteria (TRC) violations, defined here as those in which 33 percent or more of all of the measurements taken for the same pollutant parameter during a 6-month period equal or exceed the product of the numeric pretreatment standard or requirement, including instantaneous limits, multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil, and grease, and 1.2 for all other pollutants except pH).
 - Any other violation(s) of a pretreatment standard or requirement that the District determines has caused, alone or in conjunction with other discharges, interference or pass-through; or endangered the health of the general public or employees of the wastewater system.
 - Any discharge that has caused imminent endangerment to human health or welfare, or the environment, resulting in the exercise of emergency authority to halt or prevent such a discharge.
- Violations of permit compliance schedule milestones by 90 days or more after the schedule date;
- Failure to provide required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules, or any other reports required by this Chapter or established as a facility requirement (e. g., in a permit or by other means), by 30 days or more from the due date;
- Failure to accurately report noncompliance;
- Any other violation(s), which may include a violation of best management practices, that the District determines will adversely affect the operation or implementation of the local pretreatment program.

Slug load or discharge – any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards of this Ordinance. 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.

Spill containment – a protective system installed by a user to prevent the accidental discharge of incompatible pollutants to the sewer.

Standard Industrial Classification (SIC) – a classification pursuant to the Standard Industrial Classification Manual, as most recently amended and issued by the Executive Office of the President, Office of Management and Budget.

State – State of California.

Storm drain – a pipe or conduit that carries storm, surface, or groundwater drainage, but excludes domestic and industrial wastewater.

Storm water – any flow occurring during or following any form of natural precipitation and resulting from such precipitation.

Total suspended solids (TSS) – 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. The laboratory determination shall be made in accordance with procedures established by the EPA and specified in 40 CFR Part 136, as amended.

Toxic pollutant – any pollutant or combination of pollutants listed as toxic in regulations promulgated by the EPA under Section 307(a) of the Act.

Trap/interceptor – any gravity separation interceptor designed to remove floatable and/or settleable material from a waste prior to its discharge to a District sewer.

Upset – an exceptional incident in which unintentional and temporary noncompliance with categorical pretreatment standards occurs because of factors beyond the reasonable control of the User.

User or Industrial User – a source of indirect discharge.

VVCSD – Vandenberg Village Community Services District

Wastewater – the liquid and water-borne industrial or domestic wastes from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, together with any groundwater, surface water, and stormwater that may be present, whether treated or untreated, which is contributed into or permitted to enter the wastewater system.

Wastewater system – all facilities for collecting, pumping, treating, or disposing of wastewater, including the sewerage system and the wastewater treatment plant.

Wastewater treatment plant – the Lompoc Regional Wastewater Reclamation Plant.

2.20.1.2 DISTRICT'S RESPONSIBILITY

In urban areas with dedicated front streets, rear service roads, or public District easements, the District will furnish and install its portion of the service line to allow the customer to connect to the collection system, except as otherwise provided in Ordinance § 2.14. The connection to the collection system will be made at a convenient place between the property line and the curb, or inside the customer's property line where necessary.

In areas that do not have dedicated front streets, rear service roads, or public District easements, the District will furnish and install the service line as above provided, but at a convenient point on or near the customer's property.

Where the charge for wastewater service is based on metered water consumption, the District will arrange to use water meter readings.

2.20.1.3 CUSTOMERS' RESPONSIBILITIES

The customer, as a condition precedent to receiving service at a new wastewater connection, shall:

- Furnish and lay the necessary piping to make the private connection at the District service connection and shall keep such piping in good repair in accordance with such reasonable requirements of the District as may be required.
- Provide a backflow check valve or overflow device on the piping between the service connection and the point of customer use, as may be required by the District or other governmental agencies.
- Provide a surface-level cleanout, which is both visible and at all times accessible to District personnel, at the property line or on customer premises for District maintenance and/or inspection of service laterals within the public right of way.

2.20.1.4 CUSTOMER MAINTENANCE AND REPAIR RESPONSIBILITIES

The customer is responsible for maintaining the sewer lateral from the waste-generating facilities to the District's wastewater main or manhole connection. This includes cleaning and keeping service laterals free of obstructions, including grease, solids buildup, root infestation emanating from customer piping (including the joint to the connection with the District-owned laterals), and the like.

The customer is responsible for the repair of each and every service lateral located outside the public right of way or on the customer side of the point of service connection. The District is responsible for the repair of service laterals within the public right of way for broken lines, joint separations, or line replacement.

The District may provide existing customers with the necessary materials to install a surface-level cleanout. The customer is responsible for providing the labor required to install such.

The customer's piping shall extend to that point on the curb line or property line with the easiest and/or closest access to the District from its existing wastewater system or requiring the least extension of the existing wastewater main. The District shall be consulted before installation thereof and its approval of location shall be obtained. The installation of the cleanout must be inspected and signed off by District personnel before the piping is covered.

In cases where District facilities must be installed in other than streets, rear service roads, or dedicated public easements, owners shall furnish dedicated public utility easements to the District for installation, operation, maintenance, repair, or replacement of District facilities.

2.20.1.4.1 ROOT CUTTING

In cases where blockage of sewer laterals within public rights of way, as determined by investigation by the Operations and Maintenance Manager, is likely caused by root infestation of District-owned facilities, the General Manager is authorized to reimburse customers for private plumbing costs (for root cutting only) up to 50 percent of the plumbing bill to a maximum of \$250.00 within any five-year period. It is the customer's responsibility to timely notify the District so that an investigation can be made during the plumber's visit to verify the location and type of blockage is eligible for reimbursement. Reimbursement is not intended to be made for non-root caused blockages such as grease buildup or solids blockage over which the District has no control for customer-introduced effluent.

2.20.1.5 OWNERSHIP AND ABSENCE OF RENTAL OBLIGATION WHERE FACILITIES ARE ON THE PREMISES OF THE CUSTOMER

The service line and related appurtenances furnished by the District and located wholly or partially upon a customer's premises are the property of the District.

No rent or other charge will be paid by the District where the District-owned service facilities are located on a customer's premises.

2.20.1.6 ACCESS TO THE PREMISES OF THE CUSTOMER

The District shall at all reasonable hours have access to meters, service connections, cleanouts, and other property that may be located on a customer's premises for purposes of installation, maintenance, operation, or removal of the property. The customer's system should be open for inspection at all reasonable times to authorized representatives of the District.

Any inspection work or recommendations made by the District or its agents in connection with plumbing, fixtures, or use of wastewater service on the customer's premises as a result of a complaint will be made without charge.

The District shall have the right to enter the premises of any User to determine whether the User is complying with all requirements of this Ordinance. Users shall allow the District 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.

- Where a User has security measures in force that require proper identification and clearance before entry to its premises, the User shall make the necessary arrangements with its security so that, upon presentation of suitable identification, the District shall be permitted to enter without delay to perform specific responsibilities.
- The District 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.
- The District 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 in accordance with the manufacturer's instructions to ensure accuracy.
- 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 upon the District's written or verbal request and shall not be replaced. The costs of clearing such access shall be borne by the User.
- Unreasonable delays in allowing the District access to the User's premises shall be a violation of this Ordinance.
- All inspection, sampling, and access provisions of this Section apply to inspections conducted by the District as the Control Authority.
- Nothing in this Section shall be construed to grant inspection, entry, or enforcement authority to the City of Lompoc except as expressly provided in the Wastewater Service Agreement.

2.20.1.7 RESPONSIBILITY FOR LOSS OR DAMAGE

The District will not be responsible for any loss or damage caused by the negligence or wrongful act of a customer or of a customer's authorized representatives in installing, maintaining, operating, or using any or all appliances, facilities, or equipment for which service is supplied.

The customer will be held responsible for damage to meters and other property resulting from the use or operation of facilities on the customer's premises, or discharge of wastes prohibited by these rules.

The District will not be responsible for any loss or damage due to or resulting from the backflow of wastewater occurring in the District's main line or in other customer-owned laterals as a result of stoppage over which it has no control.

2.20.2 SERVICES

2.20.2.1 CONNECTIONS

To control discharges to the POTW system, the District shall regulate users through applicable Ordinance, standard requirements, and approved permanent connections. New connections are initiated through the District's Can and Will Service process.

2.20.2.2 CATEGORIES OF USERS

VVCSD provides wastewater service to four types of users: single-family residential, multi-family residential, commercial, and institutional/public school.

- **Single-family residential** – a detached dwelling unit designed for occupancy by one household or family. Wastewater generated from this category is primarily domestic in nature and includes typical residential uses such as kitchen, bathroom, laundry, and sanitary flows. Each unit is served by an individual service connection unless otherwise specified.
- **Multi-family Residential** – any building or group of buildings containing two or more dwelling units intended for occupancy by separate households. Examples include duplexes, apartments, condominiums, and townhomes. Wastewater generated is primarily domestic but may be aggregated through shared service connections or internal plumbing systems.
- **Commercial** – any non-residential establishment engaged in business, trade, or service activities. This category includes, but is not limited to, retail stores, restaurants, offices, hotels, and service providers. Wastewater flows may vary in volume and composition depending on the nature of the business and may include sanitary waste along with process-related discharges, subject to applicable regulations and pretreatment requirements.
- **Institutional/Public School** – publicly or privately operated facilities providing educational or institutional services. This includes elementary schools, high schools, and other educational establishments. Wastewater from these users is primarily domestic in character but may include specialized discharges (e.g., laboratory wastes, cafeteria flows) that require monitoring or management in accordance with regulatory standards.

2.20.2.3 CHARGE FOR SERVICE CONNECTIONS

The District shall require capacity charges from the developer or homeowner for newly established connections as provided elsewhere and as may be amended from time to time by the Board of Directors, and as otherwise provided in the District's main extension rules or development agreements (See Ordinance § 3.2.1 and Ordinance § 4.10).

2.20.2.4 SIZE OF SERVICE LATERAL

The minimum size of the service lateral shall be a 4-inch nominal size.

A customer's request for a service lateral greater than four inches must be supported by appropriate data and may be subject to a monthly service charge greater than that established for residential service.

2.20.2.5 INSTALLATION

Only duly authorized employees or agents of the District will be permitted to install a service pipe from the District's main to the customer's premises. Connection to the District's service lateral shall be done only after notification of the District so that the District may inspect the actual connection.

2.20.3 CROSS CONNECTION AND PROTECTIVE DEVICES

2.20.3.1 PHYSICAL CONNECTION

No physical connection between the wastewater system of the District and any other water or wastewater supply will be permitted except when authorized by the District.

2.20.3.2 PROTECTIVE DEVICES REQUIRED

The District will require the installation of approved backflow protection where the circumstances are such that there is a special danger of backflow of wastewater onto the property owner's premises.

2.20.3.3 TYPE AND EXPENSE OF PROTECTIVE DEVICES

See Ordinance § 2.16.3.4.

2.20.3.4 PERIODIC INSPECTION OF PROTECTIVE DEVICES

See Ordinance § 2.16.3.5.

2.20.3.5 REFUSAL TO SERVE OR DISCONTINUANCE OF SERVICE FOR FAILURE TO INSTALL PROTECTIVE DEVICES

See Ordinance § 2.16.3.6.2.

2.20.4 ACCESSORY DWELLING UNIT

A separate sewer connection shall not be required for a Single-Family Accessory Dwelling Unit (ADU) that is consistent with the description outlined in California Government Code § 66313 unless the Accessory Dwelling Unit is to be constructed with a new single-family dwelling, in which case, a separate sewer connection may be required.

A separate sewer connection shall not be required for a Junior Accessory Dwelling Unit as defined in the aforementioned section of the Government Code.

A separate sewer connection shall be required for a Multi-Family Accessory Dwelling Unit.

2.21 LIMITATION ON WASTE DISCHARGED INTO THE UTILITY'S WASTEWATER SYSTEM

2.21.1 GENERAL DISCHARGE PROHIBITIONS

No user may introduce or cause or allow to be introduced into the POTW any pollutant(s) or wastewater which causes pass-through or interference (as defined in Ordinance § 2.20.1.1 and 40 CFR Part 403.3) with the wastewater system or causes or significantly contributes to an exceedance of the calculated maximum allowable headworks loading for any given pollutant. 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.

No person may discharge pollutants to the ground, storm drains, or watercourses without proper authorization from applicable regulatory agencies.

2.21.2 SPECIFIC DISCHARGE PROHIBITIONS

Except with the written consent of the District, none of the following described waters or wastes may be discharged into the wastewater system:

- **Chemicals** – Any amount of chlorinated hydrocarbon or an organic phosphorus compound, commonly known as pesticides, herbicides, or fungicides.
- **Color** – Any waste which results in discoloration of treatment plant effluent.
- **Concentration** – Any waste with a concentration of reducing agents or substances that will significantly increase the amount of chlorine or other disinfecting agents or upset biological stabilization in any way.
- **Excessive Flow or Pollutant Concentrations** – 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.
- **Fats, oils, and grease** – Any discharge of fat, oils, or grease, including, but not limited to, oils of animal or vegetable origin, lubricating oil, petroleum oil, non-biodegradable cutting oil, refined petroleum products, or products of mineral oil origin, into any onsite sewage treatment and disposal system or the sanitary sewer system in amounts which hinder the operation of any onsite sewage treatment and disposal system or sewage collection, transmission, or treatment system; exceeds the oil and grease effluent limits in this Chapter; cause a sanitary nuisance; or cause or contribute to interference or pass through at the POTW (See Ordinance § 2.22.7).
- **Fire or Explosion Hazards** – Any solids, liquids, or gases which by themselves or by interaction with other substances may cause fire or explosion hazards, or in

any other way be injurious to the person, property, or the operation of the wastewater system. These substances include but are not limited to gasoline, benzene, naphtha, solvent, and fuel oil.

- **Gases** – 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.
- **Heat** – Heat in amounts that will inhibit biological activity in the wastewater treatment plant, resulting in interference. In no case shall any discharge to the sewerage system exceed 140 degrees Fahrenheit (60 degrees Celsius) at the point of discharge or cause the temperature at the influent to the wastewater treatment plant to exceed 104 degrees Fahrenheit (40 degrees Celsius).
- **Illegal Connections** – Any connection that allows stormwater, surface water, groundwater, roof runoff, subsurface drainage, cooling water, or unpolluted industrial process waters to enter the sanitary sewer system.
- **Interference** – Any substance which may cause the wastewater system, its effluent, or any other product such as residues, sludges, or scums, to be unsuitable for reclamation or reuse, or to interfere with the reclamation process. In no case shall any substance discharged to a City sewer cause the City to be in violation of its NPDES permit (including an increase in the magnitude or duration of a violation), or prevent sludge use and disposal in compliance with any statutory provision contained in:
 1. Section 405 of the Act;
 2. The SWDA (including Title 11, more commonly referred to as the RCRA);
 3. The Clean Air Act;
 4. The TSCA;
 5. The Marine Protection, Research, and Sanctuaries Act; and
 6. Any State criteria applicable to the sludge management method used by the District.
- **pH or Corrosion Hazards** – Any liquids having a pH lower than 6.5 or higher than 8.5 or having any corrosive property capable of causing damage or hazards to structures, equipment, or the wastewater system.
- **Reactive Materials** – Any noxious or malodorous solid, liquid, or gas, which either singly or by interaction with other substances, is capable of interfering with wastewater treatment or processes, creating a public nuisance or hazard, may cause acute worker health and safety problems, present hazard to life, or are sufficient to prevent entry into the wastewater system for its maintenance and repair.

- **Sludge material** – Sludges, screenings, or other residues from the pretreatment of industrial wastes.
- **Slug Loads** – Slug loads of compatible or incompatible pollutant(s).
- **Solid or Viscous Waste** – Any solids, greases, slurries or viscous materials of such character or in such quantity that it may cause an obstruction to the flow in the wastewater or interfere with the proper function of the wastewater system. Including, but not limited to, liquid or vapor that will solidify at normal wastewater system temperatures, garbage that may cause obstruction to the wastewater flow, such as diapers and “flushable” wipes.
- **Surfactants** – Any water or wastes containing detergents, surface-active agents, non-biodegradable cutting oils, commonly called soluble oils, which form persistent water emulsions or might cause excessive foaming.
- **Toxicity** – Any toxic substance, chemical element, or compound in quantities sufficient to impair the operation efficiency of the wastewater treatment facilities, or that will pass through the wastewater treatment plant and cause the effluent thereof to exceed state or federal water quality requirements established under section 307a of the Clean Water Act, or otherwise cause the treatment plant's effluent to fail a toxicity test.
- **Trucked or Hauled Waste** – Trucked or hauled pollutants may not be discharged except as expressly authorized in writing by the District.

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.

2.21.3 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 District 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.

2.21.4 LOCAL LIMITATIONS AND CONDITIONS OF DISCHARGE

The following pollutant limits are established to protect against Pass-Through and Interference. No user shall discharge wastewater containing pollutants in excess of the quantities specified below. The limits below apply at the point where the wastewater is discharged to the POTW. All concentrations for metallic substances are for total metal unless indicated otherwise. The District may impose mass limitations in addition to, or in lieu of, the concentration-based limitations.

Constituent	Concentration¹	Type of Limit
Ammonia	55	Maximum Daily Average
Arsenic	2.0	Maximum Daily Average
Beryllium	3.0	Maximum Daily Average
Cadmium	0.2	Maximum Daily Average
Chloride	250	Maximum Daily Average
Chromium	2.0	Maximum Daily Average
Copper	2.0	Maximum Daily Average
Cyanide (total)	1.0	Instantaneous Maximum
Lead	1.0	Maximum Daily Average
Mercury	0.01	Maximum Daily Average
Nickel	3.0	Maximum Daily Average
Oil and Grease (total)	100	Instantaneous Maximum
pH (pH units)	Acceptable range 6.5-8.5	Instantaneous Maximum
Phenol	25.0	Instantaneous Maximum
Selenium	0.4	Maximum Daily Average
Silver	1.5	Maximum Daily Average
Sodium	270	Maximum Daily Average
Total Dissolved Solids	1100	Maximum Daily Average
Zinc	1.0	Maximum Daily Average

Where the City of Lompoc local limits are more stringent, those limits shall apply.

The District may, by Ordinance or Board Action, develop Best Management Practices (BMPs) to implement local limits and these requirements. Such BMPs shall be considered local limits and Pretreatment Standards for the purposes of this part and section 307(d) of the Act.

The District may establish mass-based limits, flow-based restrictions, and Best Management Practices (BMPs) as necessary to protect the POTW and ensure compliance with the City of Lompoc's NPDES permit.

The District may revise local limits periodically based on updated headworks analysis.

2.21.5 WATER SOFTENER RESTRICTIONS

Effective July 1, 2020, new residential or non-residential self-regenerating water softeners may not be installed. Existing residential or non-residential self-regenerating water softeners are not required to be removed unless the unit violates the efficiency requirements of Health & Safety Code § 116785. However, they may not be replaced or enlarged. This rule does not prohibit the use of exchange canister-type water softener units; they are encouraged.

Any brine solution wasted in water softener recharge from any water softener connected to the wastewater system must meet the efficiency requirements of Health & Safety Code § 116785.

¹ All concentrations are in mg/L, determined in accordance with analytical procedures specified by 40 CFR Part 136

2.21.6 DENTAL AMALGAM REQUIREMENTS

Effective July 14, 2020, all dental offices must install amalgam separators to achieve at least a 95 percent removal efficiency in accordance with 40 CFR Part 441.

2.21.7 MEDICAL WASTES

No User shall discharge medical wastes to the POTW except as specifically authorized by the District in a wastewater discharge permit.

2.21.8 HAZARDOUS WASTES

The discharge of any hazardous substance is prohibited. Any user that generates, treats, stores, transports, or disposes of hazardous waste must notify the appropriate Federal, State, and local oversight authorities and shall comply with all applicable hazardous waste management requirements.

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 one hundred (100) kilograms of such waste per calendar month to the POTW, 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 twelve (12) months.

All notifications must take place no later than one hundred and eighty (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 Ordinance § 2.22.3.9. The notification requirement in this Ordinance does not apply to pollutants already reported by Users subject to categorical Pretreatment Standards under the self-monitoring requirements of this Ordinance.

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 District, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.

This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this Ordinance or any applicable Federal or State law.

2.21.9 RADIOACTIVE WASTES

No user shall discharge, or cause to be discharged, any radioactive waste into a public sewer unless:

- Discharged in strict conformity with applicable regulations, standards, and limitations;
- Authorized to use radioactive materials by the State Department of Health and/or other Governmental agencies empowered to regulate the use of radioactive materials; and
- Authorized by the District in writing.

2.22 COMMERCIAL, INSTITUTIONAL, AND INDUSTRIAL WASTES

2.22.1 SERVICE SUBJECT TO SPECIAL CONDITIONS

Every commercial, institutional, or industrial applicant for service will be required to furnish the utility with an estimate of the quantity and characteristics of the wastes proposed to be discharged into the wastewater system. If, in the District's judgment, the waste discharge will have a harmful effect upon the wastewater works, processes, plant, equipment, or otherwise creates a hazard to life or constitutes a public nuisance, the District has the authority to:

- Reject the waste.
- Require pretreatment to an acceptable condition for discharge into the wastewater system.
- Require control over quantities and rates of discharge.
- Require the construction of control manholes for the purpose of monitoring, measuring, and testing the quantity and characteristics of waste to be discharged.
- Require, as a condition of service, periodic reports on flows and characteristics of discharged wastes to ensure compliance with the rules of the District and conditions of service.

2.22.2 INDIVIDUAL WASTEWATER DISCHARGE PERMITS

No Significant Industrial User shall discharge wastewater into the POTW without first obtaining an individual wastewater discharge permit from the District. The District may require other Users to obtain individual wastewater discharge permits as necessary to carry out the purposes of this Ordinance.

An individual wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the District 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.

Any violation of the terms and conditions of an individual wastewater discharge permit shall be deemed a violation of this Ordinance and subject the wastewater discharge permittee to the sanctions set forth in Ordinance § 2.23 and Ordinance § 2.24. Obtaining an individual 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.

The District shall not utilize general permits for the regulation of wastewater discharges.

All Significant Industrial Users and any other Users designated by the District shall be required to obtain an individual wastewater discharge permit.

Each permit shall be developed based on the specific characteristics of the User's discharge, including flow, pollutant concentrations, and potential for pass-through or interference, and shall include user-specific effluent limits, monitoring requirements, and compliance conditions.

2.22.2.1 DECISIONS

The District will evaluate the data furnished by the User and may require additional information. Within thirty (30) days of receipt of a complete permit application, the District will determine whether to issue an individual wastewater discharge permit. The District may deny any application for an individual wastewater discharge permit.

2.22.2.2 DURATION

An individual wastewater discharge permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. An individual wastewater discharge permit may be issued for a period less than five (5) years, at the discretion of the District. Each individual wastewater discharge permit will indicate a specific date upon which it will expire.

Users wishing to continue discharging after the permit's expiration shall apply for permit renewal at least 180 days before the existing permit's expiration date. A permit shall remain in effect after its expiration date, provided a complete and timely renewal application has been submitted, and the District has not yet acted on the renewal.

All approved monitoring waivers shall be reevaluated upon permit renewal.

2.22.2.3 CONTENTS

Individual wastewater discharge permits must contain:

- A statement that indicates the wastewater discharge permit issuance date, expiration date, and effective date;

- A statement that the wastewater discharge permit is nontransferable;
- Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards;
- Self-monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include identification of pollutants (or best management practices) to be monitored, sampling locations, sampling frequencies, and sample types, based on Federal, State, and local law.
- A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements, and any applicable compliance schedule. Such a schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law.
- Requirements to control Slug Discharge, if determined by the District to be necessary.
- Identification of any approved monitoring waiver, associated certification requirements, and conditions under which the waiver may be modified or revoked.

2.22.3 PRETREATMENT

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

Upon the promulgation of National Pretreatment Standards, including categorical pretreatment standards, the NPS, if more stringent than the limitations imposed under this Ordinance, shall immediately supersede the limitations imposed under the provisions of this Ordinance. The District shall notify all affected users of the promulgation of applicable pretreatment standards, and of the applicable reporting requirements of 40 CFR Part 403.12.

Users shall provide wastewater treatment as necessary to comply with this Ordinance and shall achieve compliance with all categorical pretreatment standards, local limits, and the prohibitions set out in Ordinance § 2.21 within the time limitations specified by EPA, the State, or the District, 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 District for review and shall be acceptable to the District before such facilities are constructed.

The review of such plans and operating procedures shall in no way relieve the user of responsibility for modifying such facilities as necessary to produce a discharge acceptable to the District under the provisions of this Ordinance.

2.22.3.1 MONITORING

The District may require any user to provide, operate, and maintain at the user's expense flow monitoring, process monitoring, and/or sampling facilities. Upon notification from the District, the user shall provide, operate, and maintain such facilities in accordance with pretreatment requirements specified by the District.

Any sample taken from a sampling facility installed in accordance with this Ordinance is presumed to be discharging to the District's sewer system.

Monitoring or metering facilities may be required to have a security closure that can be locked with a District-provided hasp lock during sampling and monitoring.

2.22.3.2 REPORTING

Users who become subject to new or revised categorical Pretreatment Standards are required to comply with the following reporting requirements.

2.22.3.3 MONITORING WAIVERS FOR POLLUTANTS NOT PRESENT

The District may authorize an Industrial User subject to reporting requirements under this Ordinance to forego sampling of a pollutant regulated by an applicable categorical Pretreatment Standard where the User demonstrates through sampling and other technical factors that the pollutant is neither present nor expected to be present in the Discharge or is present only at background levels from intake water and without any increase in the pollutant due to activities of the Industrial User.

This authorization is subject to the following conditions:

- The waiver may be authorized where a pollutant is determined to be present solely due to sanitary wastewater discharged from the facility provided that the sanitary wastewater is not regulated by an applicable categorical Standard and otherwise includes no process wastewater.
- A monitoring waiver is valid only for the duration of the permit term, not to exceed five (5) years. A new waiver request must be submitted and reevaluated during each permit renewal, modification, or reissuance. Approval of a waiver for one permit term does not guarantee approval for subsequent permit terms. See Ordinance § 2.22.2.
- In making a demonstration that a pollutant is not present, the Industrial User must provide data from at least one sampling of the facility's process wastewater prior to any treatment present at the facility that is representative of all wastewater from all processes.
- The request for a monitoring waiver must be signed in accordance with Ordinance § 2.20.1.1 and include the certification statement in Ordinance § 2.22.3.4.

- Non-detectable sample results may be used only as a demonstration that a pollutant is not present if the EPA-approved method from 40 CFR Part 136 with the lowest minimum detection level for that pollutant was used in the analysis.
- Any grant of the monitoring waiver by the District must be included as a condition in the Individual Wastewater Discharge Permit and shall be specifically identified in the permit. The reasons supporting the waiver and any information submitted by the User in its request for the waiver must be maintained by the District for three (3) years after expiration of the waiver.
- In the event that a waived pollutant is found to be present or is expected to be present because of changes that occur in the User's operations, the User must immediately notify the District in writing. Upon such notification, the monitoring waiver shall automatically terminate, and monitoring shall resume in accordance with permit requirements in Ordinance § 2.22.3.8 until the District determines otherwise.
- This provision does not supersede certification processes and requirements established in categorical Pretreatment Standards, except as otherwise specified in the categorical Pretreatment Standard.
- The District may require additional information or sampling before approving a monitoring waiver.
- The District may modify or revoke a monitoring waiver at any time based upon new information, inspection findings, monitoring results, process changes, changes in raw materials, changes in applicable regulations, or any other information indicating the pollutant may be present.
- Any User receiving a monitoring waiver shall certify in each periodic compliance report that the waived pollutant continues to be neither present nor expected to be present in the discharge. The certification shall state:

"Based on my inquiry of the person or persons directly responsible for managing compliance with the pretreatment program, I certify that there has been no increase in the pollutant in the waste stream due to activities at the facility and that the pollutant remains neither present nor expected to be present in the discharge."

2.22.3.4 SIGNATORIES AND CERTIFICATIONS

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 below:

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

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

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 Ordinance must be submitted to the District prior to or together with any reports to be signed by an Authorized Representative.

2.22.3.5 BASELINE REPORTING

Within either one hundred eighty (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, existing Categorical Industrial Users currently discharging to or scheduled to discharge to the POTW shall submit to the District a report which contains the information listed below.

At least ninety (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 District a report which contains the information listed below. A New Source shall report the method of pretreatment it intends to use to meet applicable categorical Standards. A New Source shall also give estimates of its anticipated flow and quantity of pollutants to be discharged.

- Identifying User Information.
 - The name and address of the facility, including the name of the operator and owner.
 - Contact information, description of activities, facilities, and plant production processes on the premises.
- Environmental Permits. A list of any environmental control permits held by or for the facility.
- Description of Operations.
 - 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.
 - 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;

- Number and type of employees, hours of operation, and proposed or actual hours of operation;
- Type and amount of raw materials processed (average and maximum per day);
- 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.
- 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 Section 2.2C (40 CFR 403.6(e)).
- Measurement of Pollutants.
 - The User shall provide the following information:
 - The categorical Pretreatment Standards applicable to each regulated process and any new categorically regulated processes for Existing Sources.
 - The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the Standard or by [the Superintendent], of regulated pollutants in the discharge from each regulated process.
 - Instantaneous, Daily Maximum, and long-term average concentrations, or mass, where required, shall be reported.
 - The sample shall be representative of daily operations and shall be analyzed in accordance with District requirements. Where the Standard requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the District or the applicable Standards to determine compliance with the Standard.
 - The User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph.
 - 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;

- The District may allow the submission of a baseline report which utilizes only historical data so long as the data provides sufficient information to determine the need for industrial pretreatment measures;
- 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.
- Compliance Certification. The certification statement, reviewed by the User's Authorized Representative 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.
- Compliance Schedule. If additional pretreatment and/or O&M are 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 must meet the requirements set out in Ordinance § 2.22.3.6.
- Signature and Report Certification. All baseline monitoring reports must be certified with the statement detailed in Ordinance § 2.22.3.4 and signed by an Authorized Representative.

2.22.3.6 COMPLIANCE SCHEDULE PROGRESS REPORTS

The following conditions shall apply to the compliance schedule required in Ordinance § 2.22.3.5.

- 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);
- No increment referred to above shall exceed nine (9) months;
- The User shall submit a progress report to the District no later than fourteen (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
- In no event shall more than nine (9) months elapse between such progress reports to the District.

2.22.3.7 REPORTS ON COMPLIANCE WITH CATEGORICAL PRETREATMENT STANDARD DEADLINE

Within ninety (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 District a report containing the information described in Ordinance § 2.22.2.3 and Ordinance § 2.22.3.5. For Users subject to equivalent mass or concentration limits established in accordance with the procedures in Ordinance § 2.22.3, this report shall contain a reasonable measure of the User's long-term production rate. For all other 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 Ordinance § 2.22.3.4. All sampling will be done in conformance with Ordinance § 2.22.4.1.

2.22.3.8 PERIODIC COMPLIANCE REPORTS

All Significant Industrial Users shall submit periodic compliance reports, at least twice per year at intervals specified in the wastewater discharge permit and no less frequently than required by applicable pretreatment regulations, 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 a Best Management Practice (BMP) or pollution prevention alternative, the User must submit documentation required by the District or the Pretreatment Standard necessary to determine the compliance status of the User. All periodic compliance reports must be signed and certified in accordance with Ordinance § 2.22.3.4.

If a User subject to the reporting requirement in this Ordinance monitors any regulated pollutant at the appropriate sampling location more frequently than required by the District, using the procedures prescribed in Ordinance § 2.22.4.1. The results of this monitoring shall be included in the report.

Any User operating under an approved monitoring waiver shall include the certification required by Ordinance § 2.22.3.3 in each periodic compliance report.

2.22.3.9 REPORTS OF CHANGED CONDITIONS

Each User must notify the District of any significant changes to the User's operations or system, which might alter the nature, quality, or volume of its wastewater at least ten (10) days before the change. The District may require the User to submit such information as it deems necessary to evaluate the changed condition.

2.22.3.10 REPORTS OF POTENTIAL PROBLEMS

In the case of any upset or discharge, including, but not limited to, accidental discharges, discharges of a nonroutine or episodic nature, a noncustomary batch discharge, a Slug

Discharge, or Slug Load, that might cause potential problems for the POTW, the User shall immediately, and no later than 24 hours after the occurrence, telephone and notify the District of the incident. This notification shall include the location of the discharge, the type of waste, the concentration and volume, if known, and the corrective actions taken by the User.

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 above. Employers shall ensure that all employees who could cause such a discharge to occur are advised of the emergency notification procedure.

Significant Industrial Users are required to notify the District immediately of any changes at their facility affecting the potential for a Slug Discharge.

Written notice. Within five (5) days following such upset or discharge, the user shall, unless waived by the District, submit a detailed written report describing the characteristics of the wastewater discharged; the cause(s) of the upset or discharge; the period of noncompliance, including exact dates and times; 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 ordinance.

2.22.3.11 BYPASS

User may allow any bypass to occur which does not cause Pretreatment Standards or Requirements to be violated, but only if it also is essential for maintenance to ensure efficient operation.

Bypass Notifications

- If a User knows in advance of the need for a bypass, it shall submit prior notice to the District, at least ten (10) days before the date of the bypass, if possible.
- A User shall submit oral notice to the District of an unanticipated bypass that exceeds applicable Pretreatment Standards within twenty-four (24) hours from the time it becomes aware of the bypass. A written submission shall also be provided within five (5) days of the time the User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The District may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.

Bypass

- Bypass is prohibited, and the District may take an enforcement action against a User for a bypass, unless

- Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
 - The User submitted notices as required in this section.
- The District may approve an anticipated bypass, after considering its adverse effects, if the District determines that it will meet the three conditions listed in this Section.

2.22.4 SAMPLING AND ANALYSIS

2.22.4.1 SAMPLE COLLECTION

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.

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.

Except as indicated 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 District. Where time-proportional composite sampling or grab sampling is authorized by the District, 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 District, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits.

Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.

For sampling required in support of baseline monitoring and 90-day compliance reports required in Ordinance § 2.22.3.5 and Ordinance § 2.22.3.7 [40 CFR 403.12(b) and (d)], 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 District may authorize a lower minimum. For the reports required by Ordinance § 2.22.3.8 (40 CFR 403.12(e) and 403.12(h)), The Industrial User is required to collect the number of grab samples necessary to assess and assure compliance with applicable Pretreatment Standards and Requirements.

2.22.4.2 ANALYTICAL REQUIREMENTS

All pollutant analyses, including sampling techniques, to be submitted as part of a 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 that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the District or other parties approved by EPA.

2.22.5 VIOLATIONS AND REPEAT SAMPLING

If sampling performed by a User indicates a violation, the User must notify the District within twenty-four (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 District within thirty (30) days after becoming aware of the violation. Resampling by the Industrial User is not required if the District performs sampling at the User's facility at least once a month, or if the District performs sampling at the User between the time when the initial sampling was conducted and the time when the User or the District receives the results of this sampling, or if the District has performed the sampling and analysis in lieu of the Industrial User.

2.22.6 RECORDKEEPING

Users subject to the reporting requirements of this Ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this Ordinance, 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 Ordinance § 2.21.4.

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 (3) years. This period shall be automatically extended for the duration of any litigation concerning the User or

the District, or where the User has been specifically notified of a longer retention period by the District.

2.22.7 FATS, OILS, AND GREASE (FOG) CONTROL PROGRAM

The District shall administer a FOG Control Program to prevent the introduction of fats, oils, and grease into the wastewater system in quantities that may cause or contribute to blockages, sanitary sewer overflows, interference, pass through, or adverse impacts to the POTW.

The District may establish and enforce Best Management Practices (BMPs), FOG Management Plans, maintenance requirements, inspection requirements, and reporting requirements necessary to implement this program.

All Food Service Establishments (FSEs) shall comply with the requirements of this Section and any administrative procedures adopted by the District.

2.22.7.1 PROGRAM ADMINISTRATION

In accordance with California Government Code § 61000(b) and California Health and Safety Code §§ 6400 et seq., the District has the legal authority to prohibit discharges to the system; identify measures to prevent sewer system overflows and blockages caused by fats, oils, and grease; enforce fees for monitoring and inspecting wastewater discharges; and require reimbursement for any costs incurred in the administration of this program. The District may inspect any Food Service Establishment, grease interceptor, grease trap, or related facilities at reasonable times to determine compliance with this Ordinance and any applicable FOG program requirements.

2.22.7.2 FEES AND CHARGES

All non-routine services provided by the District in connection with the enforcement of this FOG control program will be charged to the customer who caused the blockage, if determined, at the hourly rate of the person performing the service and equipment required, plus the current overhead rate or the actual cost of work performed by a private contractor. Fines and penalties may also be imposed for non-compliance with this Ordinance.

2.22.7.3 FOOD SERVICE ESTABLISHMENTS (FSE)

No food service establishments may discharge or cause to be discharged into the sewer system fats, oils, or grease (FOG) that may accumulate or cause or contribute to blockages in the sewer system or at the sewer system lateral that connects the FSE to the sewer system.

All food service establishments are required to install, operate, and maintain an approved grease interceptor. All devices shall be sized, installed, configured, and connected in accordance with the most recent Uniform Plumbing Code and approved by District personnel.

All grease removal devices must operate in accordance with the manufacturer's recommendations to ensure optimal grease removal. Tampering with the operation of the grease removal device may result in the discontinuance of water service.

All grease removal devices are required to be cleaned and maintained, including the pumping of hydro-mechanical and gravity grease interceptors, according to the 25 Percent Rule, or, at a minimum, once every three months, whichever is more frequent. Cleaning and maintenance records are to be kept on-site for a minimum of three calendar years and made available upon request of District personnel.

2.22.7.4 FOG BEST MANAGEMENT PRACTICES

The District may require any Food Service Establishment to implement Best Management Practices (BMPs) designed to minimize the discharge of fats, oils, and grease to the sewer system.

Required BMPs may include, but are not limited to:

- Employee training programs;
- Dry wiping of cookware, utensils, and food preparation areas prior to washing;
- Proper grease and cooking oil recycling practices;
- Control of grease spills and leaks;
- Prohibition of grease discharge through sinks, floor drains, and other plumbing fixtures;
- Proper disposal of food waste;
- Maintenance procedures for grease removal devices; and
- Any other BMPs deemed necessary by the District to protect the wastewater system.

Failure to implement required BMPs shall constitute a violation of this Ordinance.

2.22.7.5 FOG MANAGEMENT PLAN

The District may require any Food Service Establishment to prepare and implement a written FOG Management Plan.

The plan may include:

- Description of facility operations;
- Identification of grease-generating activities;
- Location and design of grease removal devices;

- Cleaning and maintenance schedules;
- Employee training procedures;
- Spill response procedures;
- Waste cooking oil handling procedures; and
- Recordkeeping requirements.

The FOG Management Plan shall be maintained on-site and made available to the District upon request.

2.22.7.6 SPILL REPORTING REQUIREMENTS

Any spill, leak, discharge, or release of fats, oils, grease, cooking oil, food waste, or grease interceptor contents that may enter the wastewater collection system, storm drain system, or environment shall be immediately reported to the District.

Notification shall include:

- Location of the incident;
- Estimated quantity released;
- Cause of the release;
- Corrective actions taken; and
- Measures implemented to prevent recurrence.

The User shall take all reasonable measures necessary to contain, clean up, and mitigate the effects of the spill.

Failure to provide timely notification shall constitute a violation of this Ordinance.

2.22.7.7 CORRECTIVE MEASURES

Where the District determines that a Food Service Establishment is contributing fats, oils, and grease to the wastewater system or is otherwise violating this Ordinance, the District may require corrective actions including:

- Increased interceptor cleaning frequency;
- Installation of additional grease control devices;
- Modification of existing grease control devices;
- Additional BMP implementation;

- Employee retraining;
- Development or revision of a FOG Management Plan;
- Additional monitoring or reporting requirements; and
- Any other reasonable action necessary to protect the wastewater system.

Failure to complete required corrective actions shall constitute a violation of this Ordinance.

2.22.7.8 RECORDS

Food Service Establishments shall maintain records of:

- Grease interceptor and trap cleaning;
- Disposal manifests and hauling records;
- BMP inspections;
- Employee training;
- Maintenance and repair activities; and
- FOG Management Plan updates.

Records shall be retained for a minimum of three (3) years and made available to the District upon request.

2.22.8 SURCHARGE PROGRAM

Users discharging wastewater with concentrations of BOD or TSS greater than 300 mg/L may be subject to a surcharge.

Any surcharge, fee, or cost imposed on the District by the City of Lompoc for the treatment of high-strength wastewater shall be passed through directly to the User responsible for the discharge.

The amount of the surcharge shall reflect the actual costs incurred by the District, including but not limited to charges from the City of Lompoc for treatment, as well as any associated administrative, monitoring, or handling costs.

The District may require pretreatment in lieu of surcharge at its discretion.

Authorization to discharge high-strength wastewater subject to surcharge may be revoked at any time if necessary to ensure compliance with applicable regulations or contractual obligations with the City of Lompoc.

2.22.9 SPECIAL AGREEMENTS

The District may enter into special agreements with Users for the acceptance of wastewater of unusual strength or character, provided that:

- Such discharge does not cause pass-through or interference;
- The User reimburses the District for any additional costs incurred;
- All applicable State and Federal requirements are met.

2.22.10 INTERAGENCY REQUIREMENTS

The District shall implement its pretreatment and wastewater control programs in a manner consistent with the Wastewater Service Agreement with the City of Lompoc and applicable State and Federal regulations.

The District shall:

- Maintain an inventory of Industrial Users and provide reports, at a minimum, quarterly, including inspection, sampling, compliance, and enforcement data for industrial users as required by the Wastewater Service Agreement.
- Implement pretreatment, FOG, and related wastewater control programs that are consistent with applicable requirements of the Wastewater Service Agreement and applicable law.
- Cooperate with the City of Lompoc and respond to reasonable requests for information, data, and documentation necessary to verify compliance with applicable regulations and the Wastewater Service Agreement.
- Allow inspections, inquiries, and access to records and facilities by the City of Lompoc only to the extent provided under the Wastewater Service Agreement, including mutual inspection rights related to operations and maintenance of the respective wastewater systems.
- Retain sole responsibility for inspection, monitoring, and enforcement of Industrial Users within the District's jurisdiction unless otherwise provided by written agreement.

Nothing in this Section shall be construed to grant the City of Lompoc authority to directly regulate, inspect, or enforce against Industrial Users within the District's jurisdiction except as expressly provided in the Wastewater Service Agreement or other duly executed agreement between the parties.

2.23 ADMINISTRATIVE ENFORCEMENT REMEDIES

2.23.1 AUTHORITY

The District shall make and enforce the regulations necessary to ensure the public health, safety, and welfare. The District shall also ensure the economical and efficient management and protection of the District's sanitary sewer system, and the regulation, collection, rebating, and refunding of charges, fees, levies, and assessments, as deemed appropriate by the Board of Directors.

In the event of a violation of any of the laws of the State of California, Santa Barbara County, or the Ordinance of the District or rules and regulations so established referring to the discharge of wastewater, the District has the authority under the Clean Water Act (33 United States Code [U.S.C.] section 1251 et seq.), the General Pretreatment Regulations (Title 40 of the Code of Federal Regulations [CFR] Part 403) and California Government Code § 61000 et seq. to disconnect the user from the wastewater system, require pretreatment, require monitoring and reporting, and enforce fines and penalties.

2.23.2 ENFORCEMENT RESPONSE PLAN (ERP)

The District shall implement and maintain an Enforcement Response Plan ("ERP") in accordance with 40 CFR 403.8(f)(5). The ERP shall establish procedures for the consistent and timely enforcement of applicable pretreatment standards, wastewater discharge permits, and the requirements of this Ordinance.

The ERP shall include, at a minimum:

- Identification and classification of violations;
- Minimum enforcement responses for each category of violation;
- Escalating enforcement actions for continuing or repeat violations;
- Timeframes for initiation and completion of enforcement actions;
- Procedures for documenting violations and enforcement activities;
- Procedures for determining and addressing Significant Noncompliance;
- Procedures for emergency response and suspension of service when necessary to protect public health, safety, the environment, or the POTW; and
- Procedures for tracking compliance and returning Users to compliance in a timely manner.

The ERP shall be maintained as an administrative document and may be revised periodically without amendment of this Ordinance, provided that such revisions remain consistent with applicable State and Federal requirements.

Nothing in this Section shall limit the District's authority to take immediate or more stringent enforcement action when necessary to address actual or threatened violations, protect the POTW, prevent pass-through or interference, or protect public health, safety, or the environment.

2.23.3 PUBLICATION OF USERS IN SIGNIFICANT NONCOMPLIANCE

The District shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdictions served by the POTW, a list of the Users that, at any time during the previous twelve (12) months, were in Significant Noncompliance with applicable Pretreatment Standards and Requirements.

The term Significant Noncompliance shall be applicable to all Significant Industrial Users (or any other Industrial User that violates bullet 3, 4, or 8 of this Section) and shall mean:

- Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six- (6-) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined in Ordinance § 2.21.4;
- Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six- (6-) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by Ordinance § 2.21.4 multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
- Any other violation of a Pretreatment Standard or Requirement as defined by Ordinance § 2.21.4 (Daily Maximum, long-term average, Instantaneous Limit, or narrative standard) that the District determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;
- Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the District's exercise of its emergency authority to halt or prevent such a discharge;
- Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an enforcement order for starting construction, completing construction, or attaining final compliance;
- Failure to provide, within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- Failure to accurately report noncompliance; or

- Any other violation(s), which may include a violation of Best Management Practices, that the District determines will adversely affect the operation or implementation of the local pretreatment program.

2.23.4 NOTIFICATION OF VIOLATION

When the District finds that a User has violated, or continues to violate, any provision of this Ordinance, an individual wastewater discharge permit, or any other Pretreatment Standard or Requirement, the District may serve upon that User a written Notice of Violation. Within fifteen (15) days of 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 District. 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 Ordinance shall limit the authority of the District to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

2.23.5 SHOW CAUSE HEARING

The District may order a User who has violated, or continues to violate, any provision of this Ordinance, an individual wastewater discharge permit, or any other Pretreatment Standard or Requirement, to appear before the District 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 that 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 five (5) days prior to the hearing. Such notice may be served on any Authorized Representative of the User and required by Ordinance § 2.22.3.4. A show-cause hearing shall not be a bar to, or a prerequisite for, taking any other action against the User.

Decisions of the District following a show cause hearing may be appealed to the Board of Directors in accordance with procedures established by the District.

2.23.6 COMPLIANCE ORDERS

When the District finds that a User has violated, or continues to violate, any provision of this Ordinance, an individual wastewater discharge permit, or any other Pretreatment Standard or Requirement, the District may issue an order to the User responsible for the discharge directing that the User come into compliance within a specified time. If the User does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders may also contain other requirements to address 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 compliance deadline 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.

2.23.7 EMERGENCY SUSPENSIONS

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

- 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 District 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 District may allow the User to recommence its discharge when the User has demonstrated to the satisfaction of the District that the period of endangerment has passed, unless the termination proceedings in Ordinance § 2.23.8 are initiated against the User.
- A User that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the District prior to the date of any show cause or termination hearing under Ordinance §2.23.5 or Ordinance § 2.23.8.
- Nothing in this Ordinance shall be interpreted as requiring a hearing prior to any Emergency Suspension under this Ordinance.

2.23.8 TERMINATION OF DISCHARGE

Any User who violates the following conditions is subject to discharge termination:

- Violation of any provision of this Ordinance, an individual wastewater discharge permit, or any other Pretreatment Standard or Requirement;
- Failure to accurately report the wastewater constituents and characteristics of its discharge;
- Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;
- Refusal of reasonable access to the User's premises for the purpose of inspection, monitoring, or sampling; or
- Violation of the Pretreatment Standards in Ordinance § 2.22.3.

Such a User will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Ordinance § 2.23.5 why the proposed action should not be taken. Exercise of this option by the District shall not be a bar to, or a prerequisite for, taking any other action against the User.

2.23.9 ADMINISTRATIVE PENALTIES

The District may assess administrative fines for violations of this Ordinance.

The amount of such fines shall be based on:

- Severity of violation
- Duration
- Economic benefit gained
- Compliance history

Administrative penalties may be imposed in addition to other enforcement actions.

2.23.10 APPEALS

Any User affected by a decision or enforcement action of the District may appeal such a decision in accordance with procedures established by the District.

The filing of an appeal shall not stay enforcement unless expressly authorized.

2.24 JUDICIAL ENFORCEMENT REMEDIES

The District may seek injunctive relief, civil penalties, and any other remedies available at law or equity.

The District may also declare violations of this Ordinance to be a public nuisance.

2.24.1.1 INJUNCTIVE RELIEF

When the District finds that a User has violated, or continues to violate, any provision of this Ordinance, an individual wastewater discharge permit, or any other Pretreatment Standard or Requirement, the District may petition the Santa Barbara County Court through the District's Legal Counsel for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the requirement imposed by this Ordinance on activities of the User. The District may also seek such other action as is appropriate for legal and/or equitable relief, including requiring 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.

2.24.1.2 CIVIL PENALTIES

Any User who violates any provision of this Ordinance, a wastewater discharge permit, or any applicable Pretreatment Standard shall be subject to:

- Administrative penalties established by resolution of the Board;
- Civil penalties of not less than \$1,000 per violation per day, and up to the maximum allowed by law;
- Recovery of all costs incurred by the District, including sampling, monitoring, administrative, legal, and remediation costs, including the cost of any actual damages incurred.

Each day of violation shall constitute a separate and distinct offense.

In determining the amount of civil liability, the Court shall consider all relevant circumstances, including:

- The extent of harm caused by the violation;
- The magnitude and duration of the violation;
- Any economic benefit gained by the User;
- Corrective actions taken by the User;
- The compliance history of the User;
- Any other factors as justice may require.

The remedies provided herein are cumulative and not exclusive, and the District may pursue any and all available remedies at law or in equity.

2.24.1.3 CRIMINAL PROSECUTION

Violations shall be subject to fines of up to \$1,000.00 and imprisonment not exceeding six months pursuant to Penal Code § 19 as referenced in Government Code § 61064(a). Additional fines and penalties may be imposed pursuant to 33 U.S.C. § 1319, which specifies criminal penalties for violations of the Act.

2.24.1.4 REMEDIES NONEXCLUSIVE

The remedies provided for in this Ordinance are not exclusive. The District may take any, all, or any combination of these actions against a noncompliant User. Enforcement of pretreatment violations will generally be in accordance with the District's enforcement response plan. However, the District may take other action against any User when the circumstances warrant. Further, the District is empowered to take more than one enforcement action against any noncompliant User.

2.25 CONFIDENTIAL INFORMATION

Information and data on a User obtained from reports, surveys, and monitoring programs, and from the District'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 District, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable California Government Code § 7920 et seq. 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 that such information should be held confidential, 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.