



City Council Memorandum

City of Arts & Innovation

TO: HONORABLE MAYOR AND CITY COUNCIL DATE: MARCH 16, 2021

FROM: PUBLIC WORKS DEPARTMENT WARDS: ALL

SUBJECT: RIVERSIDE REGIONAL WATER QUALITY CONTROL PLANT — APPROVAL OF SEWER USE ORDINANCE AND ENFORCEMENT RESPONSE PLAN REVISIONS – RESOLUTION AND ORDINANCE

ISSUE:

Approval of revisions to Riverside Municipal Code Chapter 14.12, commonly referred to as the Waste Discharge Ordinance and the Enforcement Response Plan.

RECOMMENDATIONS:

That the City Council:

1. Adopt a resolution to approve the revised Enforcement Response Plan.
2. Introduce and subsequently adopt an ordinance to revise Chapter 14.12 of the Riverside Municipal Code to update the Sewer Use Ordinance.

BACKGROUND:

The City owns and operates the Regional Water Quality Control Plant. Pursuant to the Federal Clean Water Act, 40 CFR Part 403.8(f)(5), the City is required to develop and implement an Enforcement Response Plan and to develop an approved pretreatment program. The public Works Department has been implementing the City pretreatment program since August 16, 1969. This program is needed to eliminate serious problems that can occur when industrial wastewaters are discharged into the sewage system. Once in the sewage system, these restricted pollutants can present safety risks to sewer workers, damage infrastructure or inhibit treatment processes. Additionally, toxic industrial pollutants may pass through the treatment works, thus polluting a receiving water body and posing a threat to public health and the environment.

The City pretreatment program is implemented through regular business education, inspection and water quality monitoring activities. The City has a progressive program that was recognized in 2006 as the Environmental Protection Agency (EPA) National Pretreatment Program first place award winner.

The EPA establishes pretreatment program regulations under the 1972 Clean Water Act. The regulations are uniform national requirements, which restrict the level of certain industrial

pollutants in wastewater.

The main elements of the City pretreatment program are the sewer use ordinance (RMC 14.12), and the Enforcement Response Plan (ERP) – both of which are required to comply with mandatory requirements imposed by the United States Environmental Protection Agency (EPA) Pretreatment regulations. These documents work hand in hand to establish the sewer discharge water quality requirements that are incorporated into discharge permits and progressive enforcement steps available to achieve compliance. The documents are most effective and best serve local needs when they are regularly updated to reflect changing regulations. RMC section 14.12.495 requires the ERP to be adopted via resolution of the City Council.

DISCUSSION:

Most of the proposed changes are edits to clarify existing language. Other proposed changes are necessary to bring RMC Section 14.12 and the ERP more in line with current practices, add supporting definitions, reduce the severity of some penalties, or to incorporate updated regulations. It is not anticipated that that the proposed revisions will cause compliance issues for current businesses. A summary of changes is available for review in Attachment 1: Table 1 – RMC 14.12 Ordinance – Notable Revisions, and Attachment 2: Table 2 – Enforcement Response Plan – Revisions.

The proposed RMC 14.12 and ERP updates were approved by the Public Works Director prior to submittal to the Regional Water Quality Control Board. The Santa Ana Regional Water Quality Control Board was provided these updated documents for approval and were granted an opportunity to comment or object to the updates.

FISCAL IMPACT:

There is no fiscal impact associated with the revisions to the Riverside Municipal Code (RMC) Chapter 14.12 or Enforcement Response Plan (ERP).

Prepared by: Kris Martinez, Public Works Director
Certified as to
availability of funds: Edward Enriquez, Chief Financial Officer/Treasurer
Approved by: Rafael Guzman, Assistant City Manager
Approved as to form: Kristi J. Smith, Interim City Attorney

Attachments:

1. RMC 14.12 Ordinance – Notable Revisions
2. Enforcement Response Plan - Revisions
3. Resolution
4. Ordinance
5. Proposed Enforcement Response Plan
6. Presentation