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ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RIVERSIDE, CALIFORNIA, AMENDING SECTION 14.12.120 OF THE RIVERSIDE MUNICIPAL CODE TO UPDATE PROVISIONS REGARDING DISCHARGE OF WASTES INTO THE PUBLIC SEWER AND POLLUTANTS INTO THE STORM DRAIN SYSTEMS.

The City Council of the City of Riverside does ordain as follows:

Section 1: Section 14.12.120 of the Riverside Municipal Code is amended as follows:

“Section 14.12.120 Definitions.

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

1. Act or "the Act" means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended from time to time, 33 U.S.C. Section 1251 et seq.

...

22. *Commercial Facility* means a building used as an apartment complex, retail or grocery store, school, house of worship, campground, hotel or restaurant.

23. *Commercial septic wastes* means wastes contained in septic tanks, cesspools, seepage pits, holding tanks and private disposal systems, from commercial wastewater sources that are not connected to the sanitary sewer system.

24. *Commercial wastewater* means wastewater from apartment complexes, retail or grocery stores, schools, houses of worship, campgrounds, hotels or restaurants.

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

26. *Compliance Flow Exceedance* means a 24-hour discharge volume that exceeds the Permitted Maximum Daily Discharge volume by greater than five percent.

27. *Compliance Order* means an administrative order directing a noncompliant user to achieve or restore compliance by a date specified in the order to correct violations of the Industrial User's wastewater discharge permit or of this Chapter.

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

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

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

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

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

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

18 31. *Consent order* means a time schedule agreed upon by the City and an Industrial User that
19 specifies corrective actions, called milestones, to be taken by the Industrial User to correct
20 violations of the Industrial User's Wastewater Discharge Permit or this Chapter.

21 32. *Control authority* means the City of Riverside.

22 33. *Conventional pollutants* means pollutants amenable to treatment at a municipal sewage
23 treatment plant, such as BOD, COD, total suspended solids, pH, fecal coliform, oil and grease,
24 total nitrogen and such additional pollutants the EPA defines as conventional.

25 34. *Corrective action* means a response, plan, action, or activity undertaken to correct a
26 violation or deficiency.

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

1 36. *Daily Average* means the arithmetic average of all effluent samples for a pollutant collected
2 during a calendar day.

3 37. *Daily maximum limit* means the maximum allowable discharge limit of a pollutant during a
4 calendar day. Where daily maximum limits are expressed in units of mass, the daily discharge is
5 the total mass discharged over the course of the day. Where daily maximum limits are expressed in
6 terms of a concentration, the daily discharge is the arithmetic average measurement of the
7 pollutant concentration derived from all measurements taken that day.

8 38. *De Minimis user* means any user whose industrial wastewater discharge is less than 100
9 gallons per day and is not regulated by a federal categorical pretreatment standard or industrial
10 user group permit.

11 39. *Dental industrial user* means all industrial users subject to Dental Amalgam Effluent and
12 BMP Standards or related requirements promulgated by the Environmental Protection Agency
13 (EPA), and any subsequent programs or requirements imposed by a State agency.

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

17 41. *Direct Discharge* means a discharge directly to surface, channel, stream or other receiving
18 body that leads to the Waters of the United States.

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

21 43. *Discharge Requirements* means the specific numerical limits, prohibitions, and reporting
22 requirements as contained in an Industrial User Permit and this Chapter.

23 44. *Domestic septic wastes* means all domestic wastes contained in septic tanks, cesspools,
24 seepage pits, holding tanks and private disposal systems.

25 45. *Domestic wastewater* (also referred to as Sanitary Wastewater) means wastewater from
26 residences, offices, institutions or from other premises resulting from the use of water for personal
27 washing, sanitary purposes or the discharge of human excrement and related matter.

28 46. *Effluent* means treated wastewater flowing from treatment facilities, a POTW, or a user's

1 pretreatment equipment.

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

4 48. *Enforcement Policy* means the current methods as outlined in the City's Enforcement
5 Response Plan and utilized by the City to gain compliance from Industrial Users for violations of
6 wastewater discharge permit conditions or this Chapter.

7 49. *Environmental Protection Agency* or *EPA* means the U.S. Environmental Protection
8 Agency or, where appropriate, the Regional Water Management Division Director, the Regional
9 Administrator, or other duly authorized official of said agency.

10 50. *Existing source* means any source of discharge that is not a "New Source."

11 51. *Federal Categorical Pretreatment Standard* means the National Pretreatment Standards,
12 established by the EPA, specifying quantities or concentrations of pollutants or pollutant
13 properties which may be discharged or introduced into the POTW by existing or new industrial
14 users in specific industrial categories established as separate regulations under the appropriate
15 subpart of 40 CFR Chapter I, Subchapter N.

16 52. *Fats, Oils and Greases* or *FOG* means the hydrophobic, viscous, agglomerative byproduct
17 of food preparation that can build up in sewer lines and restrict flow, causing blockages.

18 53. *General Prohibitions* means the prohibition against introduction into a POTW of any
19 pollutant(s) which cause Pass Through or Interference, as defined in 40 CFR 403.5, applicable to
20 all users.

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

25 55. *Grab sample* means an individual sample collected over a period of time not exceeding 15
26 minutes.

27 56. *Gravity separation interceptor* means an approved wastewater detention device, equipment
28 or appurtenance and is designed to remove floatable and settleable material by means of gravity

1 and the solubility of the waste in water from industrial wastewater prior to discharge to the POTW
2 and may include but not be limited to grease interceptors, hydromechanical grease interceptors,
3 grease traps, and sand/oil interceptors, or clarifiers.

4 57. *Hazardous substance* means any substance capable of creating imminent endangerment to
5 health or the environment.

6 58. *Heating water* means all water used solely for the heating of a manufacturing process,
7 equipment, or product.

8 59. *Indirect discharge* or *discharge* means the introduction of pollutants into the POTW from
9 any nondomestic source.

10 60. *Industrial user* means all persons, entities, public or private, industrial, commercial,
11 governmental, or institutional which discharge or cause to be discharged, industrial wastewater
12 and waterborne waste into the POTW, or stores waste or wastewater on site for treatment and/or
13 subsequent disposal, and includes mobile wash businesses and liquid waste haulers.

14 61. *Industrial user permit* means a permit, issued by the Public Works Director, regulating the
15 terms and conditions under which an industrial user may discharge any non-domestic wastewater
16 to the POTW.

17 62. *Industrial wastewater* means all non-domestic and non-commercial wastewater from any
18 producing, manufacturing, processing, service, automotive, agricultural or other operation.
19 Industrial wastewater may also include cooling tower and boiler blowdown water, contaminated
20 stormwater, potable water treatment wastewater and chemical toilet wastewater as determined by
21 the Director.

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

24 64. *Instantaneous limit* means the maximum concentration of a pollutant, including flow
25 volume, allowed to be discharged at any time, determined from the analysis of any discrete or
26 composited sample collected, independent of the industrial flow rate and the duration of the
27 sampling event

28 65. *Interference* means any discharge from a user which, alone or in conjunction with a

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

10 66. *Ion exchange water softener* means a water conditioning apparatus that is designed to
11 remove hardness or other impurities from a user's potable water supply through chemical, not
12 physical means.

13 67. *Liquid waste hauler* means any person engaged in the truck hauling of liquid wastes from
14 septic tanks, seepage pits, cesspools, other private disposal systems, FOG wastes, food wastes or
15 blended organic wastes, or other wastes as determined by the Director.

16 68. *Local limits* means general and specific prohibitions, best management practices or
17 pollutant discharge limitations or pollutant parameters which are developed by the City in
18 accordance with 40 CFR 403.5(c) and as adopted by the City Council.

19 69. *Lower explosive limit (LEL)* means the minimum concentration of combustible gas or vapor
20 in the air that will ignite if an ignition source is present.

21 70. *Mass emission rate* means the rate of pollutant discharge in pounds per day to the POTW.

22 71. *May* means permissive.

23 72. *mg/L* means milligrams per liter.

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

27 74. *Mobile wash business* means nonresidential user of mobile pressure washing equipment to
28 wash or rinse motor vehicles, machinery, buildings, windows, paved areas, sidewalks, parking

1 lots, and outdoor eating areas, etc.

2 75. *Medical waste* means isolation wastes, infectious agents, human blood and blood products,
3 pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially
4 contaminated laboratory wastes, and dialysis wastes.

5 76. *Monitoring/Production Information Order (MPIO)* means an Administrative Order
6 requiring an industrial user to determine the concentration or mass emission of pollutants in its
7 industrial wastewater discharge when two consecutive violations for the same pollutant are
8 detected. The industrial user shall sample those pollutants for each day in a 14 consecutive
9 calendar day period that industrial wastewater is discharged to the POTW and shall provide that
10 data and wastewater discharge flow data for that period.

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

14 78. *Monthly average Limit* means the highest allowable average of "daily discharges" over a
15 calendar month, calculated as the sum of all "daily discharges" measured during a calendar month
16 divided by the number of "daily discharges" measured during that month.

17 79. *Municipal Separate Storm Sewer System (MS4)* means a conveyance or system of
18 conveyances (including roads with drainage systems, municipal streets, catch basins, curbs,
19 gutters, ditches, natural drainage features or channels, modified natural channels, man-made
20 channels, or storm drains): (i) Owned or operated by a State, city town, borough, county, parish,
21 district, association, or other public body (created by or pursuant to State law) having jurisdiction
22 over disposal of sewage, industrial wastes, storm water, or other wastes, including special districts
23 under State law such as a sewer district, flood control district or drainage district, or similar entity,
24 or an Indian tribe or an authorized Indian tribal organization, or designated and approved
25 management agency under section 208 of the CWA that discharges to Waters of the U.S.; (ii)
26 Designated or used for collecting or conveying storm water; (iii) Which is not a combined sewer;
27 (iv) Which is not part of the POTW as defined at 40 CFR 122.2.

28 80. *New source* means

1 A. Any building, structure, facility, or installation from which there is or may be a discharge
2 of pollutants, the construction of which commenced after the publication of proposed pretreatment
3 standards under Section 307 (c) of the Federal Clean Water Act, which will be applicable to such
4 source if such standards are thereafter promulgated in accordance with that section, provided that:

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

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

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

14 B. Construction on a site at which an existing source is located results in a modification rather
15 than a new source if the construction does not create a new building, structure, facility, or
16 installation meeting the criteria of subsection A above but otherwise alters, replaces, or adds to
17 existing process or production equipment.

18 C. Construction of a new source as defined under this paragraph has commenced if the owner
19 or operator has:

20 i. Begun, or caused to begin, as part of a continuous onsite construction program

21 (a) Any placement, assembly, or installation of facilities or equipment; or

22 (b) Significant site preparation work including clearing, excavation, or removal
23 of existing buildings, structures, or facilities which is necessary for the placement,
24 assembly, or installation of new source facilities or equipment.

25 ii. Entered into a binding contractual obligation for the purchase of facilities or
26 equipment which are intended to be used in its operation within a reasonable time. Options
27 to purchase or contracts which can be terminated or modified without substantial loss, and
28 contracts for feasibility, engineering, and design studies do not constitute a contractual

1 obligation under this paragraph.

2 81. *Noncontact cooling water* means water used for cooling that does not come into direct
3 contact with any raw material, intermediate product, waste product, or finished product.

4 82. *Non-Discharging Categorical Industrial User (NDCIU)* or sometimes termed *Dry*
5 *Categorical User* means Categorical Industrial Users which generate categorical wastewater, but
6 do not have discharges to the City's collection system that are regulated by the National Categorical
7 Pretreatment Standards contained in 40 CFR Parts 405-471 and amendments thereto. These users
8 shall not be considered Significant Industrial Users as defined by 40 CFR Part [403](#).

9 83. *NPDES permit* means the then effective National Pollutant Discharge Elimination System
10 Permit issued by the California Regional Water Quality Control Board establishing the Waste
11 Discharge and Producer/User Reclamation Requirements for the Riverside Regional Water Quality
12 Control Plant or storm water requirements for the City's "Municipal Separate Storm Sewer
13 System" (referred to as the "MS4" Permit).

14 84. *NSIU* means a non-significant industrial user that does not require a Class I-VI Industrial
15 User Permit or other control instrument and is not considered a restaurant.

16 85. *Non-significant categorical industrial user* means a user subject to categorical pretreatment
17 standards under 40 CFR Part 403.6 and 40 CFR Chapter I, subchapter N and that never discharges
18 more than 100 gallons per day of total categorical wastewater (excluding sanitary, non-contact
19 cooling and boiler blowdown wastewater) as measured from each individual categorical source at
20 the facility, and has: 1) consistently complied with all applicable categorical Pretreatment
21 Standards and Requirements; 2) has submitted a certification statement required by 40 CFR Part
22 403.12(q) together with any additional information necessary to support the certification
23 statement; and 3) has never discharged any untreated concentrated wastewater.

24 86. *Non-Storm Water Discharges (NSWDs)* means discharges that do not originate from
25 precipitation events, including, but not limited to, discharges of process water, air conditioner
26 condensate, non-contact cooling water, vehicle wash water, sanitary wastes, concrete washout
27 water, paint wash water, irrigation water, or pipe testing water.

28 87. *Off-Spec Product* means a product that is contaminated or otherwise fails to meet

1 applicable specifications per the manufacturer.

2 88. *Oil and grease* means any of the following in part or in combination:

3 A. Petroleum derived products, e.g., oils, fuels, lubricants, solvents, cutting oils;

4 B. Vegetable derived products, e.g., oils, shortenings, water soluble cutting oils; or

5 C. Animal derived products, e.g., fats, greases, oils, lard

6 89. *Pass through* means any discharge which exits the POTW into waters of the United States
7 in quantities or concentrations which, alone or in conjunction with a discharge or discharges from
8 other sources, causes a violation of any requirement of the NPDES Permit, including an increase
9 in the magnitude or duration of a violation.

10 90. *Permit-required confined space*, pursuant to California Code of Regulations, Title 8,
11 Section 5157, subsection b, means a confined space that has one or more of the following
12 characteristics:

13 A. Contains or has the potential to contain a hazardous atmosphere;

14 B. Contains a material that has the potential for engulfing an entrant;

15 C. Has an internal configuration such that an entrant could be trapped or and tapers to a
16 smaller cross-section; or

17 D. Contains any other recognized serious safety or health hazard.

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

21 92. *pH* means a measure of the acidity or alkalinity of a solution, expressed in standard units.

22 93. *Pollutant* means anything which causes the deterioration of water quality such that it
23 impairs subsequent and/or competing uses of the water. Also means conventional pollutants,
24 domestic wastewater, hazardous substances, infectious waste, slug discharges, dredged soil, solid
25 waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological
26 materials, radioactive materials, medical waste, plastic waste, heat, rock, sand, dirt, dust, wood
27 product, cleaning chemicals of any kind and industrial, municipal, and agricultural waste and
28 wastewaters. Pollutants may also include, but are not limited to, paints, oil and other automotive

1 fluids, soil, sand, sediment, dirt, rubbish, trash, garbage, debris, refuse, waste, fecal coliform, fecal
2 streptococcus, enterococcus, other biological materials, radiological materials, suspended solids,
3 heavy metals, hazardous waste, chemicals, fresh concrete, yard waste from commercial
4 landscaping operations, animal waste, materials that result from the process of constructing a
5 building or structure, nauseous or offensive matter of any kind.

6 94. *Pollutant exceedance fee* means a fee in addition to the sewer service charge, which is
7 charged on those users whose wastewater discharge pollutants exceed permitted pollutant levels
8 for COD, TSS or maximum daily discharge volume.

9 95. *Plastic Materials* means virgin and recycled plastic resin pellets, powders, flakes,
10 powdered additives, regrind, dust, and other similar types of preproduction plastics with potential
11 to discharge or migrate off-site.

12 96. *Pretreatment* means the reduction of the amount of pollutants, the elimination of pollutants,
13 or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of,
14 discharging or otherwise introducing such pollutants into the POTW. This reduction or alteration
15 can be obtained by physical, chemical, or biological processes; by process changes; or by other
16 means, except by diluting the concentration of the pollutants unless allowed by an applicable
17 pretreatment standard.

18 97. *Pretreatment standards* or *standards* means prohibited discharge standards, categorical
19 pretreatment standards, and local limits.

20 98. *Prohibited discharge standards* or *prohibited discharges* means absolute prohibitions
21 against the discharge of certain substances; these prohibitions appear in Section 2.1 of [the
22 ordinance from which this section derives].

23 99. *Pretreatment waste* means waste byproducts, such as sludge or particulates, removed by
24 pretreatment.

25 100. *Publicly Owned Treatment Works* or *POTW* means a wastewater treatment plant, e.g., the
26 Riverside Regional Water Quality Control Plant (RWQCP). This definition includes the collection
27 system, within the City and the Community Service Districts, which is the sewers, pipes and other
28 conveyances of wastewater to a treatment plant, except for private sewer lateral connections. It

1 also includes any devices and systems used in the storage, treatment, recycling and reclamation of
2 municipal sewage or industrial wastes.

3 101. *Qualified professional* means a person qualified by education, training, or experience to
4 evaluate and assess pollutant discharges and violations of this chapter.

5 102. *Quarterly Average* means the average of discrete measurements taken over a calendar
6 Quarter as calculated by using all daily measurements and flows as applicable.

7 103. *Quarterly Average Limit* means the highest allowable quarterly average discharge of a
8 specified pollutant, calculated from all daily measurements and flows as applicable.

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

11 105. *Regional Water Quality Control Plant (RWQCP)* means the City owned treatment works
12 located at 5950 Acorn Street, Riverside CA 92504.

13 106. *Restaurant or Food Service Establishment (FSE)* means all retail establishments selling
14 prepared foods and/or drinks for consumption on or off the premises; including lunch counters and
15 refreshment stands. Retail establishments, lunch counters, and drinking places selling prepared
16 food and/or drink as a subordinate service incidental to their primary operations, and institutional
17 facilities (e.g., schools, hospitals, jails, prisons, and juvenile halls), which serve food on the
18 premises shall also be considered restaurants.

19 107. *Sanitary Sewer Overflow or SSO* means a release of untreated sewage from the sanitary
20 sewer into the environment prior to reaching sewage treatment facilities.

21 108. *Shall* means mandatory.

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

24 110. *Septic tank waste* means any sewage from holding tanks such as vessels, chemical toilets,
25 campers, trailers and septic tanks.

26 111. *Sewage* means human excrement and gray water (household showers, dishwashing
27 operations, etc.).

28 112. *Sewer lateral line* means the wastewater collection pipe extending from the premises where

1 the wastewater is generated to the premises' property line or easement boundary for residences, or
2 from the premises to the connection to the city main line for commercial or industrial facilities.

3 113. *Significant industrial user (SIU)*, except as provided in paragraphs C and D below, as per
4 40 CFR 403.8(f)(1)(iii)(B)(6) means one or more of the following:

5 A. An industrial user subject to categorical pretreatment standards.

6 B. An industrial user that

7 (i) Discharges an average of at least 25,000 gallons per day (gpd) or more of process
8 wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown
9 wastewater);

10 (ii) Contributes a process wastestream which makes up five percent or more of the
11 average dry weather hydraulic or organic capacity of the POTW treatment plant.

12 C. Is designated as such by the City on the basis that it has a reasonable potential for adversely
13 affecting the POTW's operation or for violating any pretreatment standard or requirement.

14 D. The City may determine that an industrial user subject to categorical pretreatment standards
15 is a non-significant categorical industrial user rather than a significant industrial user on a finding
16 that the industrial user never discharges more than 100 gallons per day (gpd) of total categorical
17 wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless
18 specifically included in the pretreatment standard) and the following conditions are met:

19 (i) The industrial user, prior to the City's finding, has consistently complied with all
20 applicable categorical pretreatment standards and requirements;

21 (ii) The industrial user annually submits the certification statement required in [Section](#)
22 [6.14 B](#) [see 40 CFR 403.12(q)], together with any additional information necessary to support the
23 certification statement; and

24 (iii) The industrial user never discharges any untreated concentrated wastewater.

25 E. Upon a finding that a user meeting the criteria in subsection D. of this part has no
26 reasonable potential for adversely affecting the POTW's operation or for violating any
27 pretreatment standard or requirement, the City may at any time, on its own initiative or in response
28 to a petition received from an industrial user, and in accordance with procedures in 40 CFR

1 403.8(f)(6), determine that such user should not be considered a significant industrial user.

2 114. *Significant noncompliance (SNC)* means any violation meeting one or more of the
3 following criteria:

4 A. Chronic violations of wastewater discharge limits, defined as those in which 66 percent or
5 more of all of the measurements for the same pollutant parameter during a six consecutive month
6 period exceed by any magnitude a numeric pretreatment standard or requirement, including
7 instantaneous limits;

8 B. Technical Review Criteria (TRC) violations, which are defined as those in which 33
9 percent or more of all of the measurements taken during a consecutive six-month period equal or
10 exceed the product of the numeric pretreatment standard, local limit, or requirement, including
11 instantaneous limits, multiplied by the applicable TRC (TRC=1.4 for BOD, COD, TSS, fats, oil
12 and grease, and 1.2 for all other pollutants except pH);

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

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

20 E. Failure to meet, within 90 days after the scheduled date, a compliance schedule Milestone;

21 F. Failure to provide, within 30 days of the scheduled date, any required reports such as
22 baseline monitoring reports, compliance reports, and self-monitoring reports;

23 G. Failure to pay, within 30 days of written notification, all application, permit, or
24 enforcement fees;

25 H. Failure to accurately report non-compliance; or

26 I. Any other violation(s), which may include failure to implement required best management
27 practices, which the City believes will adversely affect the City's pretreatment program.

28 115. *Single pass cooling water* means water that is used solely for the purpose of cooling and is

1 used only once before being discharged.

2 116. *Single pass heating water* means water that is used solely for the purpose of heating and is
3 used only once before being discharged.

4 117. *Slug load* or *slug discharge* means any discharge of wastewater of a non-routine, episodic
5 nature including, but not limited to, an accidental spill, or a non-customary batch discharge which
6 could damage, interfere with, or pass through the POTW or otherwise violate this chapter, local
7 limits, permit conditions, or other regulations. *Slug load* means any discharge at a flow rate or
8 concentration, which could cause a violation of the prohibited discharge standards or local limits
9 as described in this ordinance or a permit.

10 118. *Spill-Containment* means a protection system installed by an Industrial User to prevent the
11 comingling of incompatible materials and/or accidental discharge of prohibited and/or
12 incompatible pollutants to the collection system or storm drain.

13 119. *Storm drain* or *Stormwater Conveyance System* means a storm water drain system or a
14 system of open channels, lined and unlined channels, surface channels, impound basins, ground
15 water recharge basins, storm water holding ponds, underground pipes, curb and gutter, inlets and
16 outlets, cross gutters, storm water pump and lift stations, parking lots, paved areas, streets, and
17 natural water courses used to collect and direct storm water to a receiving body of water or aquifer
18 recharge basins.

19 120. *Storm water* means water flowing or discharged as a result of rain, snow, or other
20 precipitation.

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

23 122. *Timeline* means the date of completion for a compliance schedule, compliance plan,
24 corrective action, submission of report, or other response required due to a detected violation or
25 deficiency. This can also be called a benchmark or milestone.

26 123. *Total suspended solids* or *suspended solids* means the total suspended matter that floats on
27 the surface or is suspended in water, wastewater, or other liquid, and that is removable retained by
28 laboratory filtering and dried at 103—105 degrees C.

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

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

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

10 127. *User or industrial user* means any person, public or private, residential, industrial,
11 commercial, governmental, or institutional which discharges or causes to be discharged
12 wastewater or waterborne waste to the POTW.

13 128. *Waste* means any discarded solid, semi-solid, liquid, or gaseous material.

14 129. *Wastewater* means liquid and water-carried industrial wastes and sewage from residential
15 dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether
16 treated or untreated, which are contributed to the POTW or storm drain.

17 130. *Wastewater treatment plant or treatment plant* means that portion of the POTW which is
18 designed to provide treatment of municipal sewage and industrial waste.

19 131. *Waters of the State* means any surface water or groundwater, including saline waters,
20 within the boundaries of the State of California.

21 Section 2: The City Council has reviewed the matter and, based upon the facts and
22 information contained in the staff reports, administrative record, and written and oral testimony,
23 hereby finds that this ordinance is not subject to CEQA pursuant to Sections 15060(c)(2),
24 15060(c)(3) and/or 15061(b)(3) of the State CEQA Guidelines, California Code of Regulations, Title
25 14, Chapter 3, in that it will not result in a direct or reasonably foreseeable indirect physical change
26 in the environment nor have a significant impact on the environment, and is not a project as defined
27 in Section 15378.

28 Section 3: The City Clerk shall certify to the adoption of this ordinance and cause

1 publication once in a newspaper of general circulation in accordance with Section 414 of the Charter
2 of the City of Riverside. This ordinance shall become effective on the 30th day after the date of its
3 adoption.

4 ADOPTED by the City Council this _____ day of _____, 2024.

5
6 _____
7 Mayor of the City of Riverside

8 Attest:

9 _____
10 City Clerk of the City of Riverside

11 I, Donesia Gause, City Clerk of the City of Riverside, California, hereby certify that the
12 foregoing ordinance was duly and regularly introduced at a meeting of the City Council on the
13 _____ day of _____, 2024, and that thereafter the said ordinance was duly and
14 regularly adopted at a meeting of the City Council on the _____ day of _____, 2024,
15 by the following vote, to wit:

16 Ayes:

17 Noes:

18 Absent:

19 Abstain:

20
21 IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the
22 City of Riverside, California, this _____ day of _____, 2024.

23
24 _____
25 DONESIA GAUSE
26 City Clerk of the City of Riverside

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28 CA: 23-1872 TAT 03/05/24