

EXHIBIT “F”

Title 14

Chapters:

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14.08	SEWER CONNECTIONS AND PERMITS
14.12	DISCHARGE OF WASTES INTO THE PUBLIC SEWER AND POLLUTANTS INTO THE STORM DRAIN SYSTEMS
14.16	PRIVATE DUMPING AND DISPOSAL OF SEWAGE
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Chapter 14.04

Section 14.04.060 Collection of charges by Public Utilities Department.

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Chapter 14.08

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Section 14.08.005 Definitions

For the purpose of this Chapter the following words and phrases shall have the meaning ascribed to them in this section.

A. Apartment or apartment house means any building containing two or more dwelling units with separate plumbing facilities, but shall not include any building commonly known as a hotel, motel, or auto court.

B. Board house shall have the same meaning as set forth in Title 19 of this code.

C. City Sewerage System means those pipe lines, plant facilities and appurtenances constructed, maintained and operated by the City primarily for the collection of sewage and the conveyance thereof to the wastewater treatment plant for the treatment of the sewage.

D. Dwelling unit means a building of one or more rooms which is occupied by one person or more persons.

E. Non-residential means any industrial, commercial, governmental, or institutional premises including apartments, condominiums, and boarding houses, which discharge or cause to be discharged sewage into the City Sewerage System.

F. Non-residential private sewer lateral line means the wastewater collection pipe extending from the premises, including the sewer lateral clean out, where the wastewater is generated to the point of connection to the City Sewerage System.

G. Premises means a lot or parcel of land, a building or an establishment.

H. Private residential sewer lateral line means the wastewater collection pipe extending from the premises, including the sewer lateral clean out, where the wastewater is generated to the Premises property line.

I. Residential means any dwelling unit that is primarily used as a person or persons living quarters, excluding apartments, and which discharges or causes to be discharged sewage in the City Sewerage System.

J. Sewage means a combination of water or waste borne waste generated from a Premise.

Section 14.08.020 Maintenance of private sewer lateral connections--Right of entry of inspectors.

A. All residential and non-residential customers shall maintain their private sewer lateral line in good working order and free of defects (which includes the installation of a clean out for maintenance at the property line) at their own expense and shall be liable for damages which may result from failure to do so.

B. The City shall maintain the sewer lateral of residential premises (excluding non-residential premises) beginning at the property line to the point of connection to the City Sewerage System.

C. A City inspector and/or City contractor shall be admitted at all reasonable hours at all parts of any premises connected with the sewerage system for the purpose of checking any facilities mentioned in this chapter and establishing sewer service charges as provided in Chapter 14.04.

Chapter 14.12

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

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Section 14.12.110 Purpose--Implementation of Regional Board Resolution.

Riverside County Service Area (“CSA”) 152 and 152-C were formed for the implementation of the National Pollution Discharge Elimination System Program. The City annexed their corporate boundaries into CSA 152. The sewer system of the County of Riverside (through CSA 152 and 152-C) and through agreement with the City of Riverside discharges treated effluent from the City of Riverside’s Regional Water Quality Control Plant into permeable soil structures and surface waters of the State, in particular the Santa Ana River. Storm water discharges also enter the Santa Ana River. The chemical nature of this effluent affects the quality of water flowing in the receiving stream as well as the quality of underground waters in the vicinity.

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

In order to conform to such sewage effluent discharge limitations and requirements, the City must regulate the discharge of waste to the Publicly Owned Treatment Works (POTW) and discharges into its storm drain system.

A. This Chapter shall provide for the regulation of wastewater discharges in accordance with the federal government's objectives of general pretreatment regulations as stated in Part 403. of Title 40 of the Code of Federal Regulations (CFR) which are for the following purposes:

1. To prevent the introduction of pollutants into the City's POTW which will interfere with the operation of the POTW, including interference with its use or disposal of municipal biosolids;
2. To prevent the introduction of pollutants into the POTW which will pass through the treatment works, inadequately treated, to the receiving waters or otherwise be incompatible with such works;
3. To improve opportunities to recycle and reclaim municipal and industrial wastewater and biosolids;

4. To enable the City to comply with its NPDES Permit conditions, biosolids use and disposal requirements, and any other federal or state laws to which the POTW is subjected;
 5. To enable the City to control the privileges to any use of the POTW; and
 6. To protect and preserve the health and safety of the citizens and personnel of the City and the Community Services Districts.
- B. This Chapter shall apply to all users of the POTW. This Chapter authorizes:
1. The issuance of Industrial User Permits;
 2. Monitoring, compliance, and enforcement activities;
 3. Administrative review procedures;
 4. Industrial waste plan check review services;
 5. User reporting requirements;
 6. The establishment of fees;
 7. The equitable distribution of costs resulting from the program established herein;
- and
8. To reduce or prevent the introduction of pollutants into the City storm drain system.

14.12.115 Abbreviations

The following abbreviations, when used in this Code, shall have the designated meanings set forth herein:

BOD – Biochemical Oxygen Demand
BMP – Best Management Practice
BMR – Baseline Monitoring Report
CFR – *Code of Federal Regulations*
CIU – Categorical Industrial User
COD – Chemical Oxygen Demand
DIU- Dental Industrial User
EPA – U.S. Environmental Protection Agency
gpd – gallons per day
IU – Industrial User
mg/l – milligrams per liter
NPDES – National Pollutant Discharge Elimination System
NSCIU – Non-Significant Categorical Industrial User
POTW – Publicly Owned Treatment Works
RCRA – Resource Conservation and Recovery Act
SIU – Significant Industrial User
SNC – Significant Noncompliance
TSS – Total Suspended Solids
U.S.C. – United States Code

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.

2. **Analytical Methods** means the sample analysis techniques prescribed in 40 CFR Part 136. Where 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analysis shall be performed using validated analytical methods, approved by the City, or any other applicable sampling and analytical procedures, including procedures suggested by the City or other parties as approved by the EPA.

3. **Authorized or Duly Authorized Representative of the User** means:

A. If the User is a corporation:

(1) The president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation; or

(2) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit [or general permit {optional}] requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

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

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

D. The individuals designated in paragraph A., B. or C above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the City.

4. **Baseline Monitoring Report (BMR)** means a report which contains the information listed in paragraphs 40 CFR § 403.12 (b)(1)-(7) to be submitted within 180 days after the effective date of a categorical Pretreatment Standard, or 180 days after the final administrative decision made upon a category determination submission under 40 CFR § 403.6(a)(4), whichever is later, existing Industrial Users subject to such categorical Pretreatment Standards and currently discharging to or scheduled to discharge to a POTW shall be required to submit to the City this report. At least 90 days prior to commencement of discharge, New Sources, and sources that become Industrial Users subsequent to the promulgation of an applicable categorical Standard, shall be required to submit to the City a report which contains the information listed in paragraphs 40 CFR § 403.12 (b)(1)-(5) of this section. New sources shall also be required to include in this report information on the method of pretreatment the source intends to use to meet applicable pretreatment standards.

5. **Best Management Practices (BMPs)** means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices for compliance with pretreatment and storm water housekeeping requirements. BMPs also include treatment

requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage. POTWs may develop BMPs, which shall be considered local limits and Pretreatment Standards for the purposes of this Ordinance.

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

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

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

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

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

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

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

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

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

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

15. **Class IV User** means any industrial or Categorical Industrial User that has a manufacturing or production process or procedure that generates wastewater and/or waste and that

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

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

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

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

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

20. **Combined Wastestream Formula** means the formula, as outlined in the general pretreatment regulations of the Clean Water Act, 40 CFR 403.6(e), for determining wastewater discharge limitations for Categorical Industrial Users whose effluent is a mixture of regulated, unregulated, and dilution wastewater as defined in the formula.

21. **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.

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

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

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

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

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

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

25. **Control Authority** means the City of Riverside.

26. **Conventional Pollutants** means BOD, COD, total suspended solids, pH, fecal coliform, oil and grease, total nitrogen and such additional pollutants as are now or may be in the

future specified and controlled in the City's NPDES permit for its POTW where said POTW has been designed and used to reduce or remove such pollutants.

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

28. **Daily Maximum** means the arithmetic average of all effluent samples for a pollutant collected during a calendar day.

29. **Daily Maximum Limit** means the maximum allowable discharge limit of a pollutant during a calendar day. Where Daily Maximum Limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

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

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

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

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

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

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

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

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

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

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

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

41. **Good Faith** means the user's honest intention to remedy noncompliance together with actions that support the intention without the use of enforcement actions by the City.

Examples of these intentions are improved housekeeping practices or the installation of pretreatment equipment to reduce or eliminate pollutants.

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

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

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

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

46. **Indirect Discharge or Discharge** means the introduction of pollutants into the POTW from any nondomestic source.

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

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

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

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

51. **Instantaneous Limit** means 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

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

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

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

55. **Local Limits** means specific prohibitions, Best Management Practices or pollutant limitations or pollutant parameters which are developed by the City in accordance with 40 CFR 403.5(c). Local Limits in regards to Local Limits Discharge Limitations are as listed in City Resolution Numbers 20295 and 21185, and any subsequent amendments or updates.

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

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

58. **May** means permissive.

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

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

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

62. **Medical Waste** means isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

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

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

65. **Monthly Average Limit** means the highest allowable average of “daily discharges” over a calendar month, calculated as the sum of all “daily discharges” measured during a calendar month divided by the number of “daily discharges” measured during that month.

66. **New Source** means

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

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

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

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

B. Construction on a site at which an Existing Source is located results in a modification rather than a New Source if the construction does not create a new building, structure, facility, or installation meeting the criteria of Section (A) above but otherwise alters, replaces, or adds to existing process or production equipment.

C. Construction of a New Source as defined under this paragraph has commenced if the owner or operator has:

i. Begun, or caused to begin, as part of a continuous onsite construction program
(a) any placement, assembly, or installation of facilities or equipment; or
(b) significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment.

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

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

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

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

70. **Non-Significant Categorical Industrial User** means a user subject to categorical pretreatment standards under 40 CFR Part 403.6 and 40 CFR Chapter I, subchapter N and that never discharges more than 100 gallons per day of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater) and has: 1) consistently complied with all applicable categorical Pretreatment Standards and Requirements; 2) has submitted a certification statement required by 40 CFR Part 403.12(q) together with any additional information necessary to support the certification statement; and 3) has never discharged any untreated concentrated wastewater.

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

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

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

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

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

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

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

76. **Pollutant** means anything which causes the deterioration of water quality such that it impairs subsequent and/or competing uses of the water. Also means conventional pollutants, domestic wastewater, hazardous substances, infectious waste, slug discharges, dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, medical waste, heat, rock, sand, dirt, dust, wood product, cleaning chemicals of any kind and industrial, municipal, and agricultural waste and wastewaters. Pollutants may also include, but are not limited to, paints, oil and other automotive fluids, soil, sand, sediment, dirt, rubbish, trash, garbage, debris, refuse, waste, fecal coliform, fecal streptococcus, enterococcus, other biological materials, radiological materials, suspended solids, heavy metals, hazardous waste, chemicals, fresh concrete, yard waste from commercial landscaping operations, animal waste, materials that result from the process of constructing a building or structure, nauseous or offensive matter of any kind.

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

78. **Pretreatment** means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable Pretreatment Standard.

79. **Pretreatment Standards or Standards** means prohibited discharge standards, categorical Pretreatment Standards, and Local Limits.

80. **Prohibited Discharge Standards or Prohibited Discharges** means absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 2.1 of this ordinance.

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

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

83. **Publicly Owned Treatment Works or POTW** means a wastewater treatment plant, e.g., the Riverside Regional Water Quality Control Plant (RRWQCP). This definition

includes the collection system, within the City and the Community Service Districts and **CSA 152-C**, which is the sewers, pipes and other conveyances of wastewater to a treatment plant, except for private sewer lateral connections. It also includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes.

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

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

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

87. **Shall** means mandatory.

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

89. **Septic Tank Waste** means any sewage from holding tanks such as vessels, chemical toilets, campers, trailers and septic tanks.

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

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

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

A. An Industrial User subject to categorical Pretreatment Standards.

B. An Industrial User that

(i) discharges an average of at least twenty-five thousand gallons per day (gpd) or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);

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

C. Is designated as such by the City on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.

D. The City may determine that an Industrial User subject to categorical Pretreatment Standards is a Non-Significant Categorical Industrial User rather than a Significant Industrial User on a finding that the Industrial User never discharges more than 100 gallons per day (gpd) of total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met:

(i) The Industrial User, prior to the City's finding, has consistently complied with all applicable categorical Pretreatment Standards and Requirements;

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

iii) The Industrial User never discharges any untreated concentrated wastewater.

E. Upon a finding that a User meeting the criteria in Subsection (D) of this part has no reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement, the City may at any time, on its own initiative or in response to a petition received from an Industrial User, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such User should not be considered a Significant Industrial User.

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

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

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

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

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

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

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

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

H. Failure to accurately report non-compliance; or

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

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

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

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

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

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

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

99. **Total Suspended Solids or Suspended Solids** means the total suspended matter that floats on the surface or is suspended in water, wastewater, or other liquid, and that is removable retained by laboratory filtering and dried at 103-105 degrees C.

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

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

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

103. **User or Industrial User** means any person, public or private, residential, industrial, commercial, governmental, or institutional which discharges or causes to be discharged wastewater or waterborne waste to the POTW. It is a source of indirect discharge.

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

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

106. **Wastewater Treatment Plant or Treatment Plant** means that portion of the POTW which is designed to provide treatment of municipal sewage and industrial waste.

107. **Waters of the State** means any surface water or groundwater, including saline waters, within the boundaries of the state of California.

II. General Provisions

Section 14.12.200 Administration.

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

B. **General Powers of the Director.** Except as otherwise provided herein, the Director shall execute the provisions of this Chapter. The Director may delegate powers or duties to persons acting in the beneficial interest or employ of the City, but shall remain responsible. In

addition to the authority to prevent or eliminate discharges through enforcement of discharge limitations and prohibitions, the Director shall have the following authorities:

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

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

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

C. **Specific Powers of the Director.** The Director may take any of the following actions to prevent the actual or threatened discharge of polluted wastewater to the POTW, City sewer and/or storm drain system:

1. Stop or prevent the discharge of such wastewater and/or pollutants;
2. Require the user to demonstrate that process modifications will reduce or eliminate the pollutant or substance so that the discharge will not violate this Chapter;

3. Require treatment to reduce or eliminate the pollutants so that the discharge will not violate this Chapter;

4. Require the user to pay Industrial User Permit fees, inspection fees and any additional cost or expense incurred by the City by excess pollutant loads discharged to the POTW, City sewer and/or storm drain systems, or imposed fines, penalties or legal expenses, and attorneys' fees;

5. Obtain timely and factual reports from the person responsible for such discharge; and

6. Take any other action to achieve the purposes of this Chapter.

Section 14.12.215 Inspection.

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

B. The user shall ensure that there is always a person on site, during normal business hours, that has knowledge of the user's processes and activities to accompany the Director during the inspection, and can respond within twenty minutes of the Directors arrival, or else the user shall be found in violation of unnecessarily delaying the inspection.

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

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

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

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

G. The user shall make all records required to be kept under the provisions of this Chapter available for copying by the Director.

Section 14.12.220 Inspection Warrants.

If the Director is refused inspection access to a building, structure, or property, or any part thereof, the Director may obtain an inspection warrant pursuant to Code of Civil Procedure section 1822.50 et seq. No warrant is required in the event of an emergency threatening the public health or safety or the City's POTW. If the situation deems it necessary the City may obtain a criminal search warrant.

Section 14.12.225 Monitoring.

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

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

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

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

E. The sampling station or measuring devices shall be maintained for continuous sampling or metering. The measuring devices shall be calibrated a minimum of once per year by an outside contractor, or as often as necessary to ensure accurate measurements according to manufacturer's specifications. All maintenance and calibration work shall be performed at the user's expense.

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

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

competent to perform the pollutant analyses requested, shall perform all laboratory analyses and must be acceptable to the Director. All samples must have the following information:

1. The date, exact place, method, and time of sampling and the names of the person or persons taking the samples;

2. The dates the analyses were performed;

3. Who performed the analyses;

4. The analytical techniques/methods used;

5. The results of such analyses;

6. A copy of the laboratory sample analysis sheet;

7. Chain of custody; and

8. The user's completed monitoring report form.

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

I. Any wastewater samples taken from a user's approved or designated sampling location shall be considered representative of the wastewater discharged to the POTW. For users that have interceptors, but no approved or designated sampling location, the last chamber of the interceptor shall be the designated sampling location. 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 Director. Where time-proportional composite sampling or grab sampling is authorized by the City, the samples must be representative of the discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the City, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits and Local Limits.

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

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

exceedance notice shall have the total flow, date of the violation, the reason for the flow exceedance, and the name of the person reporting the flow exceedance. Failure to report such flow exceedance is unlawful and may subject the user to enforcement actions.

L. All users with a discovered pollutant violation shall resample their wastewater discharge for that pollutant. This mandatory resampling is independent of any other wastewater sampling requirement. User shall notify the Director within 24 hours of becoming aware of the violation. User shall submit the laboratory results and all required forms from the resamples of the violation to the Director no later than thirty calendar days after the user discovers or becomes aware of the violation and a written explanation detailing the cause(s) and correction action(s) of the violation to the Director no later than ten calendar days after the user discovers or becomes aware of the violation. Failure to submit the laboratory results and all required documents within the forty-five-day requirement shall result in Significant Noncompliance for the user and the issuance of a Notice of Violation to the user.

M. All users whose wastewater discharge is sampled by the City and themselves shall be responsible for all resampling requirements contained in subsection L of this Section when a pollutant violation is detected. The City shall notify the user of the resampling requirements by a telephone call, telefax transmission, or personal visit within seventy-two hours of confirming a pollutant violation. The repeat sampling is required to be performed within thirty days of becoming aware of a violation.

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

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

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

1. A minimum of four grab samples separated by a minimum of two hours each shall be taken in a single calendar day;
2. Each individual oil and grease grab sample shall be analyzed separately and the analytical results from each sample shall be averaged;
3. No single oil and grease grab sample shall exceed the user's permitted limit by more than forty percent; and
4. The average result from all individual oil and grease grab samples taken in a single calendar day shall not exceed the user's permitted limit.

Section 14.12.230 Record Keeping.

All users shall keep records of waste hauling, reclamations, wastewater pretreatment, monitoring device recording charts and calibration reports, effluent flow, and sample analysis data on the site of the wastewater generation. All these records are subject to inspection and copy by Director. All records must be kept on the site of the wastewater generation for a minimum period of three years. The record retention period may be extended beyond three years in the event criminal or civil action is taken or an extensive user history is required. Records required by

company or corporate policy to be kept off-site shall be telefaxed or submitted electronically to the Environmental Compliance Office within seventy-two hours of the records request. Failure to submit the records as required is a violation of this Chapter and may result in enforcement actions.

Section 14.12.235 Flow Measurement.

Any industrial user who discharges twenty-five thousand gallons per day or more of industrial wastewater, or as required by the Director, shall install a continuous monitoring flow meter capable of measuring the industrial user's entire industrial wastewater discharged to the POTW. The user shall record and log the flow on a daily basis. The flow meter shall conform to standards issued by the Director. The user shall report the flow meter type and size to the Director before installation. The flow meter shall be equipped with a non-resetting flow totalizer and a paper chart recorder that records the time, day, date and volume of discharge. All flow meters shall be calibrated as often as necessary to ensure accuracy of the actual flow discharged, within plus or minus five percent. Special-billed industries shall perform calibration by an independent company as frequently as is necessary, or at no less than once per year or the minimum manufacturer's recommended time interval if sooner. All flow meter installations shall have the flow meter size, type, totalizer units, and flow multipliers posted in a conspicuous place near the flow meter recorder. All Class I facilities are required to have a flow meter that must be calibrated yearly by a third party certified calibration company.

Section 14.12.250 Drain Screen Requirements.

Any user that has floor drains, floor sinks, drains, mop sinks, can washes or any other drain designed to convey wastewater to the sewer system, shall have a screen in place in said drains with hole sizes of three-eighths of an inch or smaller.

Section 14.12.255 Sand/Oil Gravity Separation Interceptor.

No user that operates or maintains a facility for the servicing or repair of roadway machinery, industrial transportation equipment, motor vehicles, public or private transportation vehicles, and any other facility as required by the Director, shall discharge wastewater to the POTW without a gravity separation interceptor ("interceptor") that complies with all of the requirements of this Chapter pertaining to sand/oil interceptors. Domestic wastewater shall not be allowed to pass through the interceptor. The Director shall determine the interceptor's operational fluid capacity. The interceptor shall have a minimum operational fluid capacity of not less than one hundred gallons, and shall be designed to retain any material that will float or any material that will settle and shall meet all the requirements of this Chapter. The interceptor shall be equipped with a sample box.

Section 14.12.260 Interceptor Requirements.

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

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

C. All interceptor chambers shall be immediately accessible at all times for inspection, sampling, cleaning, and maintenance. The user shall provide a separate ring and cover for each

separate interceptor chamber, including sample box and any additional covers to insure adequate cleaning and inspection capabilities. All rings shall be affixed to the interceptor to insure a gas and watertight seal. At no time shall any material, debris, obstacles or other obstructions be placed in such a manner that will prevent immediate access to the interceptor.

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

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

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

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

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

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

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

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

Section 14.12.270 Interceptor Maintenance.

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

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

C. No user shall use any microbiological product in a grease interceptor that was not specifically designed to use such microbiological agents to metabolize fats, oils, and greases. If a

user is found using any of these materials, the materials may be confiscated without restitution to the user and the user may be subject to enforcement actions.

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

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

F. The owner and lessee, sub-lessee, proprietor, operator and superintendent of any facility, required to install an interceptor or use an existing interceptor are individually and severally liable for any failure to properly maintain such interceptor.

Section 14.12.275 Restaurants.

A. No person who owns, operates, or maintains a restaurant (restaurant user) shall discharge wastewater from such restaurant to the POTW without first receiving a written determination from Director, and complying with such determination, of the POTW interceptor requirements. Restaurant users shall complete and submit a Wastewater Discharge Survey Form and conditional waiver to the Director for review of interceptor requirements. Within ten business days of receipt of the Wastewater Discharge Survey Form, Director shall notify such restaurant user of Director's determination whether an interceptor is required prior to discharge into the POTW. It is unlawful for any restaurant user notified by the Director as needing an interceptor to discharge restaurant wastewater into the POTW without use of a grease interceptor.

B. The Director shall calculate the size of the interceptor in accordance with the Uniform Plumbing Code, as adopted by the City, provided that any restaurant determined to require an interceptor of more than one hundred gallons and less than seven hundred fifty gallons shall install a minimum seven hundred fifty gallon interceptor. The Director's determination shall consider the type of restaurant, the condition of the collection system serving the restaurant, and the possible adverse effects caused by the restaurant's wastewater discharge. An under the sink grease trap is not allowed in the City unless the site is considered a zero lot line business located in the downtown area of the City, meets certain requirements and also gets approved by the County.

C. Any restaurant user required to install an interceptor shall direct all wastewater and waste from floor drains, floor sinks, sinks, waste container wash racks, dishwashers, mop sinks, utility sinks and garbage grinders through an approved interceptor complying with this Chapter. The user shall keep all domestic wastewater from restrooms, showers, drinking fountains, and condensate, soda machines, bar sinks, (i.e., ice melt, air conditioning condensate) separate from the restaurant wastewater until the restaurant wastewater has passed through all interceptors, pretreatment equipment, devices, or monitoring stations.

D. All restaurant users shall separate, to the maximum extent practicable, all fats, oils, and greases from the restaurant wastewater for off-site disposal. Each restaurant user shall store these separated wastes in accordance with all applicable laws, rules, policies and regulations, including the Riverside County Department of Environmental Health and this Chapter. If grease

is stored outside in drum or bin the container should be secured from tipping over using a chain or other material and have a secure lid or cover on top. If grease is located in the trash enclosure the restaurant user shall clean-up any spills on ground and keep trash in dumpster with lids closed after use.

E. All floor sinks, floor drains, and drains shall be equipped with screens or devices that shall exclude from the wastewater discharged all particles larger than three eighths of an inch in any dimension.

F. Any restaurant user required to install an interceptor shall maintain the interceptor in accordance with this Chapter.

G. If requested restaurant (new or with tenant improvements) can be made to include a stub-out line to interceptor or future interceptor. A new strip mall shall install an interceptor sized for the largest space for restaurant.

Section 14.12.280 Prohibited Restaurant Surface Discharges.

A. No restaurant user shall discharge any wastewater to a storm drain, service dock areas, parking lot, or ground. All wastewater generated by restaurants, including trash enclosure wash/rinse water and drive through wash/rinse water, shall be disposed of to sewer through an approved gravity separation interceptor, or a sample station connected to sewer, or hauled off-site and disposed of at a legal disposal site.

B. If a restaurant has a blocked sewer lateral or a failed sewage pumping device which causes the discharge of the wastewater to the storm drain, service dock areas, parking lot, drive through areas, or ground, the restaurant user shall immediately cease all activities causing that discharge and immediately contact a plumber to have the discharges collected and if necessary have laterals cleared, televised and repaired. Failure to comply with this requirement shall be considered a violation of this Chapter and shall subject the restaurant user to enforcement actions. If the City determines that public safety requires immediate action and the restaurant owner is unable to or unwilling to arrange for a pumping company and plumber, the city may in its discretion contact a pumping company and plumber to mitigate the violation and charge the restaurant user for all associated costs. Any restaurant that does not have a grease interceptor but causes a lateral or sewer blockage due to grease in the line shall have to install a minimum seven hundred-fifty gallon size grease interceptor.

Section 14.12.285 Conditional Waivers.

Notwithstanding Section 14.12.275 Subsection B, the Director may conditionally waive the interceptor requirements for any restaurant user determined in the Director's discretion

1. not to pose adverse effects on the POTW;
2. lack of space for installation and maintenance, cannot get proper slope for plumbing from kitchen to interceptor, or
3. restaurant can justify alternate pretreatment method will control grease. The Director may revoke such conditional waiver and require the installation of an appropriately sized grease interceptor for the following reasons:

- A. Changes in menu;
- B. Falsification of information submitted in the City's wastewater discharge survey form;
- C. Changes in operating hours;
- D. Changes in maximum seating capacity;

- E. Changes in maximum meals served per peak hour;
- F. Changes in equipment used;
- G. Changes in the nature of the wastewater discharged as determined by random and scheduled wastewater sampling and analyses; or
- H. Any overflows caused by the restaurant user's wastewater discharge.

Section 14.12.290 Wastewater Discharge Survey.

The Director may require a non-residential user that has a sewer connection to the POTW, City sewer or a storm drain connection to the City's storm drain system to complete a Wastewater Discharge Survey. The purpose of the survey is to gather information to determine if an Industrial User Permit or other control document is necessary and to provide current information about the user. Failure to complete and return a required survey may subject the user to enforcement actions.

Section 14.12.295 Liquid Waste Haulers.

A. It is unlawful for any Liquid Waste Hauler to discharge to the City's designated disposal site without a current City Liquid Waste Hauler's permit, a current City business license, liability insurance as required by City of Riverside Risk Management (a copy of which should be included with permit application and sent to City of Riverside, Risk Management, 3900 Main Street, Riverside, CA 92522), Riverside County Department of Environmental Health Liquid Waste Hauler Permit, and decal, or to otherwise fail to comply with the provisions of this Chapter. The City shall only accept domestic wastewater from Liquid Waste Haulers. No other waste shall be accepted or discharged to the City's POTW. No truck or trailer vacuum tank that exceeds 6,000 gallons in volume shall be permitted unless the truck or trailer has been modified to only contain 6,000 gallons of total volume at all times. The City issues a swipe card for each truck that discharges at the POTW. If the swipe card is lost or stolen a \$25.00 replacement fee will be charged to the hauler. All haulers are responsible to clean-up area after their discharge.

B. No person shall violate any term or condition of a City Liquid Waste Hauler Permit, Liquid Waste Hauler Permit conditions may include, but are not limited to, the following:

- 1. Liquid Waste Hauler's obligation to comply with all permit terms and conditions;
 - 2. Liquid Waste Hauler's obligation to comply with the terms of this Chapter;
 - 3. Liquid Waste Hauler's obligation to comply with the Riverside County Health Department's applicable rules and regulations regarding cleanliness and sanitary conditions;
 - 4. Restrictions on operating hours for City's designated disposal site;
 - 5. The revocation, suspension, or placement on probation of the permit and imposition of other enforcement actions against the Liquid Waste Hauler for violation of the permit terms or conditions, or of this Chapter;
 - 6. Record keeping and reporting requirements;
 - 7. The obligation to notify the Director immediately of any unusual circumstances observed during liquid waste pumping operations;
 - 8. Compliance with all applicable California Motor Vehicle Codes; and
 - 9. Other conditions, limitations or prohibitions deemed appropriate by the Director.
- C. The City's RWQCP is the only designated Liquid Waste Haulers disposal site.
- D. No person shall be issued a City Liquid Waste Hauler Permit without first:
- 1. Paying all applicable Liquid Waste Hauler Permit fees, established by resolution of the City Council; and

2. Completing and submitting to the City an application for a City Liquid Waste Hauler Permit signed under penalty of perjury certifying that the following information provided by Liquid Waste Hauler is true and correct:

- a. Name, address, and phone number of the Liquid Waste Hauler;
- b. Number of vehicles (vehicles include trucks, tankers and trailers), gallon capacity, license plate number, registered owner's name, and make and model, of each vehicle operated by the Liquid Waste Hauler for the purpose of hauling liquid wastes;
- c. Name of the Liquid Waste Hauler's authorized representative;
- d. Name and policy number of the Liquid Waste Hauler's insurance carrier and bonding company, if applicable;
- e. The number of the current permit issued to the Liquid Waste Hauler by the Riverside County Department of Environmental Health for transportation and disposal of liquid wastes; and
- f. Such other information as may be required by the Director.

E. City issued Liquid Waste Hauler Permits shall be valid for one to three years, and the Director may impose additional, or modify or delete permit terms and conditions at any time during the duration of the permit. Fees for new permits are not prorated for being valid less than one year.

F. Liquid wastes disposed at the City's designated disposal site shall be subject to inspection, sampling and analysis to determine compliance with all applicable provisions of this Chapter by authorized personnel who may perform or supervise such inspection, sampling and analysis at any time before or during the delivery of the liquid waste. If the City finds the wastes do not comply with this Chapter, the Liquid Waste Hauler shall pay the City for all of the City's costs associated with such inspection, sampling, and analysis, and any other fees, charges or penalties assessed by the Director.

G. No Liquid Waste Hauler shall discharge or cause to be discharged into the City's designated disposal site any material defined as hazardous by RCRA.

H. If the City determines the wastes contain hazardous substances, then the Liquid Waste Hauler shall remain at the City's designated disposal site until the hazardous substances is transferred to a waste hauler lawfully authorized to transport and dispose of the hazardous substances. The Director may notify the appropriate law enforcement agency of all violations of this Section.

I. All liquid waste manifest forms shall be completed in full and signed by the Liquid Waste Hauler, and signed by the Director, before any load is discharged into the City's designated disposal site. Amount of gallons actually discharged must match the amount on the receipt and on the manifest trucking transportation document.

J. Providing false information to the City in any permit application, hauler's report or manifest, or correspondence is a violation of this Chapter.

K. Liquid Waste Haulers shall retain all reports and records required to be retained by this Chapter for a minimum of three years and shall make such reports and records immediately available to the City upon request.

L. A Liquid Waste Hauler shall pay all fees, charges and penalties imposed by the Director pursuant to this Chapter within thirty days of receiving notice to pay such fees, charges, or penalties.

M. Only domestic liquid wastes, from septic tanks, seepage pits, cesspools, or any other similar receptacles, that contain no industrial waste, shall be disposed of at the City's designated disposal site.

N. Any Liquid Waste Hauler that hauls both industrial wastes and domestic wastes shall remove all industrial waste contamination from the interior of the vacuum tank prior to loading any domestic wastes into such tank.

O. Liquid Waste Haulers are prohibited from discharging industrial waste into the POTW. No Liquid Waste Hauler shall mix industrial waste and domestic wastes to discharge the mixture to the City's designated disposal site.

P. Any Liquid Waste Hauler seeking to discharge to the City's designated disposal site shall first certify under penalty of perjury as to the origin of the wastes and shall provide documentation as to the address of any location(s) where the Liquid Waste Hauler obtained the wastes.

Q. If the wastes hauled by a Liquid Waste Hauler are found unacceptable for discharge into the POTW, the Liquid Waste Hauler shall dispose of the wastes at a legal disposal site. The Liquid Waste Hauler shall provide the City with a true and correct copy of the waste hauler's manifest documenting the legal disposal of the rejected wastes within fourteen calendar days from the date the wastes were rejected by the City.

R. No Liquid Waste Hauler shall mix or dilute any rejected load in order to achieve compliance with this Chapter without prior written authorization from the Director.

S. No Liquid Waste Hauler shall dispose of any rejected load into any septic tank, cesspool, seepage pit or similar devices, any grease interceptor or trap, any storm drain, or the POTW except as authorized in writing by the Director.

T. The Director may deny or revoke a Liquid Waste Hauler Permit for any of the following reasons:

1. The applicant knowingly falsified information on the application or any document required by the application;

2. The applicant's previous Liquid Waste Hauler Permit was suspended or otherwise revoked and the condition upon which such action was taken still exists; or

3. The applicant is not current on all disposal and permit-related reports and charges.

U. If an application is denied, then the Director shall notify the applicant in writing of such denial and the appeal procedures. The notification shall state the grounds for such denial and any actions required for the applicant to obtain a permit.

V. All Liquid Waste Hauler Permits issued may be revoked, suspended or placed on probation up to one year upon a finding by the Director that any of the following facts exist:

1. The Permittee failed to display the authorization document upon request;

2. The Permittee has changed, altered or otherwise modified the face of a permit or authorization document without the permission of the Director;

3. The Permittee has violated any term or condition of the permit;

4. The Permittee has falsified any application, record, report or monitoring results required to be maintained, has failed to make them immediately available to the Director upon request, or has withheld required information;

5. The Permittee failed to stop immediately the discharge from his or her truck into the designated disposal facilities of the City upon the order of any authorized Public Works Department employee;

6. The Permittee discharged or attempted to discharge hazardous substances into the designated disposal site;

7. The Permittee failed to comply with the terms of Subsection H of this Section;

8. The Permittee discharged or attempted to discharge industrial waste into the designated disposal site;

9. The Permittee has repeatedly filed documents with falsified or incorrect information;

10. The Permittee has discharged or attempted to discharge waste to the City's designated disposal site, that has been previously rejected by another regulatory agency, municipality, or entity having authority to grant permission for the disposal of the waste, and has failed to notify the Director of the rejected status of the waste;

11. The permittee has done physical violence or harm to any City employee;

12. The permittee has made threatening remarks or threatening acts toward any City employee;

13. The Permittee tampered with or attempted to tamper, manipulate, alter, or misuse the City's equipment at the septic dump station; or

14. The Permittee has had repeated waste loads rejected where the load was picked up from the same source.

W. Any Liquid Waste Hauler Permit which has been revoked, suspended or placed on probation pursuant to this Section may be reinstated upon a finding by the Director that the condition which resulted in such revocation, suspension or probation no longer exists.

X. Upon Director's determination of a violation of this Chapter, the Liquid Waste Hauler shall be subject to the enforcement actions set forth in this Section and Part IV of this Chapter, and to such enforcement actions contained in the Liquid Waste Hauler Permit as necessary to protect the POTW, the public, the environment or City employees.

Y. Any authorized POTW employee can order a Liquid Waste Hauler to immediately stop their discharge. The order shall be based on the employee's professional judgment that the discharge may violate this Chapter, threaten or harm the POTW, its employees, the public, or the environment.

Z. Liquid Waste Hauler Permits are exclusive to that Permittee. Transfer or assignment of a permit is prohibited and will void the current Permittee's permit. Permittees must also comply with any applicable federal, state regulations or requirements and this Code.

Section 14.12.300 Mobile Wash Businesses.

A. No person shall engage in, conduct, or carry on any mobile wash business in the City without first demonstrating to the Public Works Director proper containment and recovery of wash water and wastes and obtaining a permit from the Public Works Director.

B. It is unlawful for any Mobil Wash Business to discharge wastewaters to the storm drain and to operate within the City without a Mobile Wash Business Certificate issued by the Environmental Compliance Section.

C. Users required to obtain an Mobile Wash Business Certificate shall complete and file with the Director an application form provided by the Director and shall pay all applicable fees within thirty days of invoicing by the City. The application form may require applicant's submission of any or all of the following:

1. Name, address, and location (if different from the mailing address);

2. NAICS number under the Federal North American Industry Classification System, Office of Management and Budget, 1997, as amended;

3. Liquid capacity of tanks on their trailer or vehicle;

4. A list of all environmental control permits held;

5. A written description of operations

D. Mobile Wash Businesses must demonstrate that they utilize BMPs and can recover all wash waters and cause no discharge of wash waters to the environment in order to obtain a certificate from the City. Wash waters must be disposed of legally. BMPS must be used at each wash event. Certificate must be carried with the vehicle and made available to City staff upon request.

E. Operating a Mobile Wash Business within the City without a Certificate can result in enforcement actions.

F. Within fourteen days after receiving the completed application and all required supporting information, and giving a demonstration of BMP implementation, the Director shall evaluate the application and information furnished by the applicant. The Director shall issue the certificate, if the Director believes that sufficient and accurate information has been provided by the applicant in the application and the Director finds that all of the following conditions are met:

1. The proposed discharge of the applicant is in compliance with the prohibitions and limitations of this Chapter;

2. The proposed operation and discharge of the applicant would not cause a discharge to a storm drain or MS4;

3. The proposed discharge, operation or business activity of the applicant shall not result in a violation by the City of the terms and conditions of its NPDES permit or cause a pass through of any pollutants to the environment; and

4. The applicant has paid all applicable Mobile Wash Business fees.

G. The Director may suspend or revoke the certificate at any time.

H. If the Director determines that the proposed discharge will not be acceptable, the Director shall disapprove the application and shall notify the applicant in writing, specifying the reason(s) for denial.

I. Mobile Wash Business Certificates shall be subject to all provisions of this Chapter and all other applicable regulations, charges and fees established by the City Council of the City of Riverside or the Riverside County Board of Supervisors by resolution.

J. Duty to Comply. All users that have been issued a Mobile Wash Business Certificate, have a duty to comply with all conditions and limitations in this Chapter and any conditions within the certificate and shall be subject to administrative, civil or criminal enforcement actions in accordance with this Chapter.

K. Modifications. The Director may modify the Certificate terms and conditions as the Director deems necessary.

L. Certificate Transfer. Each Mobile Wash Business certificate, is issued to a specific user for a specific operation for a specified time. Any assignment, transfer or sale of any certificate to a new owner, new user, different premises, or different use is prohibited and is a violation of this Chapter.

M. Fees and Charges. The City is authorized to impose fees and charges to recover the costs of its storm water and environmental compliance programs. These fees and charges are exclusive to this Chapter and are separate from all other fees or costs.

N. Unless otherwise specified, all fees, charges and penalties imposed pursuant to this Chapter are due and payable within thirty calendar days after the date of the notice or invoice from the City. Users who fail to pay any required fee, charge or penalty by the due date shall pay a fifty percent surcharge in addition to the original fee, charge or penalty. The City shall give notice to a user of any certificate termination associated with the unpaid amounts and such certificate will be

automatically revoked on the thirtieth day after the date of such notice if the amount due is not paid in full. The Director shall refer the unpaid amount to the City's Finance Department for collection.

O. All Mobile Wash Businesses shall obtain a City business license and an authorization certificate and/or permit from the City before conducting business within the City's jurisdiction. Failure to obtain authorizations and/or a permit from the City prior to operating in the POTW service area is a violation of this Chapter and may subject the user to enforcement actions including fines. The City shall mail-out a letter to any new pressure washer who has received a business license informing them of the rules and regulations for working in the City.

P. All discharges shall meet local limits and may not be disposed of into stormdrains or waters of the State or US. Discharges shall be recovered and disposed of at the place of business where feasible (clean-out or other device which leads to sewer) or brought back to the pressure washers home base for proper disposal.

Q. Any Mobile Wash Business observed doing business in the City can be stopped by an inspector and asked for required documentation. If no documentation is presented, information will be recorded concerning the pressure washer, the business where the washing is occurring, and a written warning that they shall have required documentation with them at all times or be fined. If they are repeat offenders they shall be fined.

Section 14.12.305 Use of or Damage to City Equipment or Facilities.

A. No person shall use, enter, break, damage, destroy, uncover, deface or tamper with any temporary or permanent structure, equipment, or appurtenance which is part of the POTW, City sewer and/or storm drain system without prior written approval by the Director.

B. Any person who discharges or causes the discharge of any wastewater or pollutant which detrimentally effects the POTW, City sewer and/or storm drain system, sludge, or causes any other damage, including subjecting the City to any fines or penalties, shall be liable to the City for all damages and costs incurred by the City, including administrative expenses. The City shall calculate its administrative expenses as ninety percent of the cost of repairs and personnel time expended by the City to remedy such damages and costs. All charges shall be payable to the City within thirty days of invoicing by the City.

Section 14.12.310 Spill Notification.

All users shall notify the City immediately upon occurrence of an accidental discharge of substances prohibited by this Chapter (a "spill") or any slug discharges that may enter the POTW, City sewer or storm drain system, storm water channel, or natural water course. During normal business hours, M-F 7:30 a.m. to 4:30 p.m., the City shall be notified by telephone at (951) 351-6145. After 4:30 p.m. M-F, on all holidays and weekends, the City shall be notified by telephone at (951) 351-6280 or (951) 351-6140. The notification shall include the date, time and location of the discharge, type of waste, including concentration and volume, and corrective actions taken. This notification does not relieve the user from any other reporting requirements of any other laws. Within five calendar days following a spill or slug discharge, the user shall submit a detailed written report to the City including:

- A. A description and cause of the event, and the impact on the user's compliance status;
- B. The location, type, concentration, and volume of the spill or slug discharge;
- C. The duration of the event including exact dates and time of noncompliance, and if noncompliance continues, the time by which compliance is reasonably expected to be achieved;

- D. The description of the remediation or cleanup methods and disposal; and
- E. All steps taken or to be taken to reduce, eliminate, and prevent recurrence of such upset, slug load, accidental, negligent, or intentional spill or other conditions of noncompliance.

Section 14.12.315 Surface and Stormwater Discharge Prohibitions.

A. No person shall discharge or cause to be discharged into the storm drainage system, whether currently carrying water or not, any pollutant or non-storm water.

B. No person shall discharge or cause to be discharged to the storm drainage system or waterway, whether currently carrying water or not, any substance or pollutant which could:

1. Impair the useful function of the storm drain system;
2. Cause undue storm drain maintenance expense to the City or other public agency;
3. Contain sewage;
4. Containing pollutants that cause or threaten to cause a condition of pollution, contamination, nuisance or public hazard;
5. Pollute natural surface or subsurface waters; or
6. Violate any federal state or local regulation, code, permit or requirement.

C. Any person violating Subsection A or B of this Section shall be liable to the City for all damages and costs incurred by the City, including administrative expenses and fines. The City shall calculate its administrative expenses as ninety percent of the cost of repairs and personnel time expended by the City to remedy such damages and costs. All charges shall be payable to the City within thirty days of invoicing by the City.

D. Any person who has violated Subsection A or B of this Section shall submit a written report of the incident within five business days to the Director. The written report shall include a description of the circumstances causing the discharge, the quantity and qualities of the pollutant(s) discharged the methods of cleanup and disposal, and the corrective measures taken to prevent a reoccurrence.

E. No person or business shall allow for automatic or manual pumps to pump out sump contents to the storm drain system, street conveyance, or waterway.

F. No chemicals, green waste, or pet waste may be discharged to the storm drain system or waterway.

G. No person or business shall allow wash water from:

1. Hosing or cleaning gas stations, vehicle maintenance facilities, or other related services;
2. Hosing, cleaning, repairing, or maintaining motorized equipment or machinery;
3. Mobile operations such as automotive detailing, window washing, carpet and drape cleaning, pet services, power washing, etc.; or
4. Runoff from hosing or cleaning parking lots, streets, alleys, gutters, sidewalks, driveways, patios, plazas, work yards, and outdoor eating or drinking areas and their associated trash enclosures, etc.

H. No person or business shall allow runoff containing pollutants associated with construction sites, activities, materials, or waste.

I. Industrial storm water discharges and authorized non-storm water discharges regulated by a State or Regional Water Quality Control Board Permit containing hazardous substances equal to or in excess of a reportable quantity listed in 40 C.F.R. section 110.6, 117.21, or 302.6.

J. Plastic materials or pellets may not be deposited on the ground of a facility and may not enter facility storm drain conveyances, MS4 or water bodies adjacent to the facility.

K. It is a violation of this ordinance to establish, use, maintain, or continue illicit connections to the storm drain system, or to commence or continue any illicit discharges to the storm drain system. This prohibition against illicit connections and discharges is expressly retroactive and applies to connections and discharges made in the past, regardless of whether permissible under the law or practices applicable or prevailing at the time of the connection or discharge.

L. A violation of the provisions of this ordinance shall occur irrespective of the negligence or intent of the violator to construct, maintain, operate or utilize an Illicit Connection or to cause, have the potential to cause, allow or facilitate any prohibited discharge.

M. Prohibited discharges from commercial and restaurant businesses also include any surface discharges from trash compactors, trash enclosures, grease bins, restaurant discharges to outside surfaces and debris found in trash enclosures. Good Housekeeping BMP's shall be utilized to deal with prevention and clean-up of such discharges. If discharge contaminates soil the contaminated soil shall be removed. Surface discharges must be cleaned up within the time noted on the inspection report.

14.12.316 Reduction of pollutants in stormwater.

A. General. It is a violation of this chapter to throw, deposit, leave, maintain, keep, or permit to be thrown, deposited, placed, left or maintained, any pollutant in or upon any street, alley, sidewalk, storm drain, inlet, catch basin, conduit or other drainage structures, business place, or upon any public or private plot of land in the county. The only exception being where such pollutant is temporarily placed in an appropriate container with a spill containment system for later collection and removal. It is a violation of this chapter to cause or permit any dumpster, solid waste bin, or similar container to leak such that any pollutant is discharged into any street, alley, sidewalk, storm drain, inlet, catch basin, conduit or other drainage structures, business place, or upon any public or private plot of land in the city.

B. New Development and Redevelopment. New development or redevelopment projects shall control stormwater runoff so as to prevent any deterioration of water quality that would impair subsequent or competing uses of the water. The director of Building and Safety shall identify the BMPs that may be implemented to prevent such deterioration and shall identify the manner of implementation. A Water Quality Management Plan (WQMP) and installation of BMPs and/or post-construction BMPs for certain types of projects is required by the City. For construction sites, any person performing construction work in the county shall comply with the regulatory requirements of the State Water Resources Control Board and its Regional Offices. The BMPs may, among other things, require new developments or redevelopments to do any of the following:

1. Increase permeable areas, by leaving highly porous soil and low-lying areas undisturbed; by incorporating landscaping and open space into the project design; by using porous materials for or near driveways and walkways; and by incorporating detention ponds and infiltration pits into the project design;

2. Direct runoff to permeable areas, by orienting it away from impermeable areas to swales, berms, green strip filters, gravel beds, and french drains; by installing rain-gutters oriented towards permeable areas; by modifying the grade of the property to divert flow to permeable areas and minimize the amount of stormwater runoff leaving the property; and by designing curbs, berms or other structures such that they do not isolate permeable or landscaped areas;

3. Maximize stormwater storage for reuse, by using retention structures, subsurface areas, cisterns, or other structures to store stormwater runoff for reuse or slow release.

D. Existing Development. Existing development shall control stormwater runoff so as to prevent any deterioration of water quality that would impair subsequent or competing uses of the water. The director of Building and Safety shall identify the BMPs that may be implemented to prevent such deterioration and shall identify the manner of implementation.

E. Commercial and Industrial Facilities. Any person or entity that owns or operates a commercial and/or industrial facility(s) shall comply with the provisions of this chapter.. All such facilities shall be subject to a regular program of inspection.

F. It is a violation of this chapter to establish, use, maintain, or continue illicit connections to the storm drain system, or to commence or continue any illicit discharges to the storm drain system. This prohibition against illicit connections and discharges is expressly retroactive and applies to connections and discharges made in the past, regardless of whether permissible under the law or practices applicable or prevailing at the time of the connection or discharge.

G. The discharge of non-stormwater into the storm drain system is a violation of this chapter except as specified in this section.

1. The discharge prohibition shall not apply to any discharge regulated under an NPDES permit or waiver issued to the discharger and administered by the state of California under the authority of the EPA, provided that the discharger is in full compliance with all requirements of the permit or waiver and other applicable laws or regulations.

2. Discharges from the following activities will not be considered a violation of this chapter when properly managed: water line flushing and other discharges from potable water sources, landscape irrigation and lawn watering, irrigation water, diverted stream flows, rising groundwaters, infiltration to separate storm drains, uncontaminated pumped groundwater, foundation and footing drains, water from crawl space pumps, air conditioning condensation, springs, individual residential car washing, flows from riparian habitats and wetlands, or flows from firefighting.

H. Municipal NPDES Permit. Any discharge that would result in or contribute to a violation of an existing or future municipal NPDES permit(s) or any amendment or revision thereto or reissuance thereof, either separately considered or when combined with other discharges, is a violation of this chapter and is prohibited. Liability for any such discharge shall be the responsibility of the person(s) causing or responsible for the discharge, and such persons shall defend, indemnify and hold harmless the county in any administrative or judicial enforcement action relating to such discharge.

I. NPDES Permit for Industrial/Commercial and Construction Activity. Any industrial discharger, discharger associated with construction activity, or other discharger subject to any NPDES permit issued by the United States Environmental Protection Agency, the State Water Resources Control Board, the Santa Ana regional water quality control board, shall comply with all requirements of such permit. Such dischargers shall specifically comply with the following permits: the industrial stormwater general permit, the construction activity stormwater general permit, and the dewatering general permit. Proof of compliance with such NPDES general permits may be required in a form acceptable to the director prior to issuance of any county grading, building, or occupancy permits.

J. An inspector employed by the city may enter free of charge, at any time, any premises, grounds, facilities or structures for which compliance is required by this chapter and inspect the premises, grounds, facilities and structures located therein for compliance with water quality

requirements imposed by this Chapter, any Riverside Municipal Code, California Water Code Sections 13000 et seq. (Porter-Cologne Water Quality Control Act), Title 33 U.S.C. Sections 1251 et seq. (Clean Water Act) and any applicable state or federal regulations promulgated thereto, and any related administrative orders or permits issued in connection therewith.

Section 14.12.317 Authorized Non-Storm Water Discharges (NSWDs)

A. The following NSWDs are authorized provided they do not introduce or carry pollutants into a storm drain:

1. Fire-hydrant and fire prevention or response system flushing; Potable water sources; including potable water related to the operation, maintenance, or testing of potable water systems;
2. Drinking fountain water; atmospheric condensate, including refrigeration, air conditioning, and compressor condensate;
3. Irrigation drainage and landscape watering; and
4. Natural springs, ground water, and foundation and footing drainage

B. The NSWDs identified in A above are authorized by if the Discharger is not in violation of any Regional Water Board or City ordinance or requirement;

Section 14.12.318 Good Housekeeping Requirements and Best Management Practices.

A. The following good housekeeping requirements shall be adhered to by all persons within the City:

1. Surface cleaning including mopping, rinsing, washing, pressure washing, steam cleaning, and floor mat washing shall only be performed with appropriate BMPs with no discharge of any liquid, material, or waste to the storm drainage system and in conformance with this Chapter.

2. The exterior areas with waste oil, grease, tallow, and other restaurant or food service containers and the surfaces surrounding such containers shall, at all times, shall be kept clean of residual oil, grease, and other substances with no runoff. Any spills shall be cleaned up as soon as possible.

3. Trash, recyclable, and waste disposal container covers shall be closed.

4. Equipment, parts, and materials stored outside which may contribute to storm water pollution shall be covered and stored in a manner in which contact with precipitation, directly or from runoff is prevented.

5. Machinery and equipment, including motor vehicles, which are leaking significant amounts of oil or fluid must be repaired, and the leaking oil must be cleaned up appropriately. Machinery that is outside shall be protected from contact with any precipitation.

6. Production pollutants shall be cleaned up in a timely manner.

B. Any person undertaking any activity or operation in the city that could potentially cause or contribute to storm water pollution or a discharge of non-storm water to the city's MS4 shall employ effective BMPs to prevent or reduce the discharge of pollutants to the storm drain. The City may require the installation or implementation of structural control, erosion control or sediment control BMPs. The City may require documentation on the effectiveness of BMPs implemented to reduce the discharge of pollutants to the storm drain.

Section 14.12.319 Post Construction Requirements.

A. All structural site design, source control, or treatment control BMPs shall be inspected, operated, and maintained in accordance with inspection, operation, and maintenance procedures

outlined in the approved WQMP. The land owner is responsible for implementing the maintenance and ensuring the WQMP post-construction BMPs are built as planned. Maintenance responsibility of post-construction BMPs transfer from old land owner to new land owner and must be maintained to operate as designed. Additional changes to the WQMP may be required by City inspectors.

B. Inspection, operation, and maintenance data and information of all structural site design, source control, or treatment control BMPs shall be recorded and made available to the Public Works Director upon request. The Public Works Director has the right to request that changes be made to the site to add, replace, and maintain BMPs. Failure to implement, or maintain BMPs, or to comply with City requirements may be subject to enforcement actions.

C. Inspection of post construction BMPs can occur at any time. Any variations from the WQMP may be required to be changed to match the WQMP, and maintenance of the BMPs may be required if the inspection reveals any irregularities or issues.

Section 14.12.335 Prohibited Waste Discharges.

No User shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes Pass Through or Interference. These general prohibitions apply to all Users of the POTW whether or not they are subject to categorical Pretreatment Standards or any other National, State, or local Pretreatment Standards or Requirements.

Except as provided herein, no person or user shall discharge or cause to be discharged any of the following to the POTW or City sewer system:

A. Any earth, sand, silt, rocks, ashes, cinders, spent lime, stone, stone cutting dust, carbon fines, ion-exchange resin fines, gravel, plaster, concrete, glass, metal filings, metal or plastic objects, garbage, grease, viscera, paunch manure, medical waste, bones, hair, hides, or fleshings, whole blood, feathers, straw, shavings, grass clippings, rags, spent grains, spent hops, waste paper, wood, plastic, tar, asphalt residues, residues from refining or processing fuel or lubrication oil and similar substances, other pollutant, or solid, semi-solid or viscous material in quantities or volume which may obstruct, either partially or completely, the flow of sewage in the collection system or any object which may cause the blockage, either partially or completely, of a sewer or sewage lift pump, or interfere with the normal operation of the POTW. . 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, City sewer and/or a stormdrain system.

B. Any compound which will produce noxious odors in the sewer or wastewater treatment facilities.

C. Any portions of human or animal anatomy whether whole, part, or ground.

D. Any solids, liquids, gases, devices, or explosives which by their very nature or quantity are or may be, sufficient either alone or by interaction with other substances or sewage to cause fire or explosion hazards, exceed ten percent of the LEL at the point of discharge or in the collection system, or cause gases, vapors, or fumes, or in any other way create imminent danger to the City's wastewater personnel or POTW, the environment or public health. . Pollutants which create a fire or explosive hazards in the POTW or sewer lines, including but not limited to, wastestreams or material with a closed cup flash point of less than one hundred forty degrees Fahrenheit or sixty degrees Celsius using the test methods specified in 40 CFR 261.21.

E. Any pollutant, including oxygen demanding pollutants (BOD, COD, etc), released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW.1.

F. Any overflow from a septic tank, facility wastewater holding tank, cesspool or seepage pit, or any liquid or sludge pumped from a septic tank, facility wastewater holding tank, recreational vehicle, cesspool or seepage pit, except as permitted by the Director.

G. Any discharge from the wastewater holding tank of a recreational vehicle, trailer, bus and other vehicle, except as may be permitted by the Director.

H. Any storm water, groundwater, street drainage, subsurface drainage, yard drainage or runoff from any field, roof, yard, driveway or street. The Director may approve, on a temporary basis, the discharge of such water only when no reasonable alternative method of discharge is available.

I. Any substance or heat in amounts that will inhibit biological activity in the City's POTW resulting in interference or which will cause the temperature of the sewage in any public sewer to be higher than one hundred forty degrees Fahrenheit. In no case shall any substance or heat be discharged to the sewer that will raise the treatment plant's influent higher than one hundred four degrees Fahrenheit (forty degrees Celsius).

J. Any radioactive waste in excess of federal, state or county regulations.

K. Any material or quantity of material that will cause:

1. Damage to any part of the POTW;
2. Abnormal maintenance of the POTW;
3. An increase in the operational costs of the POTW;
4. A nuisance or menace to public health or pollutants which result in the presence of gases, vapors, or fumes within the POTW or City sewer system in a quantity that may cause acute worker health and safety problems;
5. Interference or pass through in the treatment plant, its treatment processes, operations, sludge processes, use or disposal;
6. A violation of the NPDES permit;
7. Excessive foaming in the POTW; or,
8. Will cause any obstruction to the flow in the POTW or City sewer system.

L. Any quantities of herbicides, algacides, or pesticides that could cause interference or pass-through at the treatment plant or interfere with the City's biosolids reclamation or pose any danger to City employees.

M. Any petroleum oil, non-biodegradable cutting oil, or mineral oil derived products exceeding City's local limits or will cause interference or pass through.

N. Any material or quantity of material(s) which may cause abnormal sulfide generation.

O. Any water or wastewater used to artificially raise the industrial user's discharge rate or added for the purpose of diluting wastes that would otherwise exceed applicable permitted discharge limitations.

P. Any wastewater having a corrosive property capable of causing damage to the POTW, City sewer or storm drain system, equipment, or structures, or harm to POTW personnel. However, in no case shall wastewater be discharged to the City's POTW with a pH below 5.0, or greater than 11.5, or which changes treatment plant influent pH to above 8.0 or below 6.5.

Q. Any substance that will cause discoloration of the POTW's effluent.

R. Any unpolluted water, including cooling water, heating water, storm water, subsurface water, single pass cooling water, deionized water and single pass heating water. The Director may approve, on a temporary basis, the discharge of such water only when no reasonable alternative method of discharge is available. The user shall pay all applicable user charges and fees.

S. Any substance which may cause the POTW's effluent or any other product such as residues, sludge, or scums to be unsuitable for reclamation or reuse or which will interfere with any of the reclamation processes. This includes any material which will cause the sludge at the POTW to violate sludge use or disposal regulations developed under the Federal Clean Water Act, 33 USCA, Section 1251 et seq., or any regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, 42 USCA, Section 6901, et seq.; Clean Air Act, 42 USCA, Section 7401, et seq.; Toxic Substance Control Act, 15 USCA, Section 2601, et seq., or any other applicable state regulations.

T. Any hazardous substance which violates the objectives of the General Pretreatment Regulations (40 CFR 403), this Chapter, or any statute, rule, regulation or chapter of any public agency having jurisdiction over the discharge.

U. Any material in excess of the quantities established by resolution.

V. Any discharge from a material processing tank or vessel. These shall include, but not be limited to, all wash tanks, chemical conversion tanks, acid and alkali tanks, lubricating tanks, condensate water from dry cleaning equipment, fruit and vegetable wash and treatment tanks, and any other tank or vessel containing a material which would not meet the pollutant discharge limitations. Tanks must be 50 feet from the perimeter of the property if they contain any volatile or flammable chemicals.

W. Any radiator fluid or coolant, cutting oil, water soluble cutting oil, or water-based solvent.

X. Any photo processing waste from developing or fixing solutions not in compliance with local limits or Industrial User Group Permits.

Y. Any pharmaceutical waste except those liquids containing only saline solutions, lactate, nutrients such as glucose (e.g. D5W), vitamins, and added salts such as potassium and/or other electrolytes.

Z. Any trucked or hauled pollutants, except at discharge points designated by the Director in accordance with this ordinance.

Section 14.12.340 Swimming Pool Discharge Requirements.

Discharges from swimming pools, wading pools, spas, whirlpools, therapeutic pools and landscape ponds shall be discharged to the following locations in compliance with this Chapter and under the following conditions:

1. Surface discharge and/or storm drain, requiring that the chlorine residual is less than 0.1 mg/L. Owner can infiltrate discharged pool water on own property as long as it does not negatively impact neighboring properties and does not enter a street, gutter or storm drain.

2. User shall first obtain permission from the City prior to discharging any of these waters to the City's sanitary sewer. Permission may be granted by the Director if the discharge will not cause a hydraulic overload condition in the area's sewer lines.

3. Pumped out and hauled off to a legal treatment and/or disposal site if the water is found to have hazardous levels of chemicals, elements, or materials.

Section 14.12.345 Limitation on Wastewater Strength.

No person shall discharge industrial wastewater to the POTW unless the wastewater conforms to this Chapter. Discharge limitations shall be revised and adopted by resolution of the City Council as necessary to ensure the POTW's compliance with the NPDES Permit. For Categorical Industrial Users, a BMR must be conducted as per requirements of the 40 CFR

403.12(b). For Categorical Industrial Users, the City may exercise one or more of the following options:

A. Where a categorical pretreatment standard is expressed in terms of either the mass or the concentration of a pollutant in wastewater, the Director may impose equivalent concentration or mass limits in accordance with 40 CFR 403.6(c);

B. When wastewater subject to a categorical pretreatment standard is mixed with wastewater not regulated by the same standard, the Director shall impose an alternate limit using the combined wastestream formula; and

C. A variance from a categorical pretreatment standard may be issued if the user can prove, pursuant to the procedural and substantive provisions in 40 CFR 403.13, that factors relating to its discharge are fundamentally different from the factors considered by the EPA when developing the categorical pretreatment standard.

Section 14.12.350 Local Limits.

A. The Director shall develop and implement specific prohibitions, pollutant limitations, pollutant parameters and Best Management Practices (BMPs) ("local limits"). These local limits are necessary to assure compliance with the City's NPDES permit, including preventing pass through, interference, or impacts to biosolids reclamation or reuse. These local limits may be continually developed as necessary and adopted by resolution after public notice to affected persons or users.

B. The local limits may be allocated among industrial user classes or individual users as uniform concentration limits, or as the ratio of the total mass per user, or as a selected industry reduction, or by such other method considering factors such as persistence of the pollutant, equity, treatment feasibility, economic feasibility, and economics of scale, pollution prevention and waste minimization measures, anticipated growth and enforcement feasibility.

C. User-specific allocations at current loadings may be created for public health facilities which provide a lifesaving service or procedure, so long as the pollutant discharged would not contribute to pass-through, interference or other violation of the City's NPDES permit.

D. Pollutant allocations may be granted to Class III or Class V users on a case-by-case basis based upon the POTW's excess treatment capacity for the pollutant requested. These limits shall be based upon the pounds of pollutant(s) discharged and the impacts on the treatment capabilities of the POTW. If the permit is issued for more than one year, a pollutant review will take place annually to determine the POTW's excess treatment capacity for those permitted pollutants. A review may be conducted at any time if the Director finds that the Permittee's wastewater discharge has adversely affected the POTW, has caused a rise in that pollutant of more than 20%, or has caused interference, pass through, or violations of the POTW's NPDES permit.

E. When categorical pretreatment standards are expressed only in terms of pollutant concentrations, a Categorical Industrial User may request that the City convert the concentration limits to an equivalent mass limits. To be eligible for equivalent mass limits, the Categorical Industrial User must comply with the requirements in 40 CFR Part 403.6(c)(5)(i-iv).

F. The Director reserves the right to establish, by ordinance or in individual wastewater discharge permits, more stringent Standards or Requirements on discharges to the POTW consistent with the purpose of this ordinance.

G. The following pollutant limits are established to protect against Pass Through and Interference. No person shall discharge wastewater containing in excess Local Limits adopted by City Resolution.

Section 14.12.355 De Minimus Categorization.

Any user whose industrial wastewater discharge is less than one hundred gallons per day and is not regulated by a federal categorical pretreatment standard or Industrial User Group Permit may be classified in the Director's discretion as a De Minimus User and shall not be subject to permitting standards or local limits provided that such industrial wastewater discharge is not a hazardous substance, does not contribute to interference or pass through violations at the POTW or violations of the NPDES permit, and does not cause detrimental effects or damage to the POTW, or cause a threat of harm to City personnel, the public, or the environment. De Minimus user status shall terminate upon violation of this Section, or upon written notice to such discharger of Director's determination that such discharger no longer satisfies the criteria of this Section. Industries that discharge greater than one hundred gallons per day may qualify under a Wastewater Discharge Authorization Certificate (WDAC).

Section 14.12.357 Dental Industrial User

A. The Director, or designated staff person, may inspect any Dental Industrial User (DIU) facilities to ascertain whether the requirements of this Chapter, EPA, and State agencies are being met. Persons on the premises shall allow the Director ready access at all reasonable times to all parts of the premises for the purpose of inspection, photography or electronic image recording, sampling, and records examination of any facility, equipment (including monitoring and pollution control equipment).

B. The user shall ensure that there is always a person on site, during normal business hours, that has knowledge of the user's processes and activities to accompany the Director during the inspection.

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

D. The DIU must ensure it complies with all regulations and requirements from the EPA, State and the City for dental amalgam and effluent requirements.

Section 14.12.360 Industrial Wastewater Pretreatment.

The City may deny or condition new or increased contributions of pollutants, or changes in the nature of pollutants, to the POTW by Industrial Users where such contributions do not meet applicable Pretreatment Standards and Requirements or where such contributions would cause the POTW to violate its NPDES permit. In addition, all users shall:

A. Provide wastewater pretreatment, as required, to comply with this Chapter;

B. Achieve compliance with all applicable federal categorical pretreatment standards, as contained in 40 CFR Chapter I, Subchapter N, and local limits, whichever are more stringent, within the time limitations as specified by the federal pretreatment regulations;

C. Pre-treat wastewater to a level acceptable to the Director and provide, operate, and maintain all necessary equipment, systems, and devices at the user's expense;

D. Provide detailed plans to the Director for review and approval showing the pretreatment equipment, systems, devices and operating procedures before the beginning of any construction or installation of any equipment. The review of such plans and operating procedures shall not relieve

the user from the responsibility of pre-treating wastewater to produce an effluent acceptable to the Director under the provisions of this Chapter;

E. No user shall install pretreatment equipment, systems or devices in a confined space or a permit-required confined space.

F. Whenever deemed necessary, the Director may require users to restrict their wastewater discharge, relocate and/or consolidate points of discharge, separate domestic waste streams from industrial waste streams, and other such conditions as may be necessary to protect the POTW and determine the user's compliance with the requirements of this Chapter; and

G. Notify the Director of any pretreatment equipment failure within twenty-four hours of discovering the failure. The notification shall be made by a telephone call, telefax transmission, electronic report, personal visit or hand delivered notification, to the City's Environmental Compliance Office. Within five calendar days after discovery of the failure, the user shall submit a written report to the Director documenting the dates, times, and cause of the failure, and the corrective actions taken. Failure to provide this notification is a violation of this Chapter and may subject the user to enforcement actions.

Section 14.12.370 Pretreatment Equipment Bypass.

A. No user shall have the potential to bypass any pretreatment equipment or device unless the bypass: (i) is necessary to prevent loss of life, personal injury or severe property damage, is not necessitated by some fault of the user, and is the only feasible alternative; (ii) does not cause local limit violations and is necessary to perform essential maintenance insuring adequate operation of the pretreatment equipment or device; or (iii) the Industrial User submitted notices as required, below.

B. All users shall comply with the following bypass notification requirements:

1. Anticipated bypass: The user shall submit a written notice to the Director at least ten days before the date of the scheduled bypass.

2. Unanticipated bypass: The user shall notify the Director immediately upon learning that any pretreatment equipment or device has been bypassed. The user shall submit a written report to the Director within five business days after the bypass. The report shall include:

- a. A description of the bypass, the cause of the bypass, and the duration of the bypass;
 - b. If the bypass was corrected; and
 - c. Actions taken or proposed to reduce or prevent a reoccurrence of the bypass.
3. No process water may exit the facility or enter stormdrains or waters of the State.

Section 14.12.375 Prohibited Discharge of Recovered Pretreatment Waste.

No person shall discharge waste recovered from pretreatment equipment, systems, or devices into any sewer opening or any drains or other openings leading to any sewer, stormdrain, or waters of the State without authorization and permits from a regulatory agency having jurisdiction over the discharge of the waste. All recovered pretreatment waste shall be disposed of in accordance with all applicable federal, state, county, and local laws and regulations.

Section 14.12.380 Dilution Prohibited as a Substitute for Treatment.

A. No industrial user shall increase the use of water, or process water, or in any other manner attempt, to dilute a wastewater discharge as a partial or complete substitute for adequate treatment to achieve compliance with this Chapter and the industrial user's permit, or to establish an artificially high flow rate for permitted mass emission rates or permitted flow amounts.

B. If an industrial user is found to be using dilution to comply with this Chapter and/or the user's Industrial User Permit, then the City may impose mass limitations to determine compliance with wastewater discharge limitations.

Section 14.12.385 Industrial and Commercial Stormwater Requirements.

A. Any person or entity that owns or operates a commercial and/or industrial facility(s) shall comply with the provisions of this ordinance. All such facilities shall be subject to a regular program of inspection as required by this ordinance, California Water Code §§ 13000 et seq. (Porter-Cologne Water Quality Control Act), Title 33 U.S.C. §§ 1251 et seq. (Clean Water Act), any applicable state or federal regulations promulgated thereto, and any related administrative orders or permits issued in connection therewith.

B. NPDES Permit for Industrial/Commercial Activity. Any industrial discharger, discharger associated with construction activity, or other discharger subject to any NPDES permit issued by the United States Environmental Protection Agency, the State Water Resources Control Board, or the Santa Ana Regional Water Quality Control Board, shall comply with all requirements of such permit. Such dischargers shall specifically comply with the following permits: the Industrial Storm water General Permit, the Construction Activity Storm water General Permit, and the Dewatering Deminimus General Permit. Proof of compliance with said NPDES General Permits may be required in a form acceptable to the Director prior to issuance of any building, or occupancy permits.

C. Industrial facility storm water discharges are regulated pursuant to CWA section 402(p)(3)(A). The State Water Board issued a statewide general permit for industrial storm water discharges, excluding construction activities, called the National pollutant discharge elimination system General Permit for Storm Water Discharges Associated with Industrial Activities, NPDES No. CAS000001 ("General Industrial Permit") with requirements for industrial sites. Industrial Sites must evaluate if they need to obtain coverage under this General Industrial Permit.

D. Industrial facilities must ensure they evaluate and if they meet the criteria to obtain coverage under the General Industrial Permit and obtain coverage no later than within a week of opening its business.

E. Industrial facilities must develop and implement storm water pollution prevention plans (SWPPP) that include BMPs that will achieve compliance with state and local requirements. All industrial and commercial facilities must implement and maintain minimum BMPs, and any other BMPs requested by the Director during a storm water and/or pretreatment inspection to help protect the MS4 and sanitary sewer system.

F. Industrial and commercial facilities must prevent their storm water or irrigation water from running off their property and onto another property and causing a nuisance, hazard, or conveying pollutants.

G. All industrial and commercial facilities must prevent the potential discharge of pollutants in runoff from areas of material storage, vehicle or equipment fueling, vehicle or equipment maintenance (including washing), waste handling, hazardous materials handling or storage, delivery areas or loading docks, or other outdoor work areas.

H. Any person responsible for a facility, operation, or activity, or responsible for emergency response for a facility, operation, or activity shall immediately notify the City Public Works Department and Fire Department upon occurrence of an accidental discharge of prohibited materials or wastes. The City shall be notified by telephone at (951) 826-5311. The notification shall include the date, time, and location of the discharge, if it entered a storm drain or waterway,

type of waste, including concentration and volume, and corrective actions taken. This notification does not relieve the user from any other reporting requirements of any other laws. Within five calendar days following a spill or discharge, the discharger shall submit a detailed written report to the City including:

1. A description and cause of the event;
2. The location, type, concentration, and volume of the spill or discharge;
3. A determination of if it entered a storm drain or waterway;
4. The duration of the event including exact dates and time of noncompliance, and if noncompliance continues, the time by which compliance is reasonably expected to be achieved;
5. The description of the remediation or cleanup methods and disposal, and submittal of copies of any disposal receipts and manifests;
6. All steps taken or to be taken to reduce, eliminate, and prevent recurrence of such accidental, negligent, or intentional spill or other conditions of noncompliance; and
7. Whether the California Emergency Management Agency (CALEMA) had been notified by phone at (800) 852-7550.

I. Surface cleaning including mopping, rinsing, washing, pressure washing, steam cleaning, and floor mat washing shall only be performed with appropriate BMPs with no discharge of any liquid, material, or waste to the storm drainage system and in conformance with Chapter 14.22.

J. The exterior of waste oil, grease, tallow, and other restaurant or food service containers and the surfaces surrounding such containers shall, at all times, be kept clean of residual oil, grease, and other substances.

K. Trash, recyclable, and waste disposal container covers shall be closed.

L. Equipment, parts, and materials stored outside which have potential contribute to storm water pollution shall be covered or stored in a manner in which contact with precipitation, directly or from runoff is prevented.

M. Machinery and equipment, including motor vehicles, which are leaking significant amounts of oil or fluid must be repaired, and the leaking oil must be cleaned up appropriately.

N. Poorly managed authorized non-storm water discharges or evidence of unauthorized non-storm water discharges, which may be illicit connections or illegal discharges to the MS4, and other violations of this Chapter may result in an enforcement action against the facility and/or property owner.

O. All industrial and commercial facilities must comply with all the requirements contained within this Chapter and must correct problems noted during inspections or on any enforcement or compliance documents. Any other violations of this Chapter may result in an enforcement action against the facility and/or property owner.

P. All users having outdoor areas are not allowed to have wastewater and storm water enter a common opening. Storm water may not enter the sewer collection system.

Q. All users must comply with this Chapter and other City Ordinance which may be applicable to storm water and must comply with the State Water Resources Control Board's storm water requirements. Storm water protection requirements can be requested such as covers over hazardous waste storage areas, sumps in loading docks be cleaned prior to an expected rain event, and cannot have equipment outside if it causes pollutants to have potential to enter storm water.

Section 14.12.390 Industrial User Modifications.

All permitted industrial users shall report proposed changes in their operations in writing to the Director for approval thirty calendar days before those changes are implemented. For the purposes of this Section "changes" shall include any of the following:

- A. A sustained twenty percent increase or decrease in production capacity or wastewater discharge;
- B. Additions, deletions or changes to processes or equipment; or
- C. Experimentation with new processes, materials, chemicals and/or equipment that may affect the wastewater discharged.
- D. Industrial User may be fined for failure to notify in required time frame.

Section 14.12.395 Spill Containment System.

Spill containment systems, as may be required, shall conform to requirements established by the Director. These requirements may include but are not limited to the following:

- A. No spill containment system shall allow incompatible substances to mix in the event of container failures and thereby create a hazardous or toxic substance.
- B. Spill containment systems shall consist of dikes, walls, barriers, berms, or other devices designed to contain spillage of the liquid contents of containers.
- C. Spill containment systems shall be constructed of materials that are impermeable and non-reactive to the liquids being contained.
- D. Spill containment systems shall conform to local regulations and policies as to percent containment, container type, size, outdoor covering, and the length of time spilled material may remain in the spill containment system.
- E. At no time shall a user use a spill containment system for any storage other than from a spill.
- F. All users shall keep the spill containment system free of accumulated liquid and debris.
- G. There shall be no drain or plugs within the spill containment area.
- H. All users must have spill kits

Section 14.12.400 Slug Discharges.

A. No user shall discharge or caused to be discharged any slug load of materials, chemicals, products, or waste into the POTW. Any user discharging a slug load of materials, chemicals, products or waste into the POTW to avoid sewer service charges for the treatment violates this Chapter and may subject the user to enforcement actions. Any slug load that damages the POTW is a major violation. Slug loads that do not damage the POTW may be a minor violation.

B. The Permittee shall have a Slug Load Control Plan, and shall revise it every 2 years or more frequent if necessary, including when any process has changed on-site. 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 reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations, local limits and/or permit conditions, or any pollutant discharge violating the specific prohibitions under 40 CFR 403.5 (b). These specific prohibitions include at a minimum the following list of pollutants:

1. Pollutants which create a fire or explosion hazard in the POTW;
2. Pollutants which will cause corrosive structural damage to the POTW;

3. Solid or viscous pollutants which will cause obstruction in the POTW;
4. Any pollutant, including oxygen demanding pollutants (COD, BOD, etc.) Released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the POTW;
5. Bad or unused product;
6. Heat in amounts which will inhibit biological activity in the POTW resulting in interference, but in no case heat in such quantities that the temperature at the POTW exceeds 40°C (104°F);
7. Petroleum oil, non-biodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through at the POTW;
8. 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; and/or,
9. Any trucked or hauled pollutants, except at discharge points designated by the POTW.

C. The Slug Discharge Prevention and Control Plan is intended to assist the Permittee in evaluating their current practice in prevention and control of slug discharges. The Slug Discharge Prevention and Control Plan shall contain, at a minimum, the following elements:

1. Description of discharge practices, including non-routine batch discharges;
2. Description of stored chemicals;
3. Procedures for immediately notifying the Authority of slug discharges, including any discharge which would violate a prohibition under 40 CFR Part 403, with procedures for follow-up written notification within five days;
4. If necessary, procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measurements for containing toxic organic pollutants (including solvents) and/or measures and equipment for emergency response.

D. The Permittee shall notify the City immediately upon occurrence of an accidental discharge of substances prohibited by this Chapter, or any slug loads or spills that may enter the public sewer or any storm drain, storm water channel or natural water course. During normal business hours, the City shall be notified by telephone at (951) 351-6145. After 5:00 p.m. on Monday through Friday, or weekends and holidays, the City shall be notified by telephone at (951) 826-5311. The notification shall include the location of the discharge, date and time thereof, type of waste, including concentration and volume, and the corrective actions taken. The Permittee's notification of the accidental release in accordance with this section does not relieve the Permittee from the reporting requirements of local, State, or Federal laws.

E. Within five days following an accidental discharge, the Permittee shall submit to the City, a detailed, written report. The report shall specify the following:

1. Description and cause of the upset, slug or accidental discharge, the cause thereof, and the impact on the Permittee's compliance status. The description shall also include the location of the discharge, type, concentration and volume of waste.
2. Duration of noncompliance including exact dates and times of noncompliance, and if noncompliance continues, the time by which compliance is reasonably expected to occur.
3. All steps taken or to be taken to reduce, eliminate, and prevent recurrence of such an upset, slug, accidental discharge, or other conditions of noncompliance.

Section 14.12.405 Facility Waste Management Plan.

All permitted industrial users shall develop and maintain a Facility Waste Management Plan (FWMP). The FWMP shall consist of the following applicable documents:

A. Toxic Organic Management Plan (TOMP) is required of all Categorical Industrial Users permitted to submit the TOMP in lieu of required pollutant monitoring.

B. Slug Discharge Prevention Control Plan (SDPCP) is required of all industrial users which have batch discharge provisions, stored chemicals or materials, or the potential for a slug discharge which, if discharged to the POTW or storm drain system, would violate this Chapter. The SDPCP shall contain, at a minimum:

1. Description of discharge practices, including non-routine batch discharges;
2. Description of all stored chemicals;
3. Procedures to immediately notify the City of any slug discharge, including any discharge prohibited under Section 14.12.335;
4. Procedures to provide a written follow-up notification within five calendar days;
5. Procedures to prevent accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, plant and site run-off control, worker training, building of spill containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response; and
6. Procedures to notify the City immediately of any changes in the facilities that may affect the potential for a slug discharge.

C. Pretreatment Systems Operations and Maintenance Manual shall be submitted by all industrial users that operate and maintain pretreatment equipment.

D. Hazardous Materials and Hazardous Waste Management Plan is required of all industrial users that use, possess, or generate hazardous substances. The City's Fire Department-required Business Emergency Plan may be substituted for this management plan.

E. Waste Minimization/Pollution Prevention Plan (WM/PPP) is required of any industrial user:

1. For whom the Director has determined such WM/PPP is necessary to achieve a water quality objective;
2. Determined by the California State Water Quality Control Board ("State Board") to be a chronic violator, and the State Board, Regional Board or the City determines that pollution prevention (as defined in Water Code Section 13263.3(b)) could assist; and
3. That significantly contributes, or has the potential to significantly contribute, to the creation of a toxic hot spot as defined in Water Code Section 13391.5.

F. A WM/PPP shall include all of the following:

1. An analysis of the pollutants, as directed by the State Board, Regional Board, or the City, that the user discharges to the POTW, the sources of the pollutants, and a comprehensive review of the processes that generate and discharge the pollutants.
2. An analysis of the effectiveness of pollution prevention, including any innovative and alternative technologies and possible adverse environmental impacts resulting from the use of those methods.
3. A detailed description of the tasks and schedules required to investigate and implement the pollution prevention techniques.
4. A statement of the discharger's pollution prevention goals and strategies, including priorities for short-term and long-term action.

5. A description of the discharger's existing pollution prevention methods.
 6. A statement that the discharger's existing and planned pollution prevention strategies do not constitute cross media pollution transfers unless clear environmental benefits of such an approach are identified, and information that supports that statement, to the satisfaction of City.
 7. Proof of compliance with the Hazardous Waste Source Reduction and Management Review Act of 1989 (Article 11.9 (commencing with Section 25244.12) of Chapter 6.5 of Division 20 of the Health and Safety Code) if the discharger is subject to that act.
 8. An analysis, to the extent feasible, of the relative costs and benefits of the possible pollution prevention activities.
 9. A specification of, and rationale for, the technically feasible and economically practicable pollution prevention measures selected by the discharger for implementation.
- G. Any person who fails to complete a pollution prevention plan required by the City, submits a plan that does not comply with this Section, or fails to implement a plan required by the City, shall be liable to the City for any civil penalty assessed administratively by the City or by a court in accordance with this Chapter.
- H. The City shall not include a WM/PPP in any local limits or permit issued by the City.

Section 14.12.410 Categorical Pretreatment Standards.

A. The federal categorical pretreatment standards found in 40 CFR Chapter I, Subchapter N are hereby incorporated into this Chapter by reference. It is unlawful for any Categorical Industrial User to discharge wastewater to the POTW in violation of federal categorical pretreatment standards or any limitation in this Chapter or that user's permit. Where there is more than one limitation for a pollutant, the more stringent limitation shall prevail. Compliance with federal categorical pretreatment standards for existing sources subject to such standards or for existing sources, which hereafter become subject to such standards, shall be achieved within three years following promulgation of the standards unless a shorter compliance time is specified in the standards or by the Director. New sources shall install, have in operating condition and "start-up" all pretreatment equipment to insure compliance before beginning any discharge. New sources must meet all applicable pretreatment standards within the shortest feasible time, not to exceed ninety days.

B. The City may authorize a Categorical Industrial User to forego sampling of a pollutant regulated by a federal categorical pretreatment standard if the Industrial User has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the wastewater 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:

1. The City may authorize a waiver 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.
2. The monitoring waiver is valid only for the duration of the effective period of the Industrial User's Permit, and in no case shall exceed five years. The Industrial User must submit a new request for the waiver with each permit renewal.
3. In making a determination that a pollutant is not present, the Industrial User must provide data from a least one sampling of the facility's process wastewater prior to any treatment at the facility that is representative of all wastewater from all processes.

4. The request for a monitoring waiver must be signed by the Industrial User's authorized representative and include the certification statement, Section 14.12.120(7).

5. Non-detectable sample results may only be used 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.

6. Any grant of the monitoring waiver by the City will be incorporated into the Industrial User's Permit. All data and information to support the City granting the waiver will be maintained for three years after the expiration of the waiver.

7. Upon approval of the waiver and incorporation into the Industrial User's Permit, the Industrial User must certify on each report submitted with the following statement, that there has been no increase in the pollutant in its wastestream due to the activities at the Industrial User's facility:

"Based on my inquiry of the person or persons directly responsible for managing compliance with the Pretreatment Standard for 40 CFR [specify applicable National Pretreatment Standard part(s)], I certify that, to the best of my knowledge and belief, there has been no increase in the level of [list pollutant(s)] in the wastestream due to the activities at the facility since filing the last quarterly report."

8. In the event that a waived pollutant is found to be present or is expected to be present based on changes that occur in the Industrial User's operations, the Industrial User must immediately notify the City and resume quarterly monitoring of the waived pollutant.

9. This waiver provision does not supersede certification processes and requirements established in categorical pretreatment standards, except as otherwise specified in the categorical pretreatment standard.

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

Section 14.12.420 Notice of Potential Problems to Director.

All users shall immediately notify the Director of all wastewater discharges that could adversely affect the POTW, City sewer or storm drain system, including any slug discharges. Wastewater discharges that may adversely affect the POTW and/or storm drain system include, but are not limited to, acids, alkalis, oils, greases, high strength organic waste, salt, hazardous substances and waste, colored wastes, and batch discharges. The notification shall be made by a telephone call to (951) 351-9280, telefax transmission, electronic report, personal visit or hand delivered notification, to the City's Environmental Compliance Office. Within five calendar days after discovery of the discharge, the user shall submit a written report to the Director documenting the dates, times, and cause of the failure, and the corrective actions taken. Failure to provide this notification is a violation of this Chapter and may subject the user to enforcement actions.

Section 14.12.445 Industrial User Permits.

A. It is unlawful for any Class I, II, III, IV, V, or VI industrial user to connect or discharge to the POTW without a valid Industrial User Permit. It is unlawful for any Class III industrial user to connect or discharge to the POTW without a valid Industrial User Permit, WDAC, or Industrial User Group Permit, as determined by the Director based upon the industrial user's potential effect on the POTW. Issuance of any such permit or WDAC shall not vest any right in a user to continue connection or discharge to the POTW beyond the express terms of the permit or WDAC.

B. Plans and building permits for Class I, II, IV, V, or VI Industrial User Permits and those users designated by the Director shall not be approved by the Director for any sewer connection which will convey industrial wastewater to the POTW unless the user has first obtained an Industrial User Permit, or the user has received written permission from the Director after agreeing in writing not to discharge industrial wastewater until an Industrial User Permit has been obtained.

C. Users required to obtain an Industrial User Permit shall complete and file with the Director a permit application form provided by the Director and shall pay all applicable fees within thirty days of invoicing by the City. The application form may require applicant's submission of any or all of the following:

1. Name, address, and location (if different from the site address);
2. Standard Industrial Codes (SIC) and NAICS numbers under the Federal North American Industry Classification System, Office of Management and Budget, 1997, as amended;
3. EPA hazardous waste generator's number;
4. Wastewater samples analyzed for specified pollutants by a State certified laboratory in accordance with the methods published by EPA in 40 CFR Part 136 and amendments thereto;
5. Time and duration of the wastewater discharges;
6. Average and maximum daily wastewater flow rates, including any seasonal variation of all waste streams discharged;
7. A list of all environmental control permits held;
8. A written statement from the property owner or landlord, if different from the industrial user, agreeing to the industrial user's activities, manufacturing processes, and chemical and material storage;
9. Site plans, floor plans, mechanical and plumbing plans with details to show all sewers, sewer connections, pretreatment equipment, systems and devices, production areas and all areas of wastewater generation;
10. A description of operations including the nature, average rate of production, and NAICS code of the operation(s) carried out by the industrial user, and a schematic process diagram that indicates points of discharge to the POTW;
11. Flow measurement information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process waste streams and other waste streams as necessary to allow use of the combined waste stream formula;
12. Measurement of pollutants identifying the National Categorical Pretreatment Standard applicable to each regulated process, with the results of sample analyses identifying the nature and concentration (or mass where required) of regulated pollutants in the discharge from each regulated process. Both daily maximum and average concentration or daily maximum and average mass shall be reported. All analyses shall be performed in accordance with the techniques prescribed in 40 CFR Part 136;
13. Certification statement, as set forth in 40 CFR Part 403.6(a)(2)(ii), executed by an authorized representative of the industrial user and prepared by a qualified professional, indicating whether or not pretreatment standards (categorical and local) are being met on a consistent basis. If not, the industrial user shall state if additional operation and maintenance or additional pretreatment equipment is necessary to achieve compliance with pretreatment standards and requirements;
14. Best Management Practices necessary to comply with this Chapter; and

15. Any other information as may be necessary for the Director to evaluate the permit application.

D. Within forty-five days after receiving the completed application and all required supporting information, the Director shall evaluate the application and information furnished by the applicant. The Director shall issue the permit, if the Director believes that sufficient and accurate information has been provided by the applicant in the permit application and the Director finds that all of the following conditions are met:

1. The proposed discharge of the applicant is in compliance with the prohibitions and limitations of this Chapter;

2. The proposed operation and discharge of the applicant would not interfere with the normal and efficient operation of the POTW;

3. The proposed discharge, operation or business activity of the applicant shall not result in a violation by the City of the terms and conditions of its NPDES permit or cause a pass through of any toxic materials to the environment or the POTW sludge; and

4. The applicant has paid all applicable Industrial User Permit fees.

E. The Director may suspend the permit application process if the user's business will not be operational and no wastewater is planned for discharge at the conclusion of the application review process. The user must notify the Director at least fourteen calendar days before starting business activities and wastewater discharge.

F. If the Director determines that the proposed discharge will not be acceptable, the Director shall disapprove the application and shall notify the applicant in writing, specifying the reason(s) for denial and the applicable appeals process under Section 14.12.570 APPEALS.

G. Industrial User Permits shall be subject to all provisions of this Chapter and all other applicable regulations, charges and fees established by the City Council of the City of Riverside or the Riverside County Board of Supervisors resolution. Permits may include one or more of the following:

1. The unit charge or schedule of user charges and fees for the wastewater discharged to the POTW as established by ordinance or resolution;

2. Schedule of penalties for noncompliance as established by resolution;

3. Limitations on the average monthly and maximum daily wastewater pollutants and mass emission rates for pollutants;

4. Limitations on the average monthly and maximum daily wastewater flow rates;

5. Requirements for the submittal of a Facility Waste Management Plan;

6. Requirements for the submittal of daily, monthly, annual and long term production rates;

7. Requirements for reporting changes and/or modifications to equipment and/or processes that affect the quantity or quality of the wastewater discharged;

8. Requirements for installation and maintenance of monitoring and sampling equipment and devices;

9. Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate spill containment devices;

10. Requirements to comply with Best Management Practices and periodic written documentation that the Best Management Practices are being implemented and the effects on compliance;

11. Specifications for monitoring programs which may include: sampling location(s); frequency of sampling; pollutant violation notification and resampling requirements; number,

types and standards for tests; reporting schedules; TTO monitoring; and self-monitoring standard operating procedures (SOPs);

12. Requirements for reporting flow exceedances and pollutant violations;

13. Consent to the City's entry onto the user's premises to assess compliance by inspection, photography, electronic image recording, records examination, sampling, and monitoring;

14. Compliance schedules. Compliance schedule progress reports, as required, shall be submitted every thirty days during the time the compliance schedule is in force, including a final compliance report at the conclusion of the compliance schedule. The industrial user shall state whether or not compliance was achieved for the increment of progress to be met on such a date. If progress cannot be achieved, the industrial user shall state the reasons for the delay and the steps to be taken to return to the dates originally established in the compliance schedule;

15. Modified compliance schedules if pretreatment standards compliance cannot be met on a consistent basis. A modified compliance schedule shall provide the shortest possible time for the industrial user to provide additional pretreatment and/or operations and maintenance to achieve compliance, and may contain milestones;

16. Requirements for submission of technical or discharge reports, Baseline Monitoring Reports (BMR), compliance reports, and reports on continued compliance;

17. Requirements for submission of a Slug Discharge Plan according to 40 CFR 403.8(f)(1)(iii)(B)(6) and any subsequent updates;

18. Reports on compliance with federal categorical pretreatment standards deadlines. All Categorical Industrial Users shall submit reports to the Director containing the information described in this Section as required by the permit. For existing Categorical Industrial Users, the report shall be submitted within ninety days following the date for final compliance with applicable categorical pretreatment standards. For new Categorical Industrial Users, the report shall be due thirty days following the commencement of wastewater discharge into the POTW. These reports shall contain long-term production rates and actual production during the wastewater sampling periods;

19. All Significant and Categorical Industrial Users shall submit progress reports on compliance every six months. These reports shall include effluent sample analyses with the pollutant names and concentration or masses; average and maximum daily wastewater flows for all regulated processes and total flow for the reporting period; average and maximum daily production rates; and total production rate for the reporting period. Significant Industrial Users are required to notify the Director immediately of any changes at its facility affecting the potential for a Slug Discharge;

20. All required reports: BMRs, compliance reports, periodic reports on continued compliance, and sample data submittals, must be signed by an authorized representative of the user;

21. All reports required by this Section must have an accompanying certification statement by a qualified professional stating whether the pretreatment standards are or are not being met as set forth in 40 CFR Section 403.12(b)(6);

22. Requirements for maintaining and retaining all records relating to the wastewater monitoring, sample analyses, production, waste disposal, recycling, and waste minimization as specified by the Director;

23. 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 as approved by the City. 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 City, or where the User has been specifically notified of a longer retention period by [the Superintendent].

24. All wastewater samples must be representative of the Industrial User's discharge and must be reported to the City when obtained at the permitted discharge sample location or outfall. 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.

25. Requirements for notification of slug or accidental discharges and significant changes in volume or characteristics of the pollutants discharged;

26. Statement of applicable civil and criminal penalties for violation of pretreatment standards and requirements and this Chapter; and

27. Other conditions as deemed appropriate by the Director to ensure compliance with this Chapter.

Section 14.12.447 Baseline Monitoring Reports

Reporting requirements for industrial users upon effective date of categorical pretreatment standard baseline report. Within 180 days after the effective date of a categorical Pretreatment Standard, or 180 days after the final administrative decision made upon a category determination submission under 403.6(a)(4), whichever is later, existing Industrial Users subject to such categorical Pretreatment Standards and currently discharging to or scheduled to discharge to a POTW shall be required to submit to the Control Authority a report which contains the information listed in paragraphs (A)(1)-(7) of this section. At least 90 days prior to commencement of discharge, New Sources, and sources that become Industrial Users subsequent to the promulgation of an applicable categorical Standard, shall be required to submit to the City of Riverside a report which contains the information listed in paragraphs (b)(1)-(5) of this section. New sources shall also be required to include in this report information on the method of pretreatment the source intends to use to meet applicable pretreatment standards. New Sources shall give estimates of the information requested in paragraphs (b) (4) and (5) of this section:

1. Identifying information. The User shall submit the name and address of the facility including the name of the operator and owners;

2. Permits. The User shall submit a list of any environmental control permits held by or for the facility;

3. Description of operations. The User shall submit a brief description of the nature, average rate of production, and Standard Industrial Classification of the operation(s) carried out by such Industrial User. This description should include a schematic process diagram which indicates points of Discharge to the POTW from the regulated processes.

4. Flow measurement. The User shall submit information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from each of the following:

- (i) Regulated process streams; and
- (ii) Other streams as necessary to allow use of the combined wastestream formula of 40 CFR 403.6(e). (See paragraph (b)(5)(iv) of this section.)

The City of Riverside may allow for verifiable estimates of these flows where considerations justified by cost or feasibility.

5. Measurement of pollutants.

(i) The user shall identify the Pretreatment Standards applicable to each regulated process;

(ii) In addition, the User shall submit the results of sampling and analysis identifying the nature and concentration (or mass, where required by the City of Riverside) of regulated pollutants in the Discharge from each regulated process. Both daily maximum and average concentration (or mass, where required) shall be reported. The sample shall be representative of daily operations. In cases where the Standard requires compliance with a Best Management Practice or pollution prevention alternative, the User shall submit documentation as required by the City of Riverside or the applicable Standards to determine compliance with the Standard;

(iii) For sampling required in support of baseline monitoring and 90-day compliance reports required in Section 6.1 and 6.3 [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 Superintendent] may authorize a lower minimum. For the reports required by paragraphs Section 6.4 (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 by with applicable Pretreatment Standards and Requirements.

(iv) 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 order to evaluate compliance with the Pretreatment Standards. Where an alternate concentration or mass limit has been calculated, this adjusted limit along with supporting data shall be submitted to the City of Riverside;

(v) Sampling and analysis shall be performed in accordance with the techniques prescribed in 40 CFR part 136 and amendments thereto. Where 40 CFR part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the Administrator determines that the part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analysis shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the POTW or other parties, approved by the Administrator;

(vi) The City may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures;

(vii) 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;

6. Certification. A statement, reviewed by an authorized representative of the Industrial User and certified to by a qualified professional, indicating whether Pretreatment Standards are

being met on a consistent basis, and, if not, whether additional operation and maintenance (O and M) and/or additional Pretreatment is required for the Industrial User to meet the Pretreatment Standards and Requirements; and

7. Compliance schedule. If additional pretreatment and/or O and M will be required to meet the Pretreatment Standards; the shortest schedule by which the Industrial User will provide such additional pretreatment and/or O and M. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard.

(i) Where the Industrial User's categorical Pretreatment Standard has been modified by a removal allowance, the combined wastestream formula, and/or a Fundamentally Different Factors variance at the time the User submits the report required by paragraph (b) of this section, the information required by paragraphs (b)(6) and (7) of this section shall pertain to the modified limits.

(ii) If the categorical Pretreatment Standard is modified by a removal allowance the combined wastestream formula, and/or a Fundamentally Different Factors variance after the User submits the report required by paragraph (b) of this section, any necessary amendments to the information requested by paragraphs (b)(6) and (7) of this section shall be submitted by the User to the Control Authority within 60 days after the modified limit is approved.

Section 14.12.465 Permit Modifications.

A. The Director may modify the Industrial User Permit terms and conditions as follows:

1. To incorporate any new or revised federal, state, or local pretreatment standards or requirements;
2. To address significant alterations or modifications to the user's operation, processes, or wastewater volume or character since the time of the Industrial User Permit issuance;
3. For a change in the POTW that requires either a temporary or permanent reduction or elimination of the permitted discharge;
4. If the permitted wastewater discharge poses a threat to the POTW, city personnel, residents, or receiving waters;
5. For violation of any term or condition of the Industrial User Permit;
6. For misrepresentations or failure to fully disclose all relevant facts in the Industrial User Permit application or in any required reporting;
7. To correct typographical or other errors in the Industrial User Permit;
8. Revision of or a grant of variance from categorical Pretreatment Standards pursuant to 40 CFR 403.13; or
9. For other reasons as the Director deems necessary.

B. City shall notify the user of any proposed permit changes at least thirty calendar days prior to the effective date of the changes. Any modifications in the permit shall include a reasonable time schedule for compliance.

Section 14.12.467 Permit Revocation

The Director may revoke any permit for good cause, including, but not limited to, the following reasons:

- A. Failure to notify the Director of significant changes to the wastewater prior to the changed discharge;
- B. Failure to provide prior notification to the Director of changed conditions;

- C. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- D. Falsifying self-monitoring reports and certification statements;
- E. Tampering with monitoring equipment;
- F. Refusing to allow the Director timely access to the facility premises and records;
- G. Failure to meet effluent limitations;
- H. Failure to pay fines;
- I. Failure to pay sewer charges;
- J. Failure to meet compliance schedules;
- K. Failure to complete a wastewater survey or the wastewater discharge permit application;
- L. Failure to provide advance notice of the transfer of business ownership of a permitted facility;
- M. Violation of any Pretreatment Standard or Requirement, or any terms of the permit or this ordinance; or
- N. Other reasons as determined by the Director.

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

Section 14.12.505 Violations of Discharge Limitations.

A. There is hereby established a class of violations to be known as discharge violations that are further subdivided into minor and major discharge violations as follows:

1. Minor discharge violations are those that, either alone or in combination with similar user discharge violations, pose, as determined by the Director, no significant threat to the public health, safety or welfare, the environment, the POTW, City sewer, or the storm drain system, the beneficial use of the biosolids or to any City employee or contractor.

2. Major discharge violations include, but are not limited to, the following:

- a. Significant Noncompliance;
 - b. Discharge violations which, either alone or in combination with similar discharges pose, as determined by the Director, a significant threat to the public health, welfare or safety, the environment, the safe and efficient operation of the POTW, the beneficial use of biosolids or to any POTW employee or contractor, or cause or contribute to additional treatment costs incurred by the City or a violation of the NPDES permit, or cause or contribute to pass-through, interference, or other known damages;
 - c. Discharging regulated pollutants to the POTW without a current discharge permit;
 - d. A pattern of minor discharge violations;
 - e. Failure to correct a minor discharge violation within a specific time period as directed by the Director;
 - f. Tampering with or purposely rendering inaccurate any monitoring device, method or record required to be maintained pursuant to this Chapter;
 - g. Intentional discharge of a prohibited waste by a Liquid Waste Hauler into the POTW;
- or
- h. Discharging wastewater without a valid Industrial User Permit after notification.
- B. Upon notice of appropriate mitigating circumstances, the Director has sole discretion to treat a major discharge violation as a minor discharge violation. The Director also has sole

discretion to treat a pattern of minor discharge violations with aggravating circumstances as individual major discharge violations.

Section 14.12.520 Administrative Orders.

The Director may require compliance with this Chapter and any permit or order issued under this Chapter by issuing Administrative Orders that are enforceable in a court of law, or by directly seeking court action. The Director may use Administrative Orders, either individually, sequentially, concurrently, or in any order for one or more violations as appropriate for the circumstances. Administrative Orders include, but are not limited to the following:

A. Stop Work Order.

The Director may issue a written Stop Work Order to any person engaged in doing or causing to be done new construction, tenant improvements, alterations, or additions relative to the City's pretreatment program if:

1. City permits have not been obtained;
2. Work has begun without prior written approval by the Director; or
3. Violations of this Chapter are found at the site of the new construction, tenant improvements, alterations, or additions. Any person served a Stop Work Order pursuant to this Section shall immediately stop such work until written authorization for such work is issued by the Director.

B. Correction Notice.

The Director may issue a correction notice for minor violations noted during an inspection of the user's facility. Extensions may be granted to a user who fails to correct minor violations required by a correction notice, upon a showing of good cause, where "good cause" means an unforeseeable and unavoidable event or series of events, over which user had no control that prevented or significantly impaired the user's ability to comply with the correction notice.

C. Written Warning.

The Director may issue a written warning to notify a user of a minor violation or any violation that has not been corrected as required by a correction notice. The written warning shall state the provision(s) violated and the facts supporting the violation, and may include any proposed corrective actions or monitoring to be required. Failure to come into compliance by the date noted on the Written Warning or accompanying inspection report shall become an automatic \$500 fine.

D. Monitoring/Production Information Order (MPIO).

The Director may issue an MPIO when two consecutive violations for the same pollutant are detected in City or user samples, when a pattern of wastewater pollutant non-compliance has been detected or when inconsistent wastewater pollutant compliance has resulted in Significant Non-Compliance. The MPIO shall be used to determine if discharge compliance has been achieved or if a detected violation is consistent. The MPIO shall require the user to sample the user's wastewater discharge for the pollutant(s) in violation and record the daily effluent wastewater flow for all days within a fourteen consecutive day period that industrial wastewater is discharged to the POTW. Production information shall be required of all Categorical Industrial Users which have production based discharge limits. The user required to conduct an MPIO shall comply with all the instructions given in the MPIO.

E. Notice of Violation (NOV).

An NOV shall be issued to a user for a violation of a written warning, stop work order, Industrial User Permit, of this Chapter, an MPIO that has resulted in Significant Non-Compliance or any other violation that has resulted in Significant Non-Compliance. The recipient shall pay an

NOV fee as established by resolution. The Director may serve the user with a written NOV personally or by certified mail. The NOV shall state the provision(s) violated and the facts supporting the violation, and may include any proposed corrective actions or monitoring to be required. The NOV shall require the user to respond in writing to the Director, within ten calendar days from the date of service of the NOV, with a written explanation of or response to the violation(s) and a plan for the satisfactory correction or prevention thereof, including specific required actions. Submission of this plan in no way relieves the user of liability for any violations occurring before or after receipt of the NOV.

F. Violation Meeting.

A violation meeting shall be required of all users who have failed to achieve compliance after the issuance of an NOV or at the conclusion of an MPIO that has resulted in significant noncompliance. This meeting shall be for the City to draft a consent order or compliance order or for the user to propose solutions, request time extensions, draft a compliance schedule, or file an appeal. Any user for whom a violation meeting is scheduled shall pay the City a violation meeting fee in an amount as established by resolution.

G. Consent Order.

The Director may, at any time after finding a violation of this Chapter, enter into an agreement with the violating user known as a consent order. Such agreement may be a compliance schedule with milestones, other specific actions to be taken by the user to correct or prevent the noncompliance within a specified time period, payment of damages, consent order fees, penalties, or other remedies. The consent order is developed between the user and the City. A consent order has the same force and effect as any other administrative order issued pursuant to this Chapter. Any user subject to a consent order shall pay the City a consent order fee as established by resolution.

H. Compliance Order.

1. The Director may issue a compliance order for a violation of this Chapter, the user's Industrial User Permit, or an order issued thereunder. Compliance orders shall specify the provisions violated and the facts constituting the violation(s), and direct that adequate treatment be installed and operated by a specified time period. Compliance orders may also contain such other requirements as the Director deems appropriate to assure timely compliance with this Chapter, such as installation of pretreatment technology, additional self-monitoring or management practices, adherence to a compliance schedule, submission of action plans, and appearance by the user at a specific time and place for a compliance meeting, or other measures necessary to achieve and maintain compliance. Compliance orders are developed without user comment. A user subject of a compliance order shall pay a compliance order fee as established by resolution.

2. If no public hearing on the violation has been previously conducted, the alleged violating user may either submit a written explanation or other response to the compliance order or request that the Director conduct either an informal meeting or a hearing. Such submission or request shall be in writing and filed with the Director no later than ten calendar days after service of the compliance order. The submission or request shall not stay the compliance order.

I. Civil Penalty Order.

A civil penalty order may be issued to assess penalties and any other costs incurred by the City in the investigation, monitoring, legal assistance, enforcement, cleanup or repair caused by the user's violation. The civil penalty order may be included with any other administrative order.

J. Cease and Desist Order.

A cease and desist order shall be issued by the Director to any user or person whose violation of this Chapter, Industrial User Permit, or any order issued under this Chapter, poses a threat to the POTW, storm drain, personnel, environment or the public. A cease and desist order may also be issued by the Director to a user who continues to discharge industrial wastewater to the City's POTW without a valid Industrial User Permit. The Director may issue a cease and desist order immediately upon discovering any such violation and direct a user or person in noncompliance to take such appropriate remedial or preventive actions as Director deems are needed to eliminate a continuing or threatened violation, including stopping operations and terminating the discharge. Such cease and desist order shall include the provision violated and the facts constituting the violation. A user subject to a cease and desist order shall pay City a cease and desist order fee as established by resolution.

K. Show Cause Order.

The Director may set a hearing requiring a user to show cause why the City should not take a proposed enforcement after issuance and conclusion of a consent order, compliance order, or cease and desist order. The hearing shall be held before the enforcement action is executed. The hearing shall follow written procedures established by the Director, maintained for public review in the office of the Director, and provided to the user together with the hearing notice. The hearing procedures shall provide the user with notice and an opportunity to be heard, and may include the following:

1. Appearance by the user to show cause to the Director why a proposed enforcement action should not be taken;
2. The hearing shall be open to the public;
3. A notice of the hearing and order shall be served on the user specifying the time and place for the hearing; the proposed enforcement action and the reasons for such action, the alleged violation and the facts supporting the violation, and a request that the user show cause why the proposed enforcement action should not be taken;
4. The Director shall permit the user to respond to the notice and order, to present evidence and argument on all relevant issues, and to conduct cross-examination of any witnesses necessary for the full disclosure of the facts;
5. The Director may request the attendance and testimony of witnesses and the production of evidence relevant to any matter, and may seek subpoenas from the appropriate court to compel the presence of witnesses;
6. The testimony taken shall be under oath and recorded, with a transcript prepared and provided to any person upon payment of the usual charges for such transcript;
7. The notice of the hearing and the order to show cause shall be served upon the user personally or by registered or certified mail (return receipt requested) at least fifteen calendar days prior to the hearing; except that the Director may set an earlier date for the hearing at the user's request. Such notice may be served on any authorized representative of the user;
8. Upon review of the evidence, the Director shall make written findings of fact and decision in the nature of an order, which shall be served upon user; and
9. The City may immediately impose an enforcement action after the hearing whether or not a duly notified user appears as noticed.

Section 14.12.535 Notice Publication.

The names of all significant industrial users which are found to be in significant noncompliance with this Chapter shall be published at least annually in a newspaper(s) of general circulation that provides meaningful public notice within the City, in accordance with 40 CFR 403.8(f)(2)(vii)(A-H), and any subsequent revisions of that section. The names of all industrial users shall also be published whose violation of a pretreatment standard or requirement or whose discharge that the City determines has:

A. Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent or more of all of the measurements taken during a six-month period exceed (by any magnitude) the daily maximum limit or the average limit for the same pollutant parameter;

B. Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent or more of all of the measurements for each pollutant parameter taken during a six-month period equal or exceed the product of the daily maximum limit or the average limit multiplied by the applicable TRC (TRC=1.4 for BOD, TSS, fats, oil, and grease, and 1.2 for all other pollutants except pH).

C. Any other violation of a pretreatment effluent limit (daily maximum or longer-term average) that the Control Authority 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);

D. Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the POTW's exercise of its emergency authority under paragraph (f)(1)(vi)(B) of this section to halt or prevent such a discharge;

E. Failure to meet, within 90 days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance;

F. Failure to provide, within 30 days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;

G. Failure to accurately report noncompliance;

H. Any other violation or group of violations which the Control Authority determines will adversely affect the operation or implementation of the local pretreatment program.

Section 14.12.540 Civil Penalties.

A. Any user violating any provision of this Chapter, user's permit, or administrative order shall be liable to the City for a civil penalty not more than one thousand dollars per violation per day for each violation for as long as the violation continues, plus actual damages incurred by the City. In addition to these penalties and damages, the Director may order user to pay the City's costs, including reasonable attorney's fees, court costs, and other expenses associated with the enforcement activities, including, but not limited to, sampling, monitoring, laboratory costs and inspection expenses.

B. Upon petition by the Director, through the City Attorney, an award of such penalties, damages and costs shall be ordered against such user by an appropriate court in the County of Riverside. In determining the amount of such penalties, damages and costs, the court shall take into account all relevant circumstances, including but not limited to, the extent of harm caused by the violation, the magnitude and duration, any economic benefit gained through a user's violation, corrective actions by a user, the compliance history of the user, good faith efforts to restore

compliance, threat to human health, to the environment and to the POTW, and any other factor as justice requires. The purpose of any civil penalty is to encourage compliance and remedy unquantified damage to the POTW and environment, and not to impose criminal sanctions or retribution.

C. If any user discharges wastewater to the POTW contrary to the provisions of this Chapter, federal or state pretreatment requirements, or any order of the City or permit issued under this Chapter, the Director through the City Attorney may commence an action for appropriate legal and/or equitable relief in the appropriate court in the County of Riverside.

Section 14.12.545 Criminal Penalties.

A. Any user which willfully or knowingly violates any provision of this Chapter, or any orders or permits issued hereunder shall, upon conviction, be guilty of a misdemeanor, punishable by a fine not to exceed one thousand dollars per day per violation, or imprisonment for not more than six months, or both, per violation per day. This penalty shall be consistent with the Federal Clean Water Act, 33 U.S.C. 1251, et seq., and shall apply to the exclusion of any other more lenient Chapter provision. A user shall be guilty of a separate violation for each day a violation of any provision of this Chapter or Industrial User Permit is committed or continued by such user.

B. Any user that willfully or knowingly makes any false statements, representations, or certifications in any application, record, report, plan or other document filed or required to be maintained pursuant to this Chapter or the user's Industrial User Permit, or which falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this Chapter shall, upon conviction, be guilty of a misdemeanor punishable by a fine of at least one thousand dollars per violation per day or imprisonment for not more than six months, or both, per violation per day. This penalty shall be consistent with the Federal Clean Water Act, 33 U.S.C. 1251, et seq., and shall apply to the exclusion of any other more lenient Chapter provision.

C. Introduces into a sewer system or into a publicly owned treatment works any pollutant or hazardous substances that the person knew or reasonably should have known could cause personal injury or property damage.

D. Introduces any pollutant or hazardous substance into a sewer system or into a publicly owned treatment works, except in accordance with any applicable pretreatment requirements, which causes the treatment works to violate waste discharge requirements.(a) Any person who negligently commits any of the violations set forth in subdivision (b) shall, upon conviction, be punished by a fine of not less than five thousand dollars (\$5,000), nor more than twenty-five thousand dollars (\$25,000), for each day in which the violation occurs, by imprisonment for not more than one year in a county jail, or by both that fine and imprisonment.

E. If a conviction of a person is for a violation committed after a first conviction of the person under this Chapter shall be punishment shall be by a fine of not more than fifty thousand dollars (\$50,000) for each day in which the violation occurs, by imprisonment in the state prison pursuant to subdivision (h) of Section 1170 of the Penal Code for 16, 20, or 24 months, or by both that fine and imprisonment.

Chapter 14.20

Section 14.20.030 Disconnection of unlawful connection.

In the event of a violation of any of the provisions of this chapter, it shall be the duty of the Public Utilities General Manager of the City to serve by mail on the occupant of the property a notice requiring the unlawful connection with the water system to be disconnected; and in the event that the same is not done within ten days after the mailing of such notice, it shall be the duty of the Public Utilities General Manager to disconnect such unlawful connection.