



**CITY OF SOUTH PASADENA  
CITY COUNCIL**

**A G E N D A  
SPECIAL MEETING  
WEDNESDAY, APRIL 27, 2022, AT 6:00 P.M.**

**CITY COUNCIL CHAMBERS  
1424 MISSION STREET, SOUTH PASADENA, CA 91030**

**South Pasadena City Council Statement of Civility**

*As your elected governing board, we will treat each other, members of the public, and city employees with patience, civility and courtesy as a model of the same behavior we wish to reflect in South Pasadena for the conduct of all city business and community participation. The decisions made tonight will be for the benefit of the South Pasadena community and not for personal gain.*

**NOTICE ON PUBLIC PARTICIPATION & ACCESSIBILITY**

The South Pasadena City Council Meeting will be conducted in-person from the Council Chambers, Amedee O. "Dick" Richards, Jr., located at 1424 Mission Street, South Pasadena.

The Meeting will be available:

- In Person Hybrid – City Council Chambers, 1424 Mission Street
- Live Broadcast via the website - [http://www.spectrumstream.com/streaming/south\\_pasadena/live.cfm](http://www.spectrumstream.com/streaming/south_pasadena/live.cfm)
- Via Zoom – **Webinar ID: 825 9999 2830**

To maximize public safety while still maintaining transparency and public access, members of the public can observe the meeting via Zoom in one of the three methods below.

1. Go to the Zoom website, <https://zoom.us/join> and enter the Zoom Meeting information; or
2. Click on the following unique Zoom meeting link:  
<https://us06web.zoom.us/j/82599992830> or
3. You may listen to the meeting by calling: +1-669-900-6833 and entering the Zoom Meeting ID.

<b>CALL TO ORDER:</b>	Mayor	Michael Cacciotti
<b>ROLL CALL:</b>	Mayor	Michael Cacciotti
	Mayor Pro Tem	Jon Primuth
	Councilmember	Jack Donovan
	Councilmember	Diana Mahmud
	Councilmember	Evelyn G. Zneimer
<b>PLEDGE OF ALLEGIANCE:</b>	Councilmember	Jack Donovan

**PUBLIC COMMENT GUIDELINES**

The City Council welcomes public input. **For Special Meetings members of the public can only comment on items listed on the agenda by one of the following options:**

Option 1:

Participate in-person at the City Council Chambers.

Option 2:

Public Comment speakers have three minutes to address the Council, however, the Mayor and City Council can adjust time allotted as needed. Participants will be able to “raise their hand” using the Zoom icon during the meeting, and they will have their microphone un-muted during comment portions of the agenda to speak. for up to three minutes per item.

Option 3:

Email public comment(s) to [ccpubliccomment@southpasadenaca.gov](mailto:ccpubliccomment@southpasadenaca.gov).

Public Comments received in writing will not be read aloud at the meeting, but will be part of the meeting record. Written public comments will be uploaded online for public viewing under Additional Documents. There is no word limit on emailed Public Comment(s). Please make sure to indicate:

- 1) Name (optional), and
- 2) Agenda item you are submitting public comment on.
- 3) Submit by no later than 12:00 p.m., on the day of the Council meeting.

PLEASE NOTE: The Mayor may exercise the Chair's discretion, subject to the approval of the majority of the City Council, to adjust public comment(s) to less than three minutes.

Pursuant to State law, the City Council may not discuss or take action on issues not on the meeting agenda, except that members of the City Council or staff may briefly respond to statements made or questions posed by persons exercising public testimony rights (Government Code Section 54954.2). Staff may be asked to follow up on such items.

**PRESENTATIONS****1. PROCLAMATION: DONATE LIFE****CONSENT CALENDAR****OPPORTUNITY TO COMMENT ON CONSENT CALENDAR**

Items listed under the consent calendar are considered by the City Manager to be routine in nature and will be enacted by one motion unless a public comment has been received or Councilmember requests otherwise, in which case the item will be removed for separate consideration. Any motion relating to an ordinance or a resolution shall also waive the reading of the ordinance or resolution and include its introduction or adoption as appropriate.

**2. AUTHORIZE APPOINTMENT OF COMMISSIONERS TO CITY BOARDS AND COMMISSIONS****Recommendation**

It is recommended by Mayor Cacciotti that the City Council appoint the following to three-year terms ending December 31, 2024:

- Cynthia Quade, Finance Commission
- Peter Giulioni, Finance Commission
- Brian Nichols, Design Review Board
- Ella Hushagen, Natural Resources and Environmental Commission
- Walter Cervantes, Public Safety Commission
- Bethesda Gee, Public Safety Commission

3. **AWARD OF CONTRACT TO AKD CONSULTING TO PROVIDE A SEISMIC AND STRUCTURAL EVALUATION OF THE WESTSIDE RESERVOIR IN AN ANNUAL AMOUNT NOT-TO-EXCEED \$92,345**

**Recommendation**

It is recommended that the City Council accept a proposal from AKD Consulting (Consultant) to provide a Seismic and Structural Evaluation of the Westside Reservoir and authorize the City Manager to execute an agreement with the Consultant for a not-to-exceed annual amount of \$92,345.

**STUDY SESSION**

4. **PRESENTATION BY MAIN SAN GABRIEL VALLEY BASIN WATERMASTER ON THE STATE OF WATER**

5. **ONE WATER 2050 PLAN & SEWER SYSTEM MANAGEMENT PLAN**

**Recommendation**

It is recommended that the City Council provide direction to staff regarding the drafts of the South Pasadena Integrated Water and Wastewater Resources Management Plan (IWWRMP), and the 2021 Sewer System Management Plan (SSMP).

6. **DISCUSSION OF POTENTIAL USES FOR THE CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS (SLFRF), AS ESTABLISHED THROUGH THE AMERICAN RESCUE PLAN ACT (ARPA) OF 2021, IN PREPARATION FOR THE FISCAL YEAR 2022/2023 BUDGET**

**Recommendation**

It is recommended that the City Council:

1. Discuss potential uses of the Coronavirus State and Local Fiscal Recovery Funds (SLFRF), as established through the American Rescue Plan Act of 2021; and
2. Provide direction to staff as to potential uses to be included in the Fiscal Year 2022/2023 Preliminary Budget.

**INFORMATION REPORTS**

7. **FISCAL YEAR 2022-2023 BUDGET SCHEDULE**

**ADJOURNMENT**

**FOR YOUR INFORMATION**

**FUTURE CITY COUNCIL MEETINGS**

May 4, 2022	Regular City Council Meeting	7:00 p.m.
May 18, 2022	Regular City Council Meeting	7:00 p.m.

**PUBLIC ACCESS TO AGENDA DOCUMENTS AND BROADCASTING OF MEETINGS**

City Council meeting agenda packets, any agenda related documents, and additional documents are available online for public inspection on the City's website:

[www.southpasadenaca.gov/CityCouncilMeetings2022](http://www.southpasadenaca.gov/CityCouncilMeetings2022)

Regular meetings are live streamed via the internet at:  
[http://www.spectrumstream.com/streaming/south\\_pasadena/live.cfm](http://www.spectrumstream.com/streaming/south_pasadena/live.cfm)

**AGENDA NOTIFICATION SUBSCRIPTION**

If you wish to receive an agenda email notification please contact the City Clerk’s Division via email at [CityClerk@southpasadenaca.gov](mailto:CityClerk@southpasadenaca.gov) or call (626) 403-7230.

**ACCOMMODATIONS**



The City of South Pasadena wishes to make all of its public meetings accessible to the public. If special assistance is needed to participate in this meeting, please contact the City Clerk's Division at (626) 403-7230 or [CityClerk@southpasadenaca.gov](mailto:CityClerk@southpasadenaca.gov). Upon request, this agenda will be made available in appropriate alternative formats to persons with disabilities. Notification at least 48 hours prior to the meeting will assist staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting (28 CFR 35.102-35.104 ADA Title II).

**CERTIFICATION OF POSTING**

*I declare under penalty of perjury that I posted this notice of agenda for the meeting to be held on **April 27, 2022**, on the bulletin board in the courtyard of City Hall at 1414 Mission Street, South Pasadena, CA 91030, and on the City’s website as required by law, on the date listed below.*

4/25/2022

/S/

Date

Christina A. Muñoz, Deputy City Clerk

CITY OF SOUTH PASADENA

# PROCLAMATION



Declaring April 2022 as  
 “DMV/Donate Life California Month”  
 in the City of South Pasadena

- WHEREAS, organ, tissue, marrow and blood donation are life-giving acts recognized worldwide as expressions of compassion to those in need; and
- WHEREAS, more than 100,000 individuals nationwide and more than 20,000 in California are currently on the national organ transplant waiting list; and
- WHEREAS, about 17 patients die every day while waiting because the organ they needed did not become available in time; and
- WHEREAS, the need for donated organs is especially urgent in minority populations due to higher incidences of conditions such as high blood pressure or diabetes; and
- WHEREAS, a single individual’s donation of the heart, lungs, liver, kidneys, pancreas and small intestine can save up to eight lives; and
- WHEREAS, donation of tissue can save and heal the lives of 75 others; and
- WHEREAS, organ donors saved more than 40,000 lives last year, the most ever; and
- WHEREAS, any person can register to be an organ, eye, and tissue donor regardless of age or medical conditions; and
- WHEREAS, being a registered donor does not impact the quality of life-saving medical care a person receives in an emergency; and
- WHEREAS, California residents can sign up with the Donate Life California Donor Registry online at any time by visiting [www.donateLIFECalifornia.org](http://www.donateLIFECalifornia.org); and
- WHEREAS, California residents interested in saving a life through living kidney donation may visit [www.LivingDonationCalifornia.org](http://www.LivingDonationCalifornia.org).

NOW, THEREFORE, BE IT RESOLVED that in recognition of National Donate Life Month, the month of April 2021 is hereby proclaimed "DMV/Donate Life Month" in the City of South Pasadena and in doing so we encourage all Californians to check “YES!” online, or when applying for or renewing their driver’s license or I.D. card at the DMV.

\_\_\_\_\_  
 Mayor, Michael A. Cacciotti

\_\_\_\_\_  
 Date



# City Council Agenda Report

ITEM NO. 2

**DATE:** April 27, 2022

**FROM:** Michael A. Cacciotti, Mayor

**PREPARED BY:** Christina Muñoz, Deputy City Clerk

**SUBJECT:** **Authorize Appointment of Commissioners to City Boards and Commissions**

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## **Recommendation**

It is recommended by Mayor Cacciotti that the City Council appoint the following to three-year terms ending December 31, 2024:

- Cynthia Quade, Finance Commission
- Peter Giulioni, Finance Commission
- Brian Nichols, Design Review Board
- Ella Hushagen, Natural Resources and Environmental Commission
- Walter Cervantes, Public Safety Commission
- Bethesda Gee, Public Safety Commission

## **Fiscal Impact**

Cost for onboarding, training, and conducting commission meetings have been accounted for in department budgets.

## **Community Outreach**

The City has continued outreach to solicit more applications to fill other advisory body vacancies. For residents interested in serving on a City advisory body, applications are available on the City's website or in the City Clerk's Office.





# City Council Agenda Report

ITEM NO. 3

**DATE:** April 27, 2022

**FROM:** Arminé Chaparyan, City Manager *DVM for AC*

**PREPARED BY:** Ted Gerber, Director of Public Works

**SUBJECT:** **Award of Contract to AKD Consulting to Provide a Seismic and Structural Evaluation of the Westside Reservoir in an Annual Amount Not-to-Exceed \$92,345**

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## Recommendation

It is recommended that the City Council accept a proposal from AKD Consulting (Consultant) to provide a Seismic and Structural Evaluation of the Westside Reservoir and authorize the City Manager to execute an agreement with the Consultant for a not-to-exceed annual amount of \$92,345.

## Background

The Westside Reservoir is a 2-million-gallon reservoir, constructed in 1963, and located at 820 Glen Place. The reservoir is a 105-foot diameter partially buried circular tank with cast-in place concrete floor, walls, and roof slab. The walls of the reservoir are post-tensioned with circumferential cables.

The reservoir provides regulation of pressure in the southwest portion of the City's Central Pressure Zone and serves as the forebay for the booster pumps delivering water to the higher Bilicke Pressure Zone. Over the years, the reservoir has sustained observable cracks and concrete spalling on its walls. The reservoir roof slab also has significant deflections around the exterior, causing water ponding and corrosion of the reinforcing rebar. It is expected that the reservoir may not meet current seismic design standards.

Given the existing condition, a detailed structural assessment is warranted. This assessment will include a conclusive evaluation of repair, rehabilitation, and replacement alternatives for the reservoir structure, including the inspected internal and external components. The assessment will also include alternative prioritization and recommendations considering a short-term, mid-term, and long-term asset improvement life cycle.

On May 5, 2021, City Council directed staff to solicit proposals for an evaluation of the condition of the Westside Reservoir, including detailed structural analysis, and provide a

technical memorandum report with recommendations for rehabilitation and replacement alternatives.

This evaluation is the first step in a long-term capital improvement plan for Westside Reservoir, which is detailed in the City's Integrated Water and Wastewater Resources Management Plan (IWWRMP), also known as the One Water 2050 Plan.

### **Discussion/Analysis**

On June 29, 2021, a request for proposals (RFP) was posted on the PlanetBids website. Proposals were received through July 2021 from the following three firms:

AKD Consulting, Dana Point  
Civiltec Engineering, Inc., Monrovia  
Nabih Youssef Associates, Los Angeles

Section 4526 of the Government Code states that professional services contracts are to be bid based on qualifications rather than on price:

*Notwithstanding any other provision of law, selection by a state or local agency head for professional services of private architectural, landscape architectural, engineering, environmental, land surveying, or construction project management firms shall be on the basis of demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required.*

After evaluating the proposals, staff determined AKD Consulting (AKD) to be a qualified consultant for the Westside Reservoir structural and seismic evaluation. AKD has been in business since 2009, with its Principal having over 40 years of experience working on water and wastewater projects. AKD specializes in potable water with emphasis in conveyance pipelines, distribution system design, including rehabilitation of reservoir projects for cities and water districts throughout California and the U.S.

The scope of work includes document review, project team coordination, a geotechnical evaluation, physical inspection and examination, a comprehensive seismic and structural evaluation of the reservoir, calculations and 3-dimensional analysis, and submission of a report.

### **Fiscal Impact**

Along with the May 5, 2021 direction to solicit proposals, City Council appropriated \$100,000 from the Water Enterprise Fund reserves to Water Production Account Number 500-6010-6711-8170 for the cost of the study. This funding is sufficient to cover the cost of the study, including a 10% contingency.

Attachment:

1. Professional Services Agreement



**ATTACHMENT**  
Professional Services Agreement

**PROFESSIONAL SERVICES AGREEMENT  
FOR CONSULTANT SERVICES**

**(City of South Pasadena / AKD Consulting)**

**1. IDENTIFICATION**

This PROFESSIONAL SERVICES AGREEMENT (“Agreement”) is entered into by and between the City of South Pasadena, a California municipal corporation (“City”), and AKD Consulting (“Consultant”).

**2. RECITALS**

- 2.1. City has determined that it requires the following professional services from a consultant: **seismic and structural evaluation of the Westside Reservoir.**
- 2.2. Consultant represents that it is fully qualified to perform such professional services by virtue of its experience and the training, education and expertise of its principals and employees. Consultant further represents that it is willing to accept responsibility for performing such services in accordance with the terms and conditions set forth in this Agreement.
- 2.3. Consultant represents that it has no known relationships with third parties, City Council members, or employees of City which would (1) present a conflict of interest with the rendering of services under this Agreement under Government Code Section 1090, the Political Reform Act (Government Code Section 81000 *et seq.*), or other applicable law, (2) prevent Consultant from performing the terms of this Agreement, or (3) present a significant opportunity for the disclosure of confidential information.

NOW, THEREFORE, for and in consideration of the mutual covenants and conditions herein contained, City and Consultant agree as follows:

**3. DEFINITIONS**

- 3.1. “Scope of Services”: See Exhibit A
- 3.2. “Agreement Administrator”: The Agreement Administrator for this project is H. Ted Gerber, Public Works Director. The Agreement Administrator shall be the principal point of contact at the City for this project. All services under this Agreement shall be performed at the request of the Agreement Administrator. The Agreement Administrator will establish the timetable for completion of services and any interim milestones. City reserves the right to change this designation upon written notice to Consultant

- 3.3. "Approved Fee Schedule": Consultant's compensation rates are set forth in the fee schedule attached hereto as Exhibit B and incorporated herein by this reference. This fee schedule shall remain in effect for the duration of this Agreement unless modified in writing by mutual agreement of the parties.
- 3.4. "Maximum Amount": The highest total compensation and costs payable to Consultant by City under this Agreement. The Maximum Amount under this Agreement is Ninety-Two Thousand, Three Hundred and Forty-Five Dollars (\$92,345), including \$83,950 for the proposed work, and \$8,395 (10%) as a contingency.
- 3.5. "Commencement Date": April 28, 2022.
- 3.6. "Termination Date": The date on which the City Director of Public Works determines the work to be complete, but no later than December 31, 2022.

#### 4. TERM

The term of this Agreement shall commence at 12:00 a.m. on the Commencement Date and shall expire at 11:59 p.m. on the Termination Date unless extended by written agreement of the parties or terminated earlier under Section 18 ("Termination") below. Consultant may request extensions of time to perform the services required hereunder. Such extensions shall be effective if authorized in advance by City in writing and incorporated in written amendments to this Agreement.

#### 5. CONSULTANT'S DUTIES

- 5.1. **Services.** Consultant shall perform the services identified in the Scope of Services. City shall have the right to request, in writing, changes in the Scope of Services. Any such changes mutually agreed upon by the parties, and any corresponding increase or decrease in compensation, shall be incorporated by written amendment to this Agreement.
- 5.2. **Coordination with City.** In performing services under this Agreement, Consultant shall coordinate all contact with City through its Agreement Administrator.
- 5.3. **Budgetary Notification.** Consultant shall notify the Agreement Administrator, in writing, when fees and expenses incurred under this Agreement have reached eighty percent (80%) of the Maximum Amount. Consultant shall concurrently inform the Agreement Administrator, in writing, of Consultant's estimate of total expenditures required to complete its current assignments before proceeding, when the remaining work on such assignments would exceed the Maximum Amount.

- 5.4. **Business License.** Consultant shall obtain and maintain in force a City business license for the duration of this Agreement.
- 5.5. **Professional Standards.** Consultant shall perform all work to the standards of Consultant's profession and in a manner reasonably satisfactory to City. Consultant shall keep itself fully informed of and in compliance with all local, state, and federal laws, rules, and regulations in any manner affecting the performance of this Agreement, including all Cal/OSHA requirements, the conflict of interest provisions of Government Code § 1090 and the Political Reform Act (Government Code § 81000 et seq.).
- 5.6. **Avoid Conflicts.** During the term of this Agreement, Consultant shall not perform any work for another person or entity for whom Consultant was not working at the Commencement Date if such work would present a conflict interfering with performance under this Agreement. However, City may consent in writing to Consultant's performance of such work.
- 5.7. **Appropriate Personnel.** Consultant has, or will secure at its own expense, all personnel required to perform the services identified in the Scope of Services. All such services shall be performed by Consultant or under its supervision, and all personnel engaged in the work shall be qualified to perform such services. **Ashok K. Dhingra** shall be Consultant's project administrator and shall have direct responsibility for management of Consultant's performance under this Agreement. No change shall be made in Consultant's project administrator without City's prior written consent.
- 5.8. **Substitution of Personnel.** Any persons named in the proposal or Scope of Services constitutes a promise to the City that those persons will perform and coordinate their respective services under this Agreement. Should one or more of such personnel become unavailable, Consultant may substitute other personnel of at least equal competence upon written approval of City. If City and Consultant cannot agree as to the substitution of key personnel, City may terminate this Agreement for cause.
- 5.9. **Permits and Approvals.** Consultant shall obtain, at its sole cost and expense, all permits and regulatory approvals necessary for Consultant's performance of this Agreement. This includes, but shall not be limited to, professional licenses, encroachment permits and building and safety permits and inspections.
- 5.10. **Notification of Organizational Changes.** Consultant shall notify the Agreement Administrator, in writing, of any change in name, ownership or control of Consultant's firm or of any subcontractor. Change of ownership or control of Consultant's firm may require an amendment to this Agreement.

- 5.11. **Records.** Consultant shall maintain any and all ledgers, books of account, invoices, vouchers, canceled checks, and other records or documents evidencing or relating to charges for services or expenditures and disbursements charged to City under this Agreement for a minimum of three (3) years, or for any longer period required by law, from the date of final payment to Consultant under this Agreement. All such documents shall be made available for inspection, audit, and/or copying at any time during regular business hours, upon oral or written request of City. In addition, pursuant to Government Code Section 8546.7, if the amount of public funds expended under this Agreement exceeds ten thousand dollars, all such documents and this Agreement shall be subject to the examination and audit of the State Auditor, at the request of City or as part of any audit of City, for a period of three (3) years after final payment under this Agreement.

## 6. SUBCONTRACTING

- 6.1. **General Prohibition.** This Agreement covers professional services of a specific and unique nature. Except as otherwise provided herein, Consultant shall not assign or transfer its interest in this Agreement or subcontract any services to be performed without amending this Agreement.
- 6.2. **Consultant Responsible.** Consultant shall be responsible to City for all services to be performed under this Agreement.
- 6.3. **Identification in Fee Schedule.** All subcontractors shall be specifically listed and their billing rates identified in the Approved Fee Schedule, Exhibit B. Any changes must be approved by the Agreement Administrator in writing as an amendment to this Agreement.
- 6.4. **Compensation for Subcontractors.** City shall pay Consultant for work performed by its subcontractors, if any, only at Consultant's actual cost plus an approved mark-up as set forth in the Approved Fee Schedule, Exhibit B. Consultant shall be liable and accountable for any and all payments, compensation, and federal and state taxes to all subcontractors performing services under this Agreement. City shall not be liable for any payment, compensation, or federal and state taxes for any subcontractors.

## 7. COMPENSATION

- 7.1. **General.** City agrees to compensate Consultant for the services provided under this Agreement, and Consultant agrees to accept payment in accordance with the Fee Schedule in full satisfaction for such services. Compensation shall not exceed the Maximum Amount. Consultant shall not be reimbursed for any expenses unless provided for in this Agreement or authorized in writing by City in advance.

- 7.2. **Invoices.** Consultant shall submit to City an invoice, on a monthly basis or as otherwise agreed to by the Agreement Administrator, for services performed pursuant to this Agreement. Each invoice shall identify the Maximum Amount, the services rendered during the billing period, the amount due for the invoice, and the total amount previously invoiced. All labor charges shall be itemized by employee name and classification/position with the firm, the corresponding hourly rate, the hours worked, a description of each labor charge, and the total amount due for labor charges.
- 7.3. **Taxes.** City shall not withhold applicable taxes or other payroll deductions from payments made to Consultant except as otherwise required by law. Consultant shall be solely responsible for calculating, withholding, and paying all taxes.
- 7.4. **Disputes.** The parties agree to meet and confer at mutually agreeable times to resolve any disputed amounts contained in an invoice submitted by Consultant.
- 7.5. **Additional Work.** Consultant shall not be reimbursed for any expenses incurred for work performed outside the Scope of Services unless prior written approval is given by the City through a fully executed written amendment. Consultant shall not undertake any such work without prior written approval of the City.
- 7.6. **City Satisfaction as Precondition to Payment.** Notwithstanding any other terms of this Agreement, no payments shall be made to Consultant until City is satisfied that the services are satisfactory.
- 7.7. **Right to Withhold Payments.** If Consultant fails to provide a deposit or promptly satisfy an indemnity obligation described in Section 11, City shall have the right to withhold payments under this Agreement to offset that amount.

## 8. PREVAILING WAGES

Consultant is aware of the requirements of California Labor Code Section 1720, et seq., and 1770, et seq., as well as California Code of Regulations, Title 8, Section 16000, et seq., ("Prevailing Wage Laws"), which require the payment of prevailing wage rates and the performance of other requirements on certain "public works" and "maintenance" projects. Consultant shall defend, indemnify, and hold the City, its elected officials, officers, employees, and agents free and harmless from any claim or liability arising out of any failure or alleged failure of Consultant to comply with the Prevailing Wage Laws.

## 9. OWNERSHIP OF WRITTEN PRODUCTS

All reports, documents or other written material ("written products" herein) developed by Consultant in the performance of this Agreement shall be and



remain the property of City without restriction or limitation upon its use or dissemination by City except as provided by law. Consultant may take and retain copies of such written products as desired, but no such written products shall be the subject of a copyright application by Consultant.

## **10. RELATIONSHIP OF PARTIES**

- 10.1. **General.** Consultant is, and shall at all times remain as to City, a wholly independent contractor.
- 10.2. **No Agent Authority.** Consultant shall have no power to incur any debt, obligation, or liability on behalf of City or otherwise to act on behalf of City as an agent. Neither City nor any of its agents shall have control over the conduct of Consultant or any of Consultant's employees, except as set forth in this Agreement. Consultant shall not represent that it is, or that any of its agents or employees are, in any manner employees of City.
- 10.3. **Independent Contractor Status.** Under no circumstances shall Consultant or its employees look to the City as an employer. Consultant shall not be entitled to any benefits. City makes no representation as to the effect of this independent contractor relationship on Consultant's previously earned California Public Employees Retirement System ("CalPERS") retirement benefits, if any, and Consultant specifically assumes the responsibility for making such a determination. Consultant shall be responsible for all reports and obligations including, but not limited to: social security taxes, income tax withholding, unemployment insurance, disability insurance, and workers' compensation, and other applicable federal and state taxes.
- 10.4. **Indemnification of CalPERS Determination.** In the event that Consultant or any employee, agent, or subcontractor of Consultant providing services under this Agreement claims or is determined by a court of competent jurisdiction or CalPERS to be eligible for enrollment in CalPERS as an employee of the City, Consultant shall indemnify, defend, and hold harmless City for the payment of any employee and/or employer contributions for CalPERS benefits on behalf of Consultant or its employees, agents, or subcontractors, as well as for the payment of any penalties and interest on such contributions, which would otherwise be the responsibility of City.

## **11. INDEMNIFICATION**

- 11.1 **Definitions.** For purposes of this Section 11, "Consultant" shall include Consultant, its officers, employees, servants, agents, or subcontractors, or anyone directly or indirectly employed by either Consultant or its subcontractors, in the performance of this Agreement. "City" shall include City, its officers, agents, employees and volunteers.

- 11.2 **Consultant to Indemnify City.** To the fullest extent permitted by law, Consultant shall indemnify, hold harmless, and defend City from and against any and all claims, losses, costs or expenses for any personal injury or property damage arising out of or in connection with Consultant's alleged negligence, recklessness or willful misconduct or other wrongful acts, errors or omissions of Consultant or failure to comply with any provision in this Agreement.
- 11.3 **Scope of Indemnity.** Personal injury shall include injury or damage due to death or injury to any person, whether physical, emotional, consequential or otherwise, Property damage shall include injury to any personal or real property. Consultant shall not be required to indemnify City for such loss or damage as is caused by the sole active negligence or willful misconduct of the City.
- 11.4 **Attorneys' Fees.** Such costs and expenses shall include reasonable attorneys' fees for counsel of City's choice, expert fees and all other costs and fees of litigation. Consultant shall not be entitled to any refund of attorneys' fees, defense costs or expenses in the event that it is adjudicated to have been non-negligent.
- 11.5 **Defense Deposit.** The City may request a deposit for defense costs from Consultant with respect to a claim. If the City requests a defense deposit, Consultant shall provide it within 15 days of the request.
- 11.6 **Waiver of Statutory Immunity.** The obligations of Consultant under this Section 11 are not limited by the provisions of any workers' compensation act or similar act. Consultant expressly waives its statutory immunity under such statutes or laws as to City.
- 11.7 **Indemnification by Subcontractors.** Consultant agrees to obtain executed indemnity agreements with provisions identical to those set forth here in this Section 11 from each and every subcontractor or any other person or entity involved in the performance of this Agreement on Consultant's behalf.
- 11.8 **Insurance Not a Substitute.** City does not waive any indemnity rights by accepting any insurance policy or certificate required pursuant to this Agreement. Consultant's indemnification obligations apply regardless of whether or not any insurance policies are determined to be applicable to the claim, demand, damage, liability, loss, cost or expense.

## 12. INSURANCE

- 12.1. **Insurance Required.** Consultant shall maintain insurance as described in this section and shall require all of its subcontractors, consultants, and other agents to do the same. Approval of the insurance by the City shall not relieve or decrease any liability of Consultant Any requirement for insurance to be maintained after completion of the work shall survive this Agreement.



be the greater of (1) the minimum coverage and limits specified in this Agreement, or (2) the broader coverage and maximum limits of coverage of any insurance policy or proceeds available to the named insured

- 12.4. **General Liability Insurance.** Commercial General Liability Insurance shall be no less broad than ISO form CG 00 01. Coverage must be on a standard Occurrence form. Claims-Made, modified, limited or restricted Occurrence forms are not acceptable.
- 12.5. **Worker's Compensation Insurance.** Consultant is aware of the provisions of Section 3700 of the Labor Code which requires every employer to carry Workers' Compensation (or to undertake equivalent self-insurance), and Consultant will comply with such provisions before commencing the performance of the work of this Agreement. If such insurance is underwritten by any agency other than the State Compensation Fund, such agency shall be a company authorized to do business in the State of California.
- 12.6. **Automobile Liability Insurance.** Covered vehicles shall include owned if any, non-owned, and hired automobiles and, trucks.
- 12.7. **Professional Liability Insurance or Errors & Omissions Coverage.** The deductible or self-insured retention may not exceed \$50,000. If the insurance is on a Claims-Made basis, the retroactive date shall be no later than the commencement of the work. Coverage shall be continued for two years after the completion of the work by one of the following: (1) renewal of the existing policy; (2) an extended reporting period endorsement; or (3) replacement insurance with a retroactive date no later than the commencement of the work under this Agreement.
- 12.8. **Claims-Made Policies.** If any of the required policies provide coverage on a claims-made basis the Retroactive Date must be shown and must be before the date of the contract or the beginning of contract work. Claims-Made Insurance must be maintained and evidence of insurance must be provided for at least five (5) years after completion of the contract of work. If coverage is canceled or non-renewed, and not replaced with another claims-made policy form with a Retroactive Date prior to the contract effective date, the Consultant must purchase "extended reporting" coverage for a minimum of five (5) years after completion of contract work.
- 12.9. **Additional Insured Endorsements.** The City, its City Council, Commissions, officers, and employees of South Pasadena must be endorsed as an additional insured for each policy required herein, other than Professional Errors and Omissions and Worker's Compensation, for liability arising out of ongoing and completed operations by or on behalf of the Consultant. Consultant's insurance policies shall be primary as respects any claims related to or as the result of the Consultant's work. Any insurance, pooled coverage or self-insurance

maintained by the City, its elected or appointed officials, directors, officers, agents, employees, volunteers, or consultants shall be non-contributory. All endorsements shall be signed by a person authorized by the insurer to bind coverage on its behalf. General liability coverage can be provided using an endorsement to the Consultant's insurance at least as broad as ISO Form CG 20 10 11 85 or both CG 20 10 and CG 20 37.

12.10. **Failure to Maintain Coverage.** In the event any policy is canceled prior to the completion of the project and the Consultant does not furnish a new certificate of insurance prior to cancellation, City has the right, but not the duty, to obtain the required insurance and deduct the premium(s) from any amounts due the Consultant under this Agreement. Failure of the Consultant to maintain the insurance required by this Agreement, or to comply with any of the requirements of this section, shall constitute a material breach of this Agreement.

12.11. **Notices.** Contractor shall provide immediate written notice if (1) any of the required insurance policies is terminated; (2) the limits of any of the required policies are reduced; (3) or the deductible or self-insured retention is increased. Consultant shall provide no less than 30 days' notice of any cancellation or material change to policies required by this Agreement. Consultant shall provide proof that cancelled or expired policies of insurance have been renewed or replaced with other policies providing at least the same coverage. Such proof will be furnished at least two weeks prior to the expiration of the coverages. The name and address for Additional Insured Endorsements, Certificates of Insurance and Notices of Cancellation is: City of South Pasadena, Attn: **H. Ted Gerber, 1414 Mission St., South Pasadena, CA 91030.**

12.12. **Consultant's Insurance Primary.** The insurance provided by Consultant, including all endorsements, shall be primary to any coverage available to City. Any insurance or self-insurance maintained by City and/or its officers, employees, agents or volunteers, shall be in excess of Consultant's insurance and shall not contribute with it.

12.13. **Waiver of Subrogation.** Consultant hereby waives all rights of subrogation against the City. Consultant shall additionally waive such rights either by endorsement to each policy or provide proof of such waiver in the policy itself.

12.14. **Report of Claims to City.** Consultant shall report to the City, in addition to the Consultant's insurer, any and all insurance claims submitted to Consultant's insurer in connection with the services under this Agreement.

12.15. **Premium Payments and Deductibles.** Consultant must disclose all deductibles and self-insured retention amounts to the City. The City may require the Consultant to provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within retention amounts. Ultimately, City must approve all such amounts prior to execution of this Agreement.

City has no obligation to pay any premiums, assessments, or deductibles under any policy required in this Agreement. Consultant shall be responsible for all premiums and deductibles in all of Consultant's insurance policies. The amount of deductibles for insurance coverage required herein are subject to City's approval.

12.16. **Duty to Defend and Indemnify.** Consultant's duties to defend and indemnify City under this Agreement shall not be limited by the foregoing insurance requirements and shall survive the expiration of this Agreement.

### 13. MUTUAL COOPERATION

13.1. **City Cooperation in Performance.** City shall provide Consultant with all pertinent data, documents and other requested information as is reasonably available for the proper performance of Consultant's services under this Agreement.

13.2. **Consultant Cooperation in Defense of Claims.** If any claim or action is brought against City relating to Consultant's performance in connection with this Agreement, Consultant shall render any reasonable assistance that City may require in the defense of that claim or action.

### 14. NOTICES

Any notices, bills, invoices, or reports required by this Agreement shall be deemed received on: (i) the day of delivery if delivered by hand, facsimile or overnight courier service during Consultant's and City's regular business hours; or (ii) on the third business day following deposit in the United States mail if delivered by mail, postage prepaid, to the addresses listed below (or to such other addresses as the parties may, from time to time, designate in writing).

If to City:

H. Ted Gerber  
City of South Pasadena  
1414 Mission Street  
South Pasadena, CA 91030  
Telephone: (626) 460-6392  
Facsimile: (626) 403-7241

If to Consultant:

Ashok K. Dhingra  
AKD Consulting  
3 Coral Cove Way  
Dana Point, CA 92629-2735  
Telephone: (909) 224-3160



With courtesy copy to:

Andrew L. Jared  
South Pasadena City Attorney  
Colantuono, Highsmith & Whatley,  
PC  
790 E. Colorado Blvd. Ste. 850  
Pasadena, CA 91101  
Telephone: (213) 542-5700  
Facsimile: (213) 542-5710

## 15. SURVIVING COVENANTS

The parties agree that the covenants contained in paragraph 5.11 (Records), paragraph 10.4 (Indemnification of CalPERS Determination), Section 11 (Indemnity), paragraph 12.8 (Claims-Made Policies), paragraph 13.2 (Consultant Cooperation in Defense of Claims), and paragraph 18.1 (Confidentiality) of this Agreement shall survive the expiration or termination of this Agreement, subject to the provisions and limitations of this Agreement and all otherwise applicable statutes of limitations and repose.

## 16. TERMINATION

- 16.1. **City Termination.** City may terminate this Agreement for any reason on five calendar days' written notice to Consultant. Consultant agrees to cease all work under this Agreement on or before the effective date of any notice of termination. All City data, documents, objects, materials or other tangible things shall be returned to City upon the termination or expiration of this Agreement.
- 16.2. **Consultant Termination.** Consultant may terminate this Agreement for a material breach of this Agreement upon 30 days' notice.
- 16.3. **Compensation Following Termination.** Upon termination, Consultant shall be paid based on the work satisfactorily performed at the time of termination. In no event shall Consultant be entitled to receive more than the amount that would be paid to Consultant for the full performance of the services required by this Agreement. The City shall have the benefit of such work as may have been completed up to the time of such termination.
- 16.4. **Remedies.** City retains any and all available legal and equitable remedies for Consultant's breach of this Agreement.

## 17. INTERPRETATION OF AGREEMENT

- 17.1. **Governing Law.** This Agreement shall be governed and construed in accordance with the laws of the State of California.

- 17.2. **Integration of Exhibits.** All documents referenced as exhibits in this Agreement are hereby incorporated into this Agreement. In the event of any material discrepancy between the express provisions of this Agreement and the provisions of any document incorporated herein by reference, the provisions of this Agreement shall prevail. This instrument contains the entire Agreement between City and Consultant with respect to the transactions contemplated herein. No other prior oral or written agreements are binding upon the parties. Amendments hereto or deviations herefrom shall be effective and binding only if made in writing and executed on by City and Consultant.
- 17.3. **Headings.** The headings and captions appearing at the commencement of the sections hereof, and in any paragraph thereof, are descriptive only and for convenience in reference to this Agreement. Should there be any conflict between such heading, and the section or paragraph thereof at the head of which it appears, the language of the section or paragraph shall control and govern in the construction of this Agreement.
- 17.4. **Pronouns.** Masculine or feminine pronouns shall be substituted for the neuter form and vice versa, and the plural shall be substituted for the singular form and vice versa, in any place or places herein in which the context requires such substitution(s).
- 17.5. **Severability.** If any term or provision of this Agreement or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, then such term or provision shall be amended to, and solely to the extent necessary to, cure such invalidity or unenforceability, and shall be enforceable in its amended form. In such event, the remainder of this Agreement, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected, and each term and provision of this Agreement shall be valid and be enforced to the fullest extent permitted by law.
- 17.6. **No Presumption Against Drafter.** Each party had an opportunity to consult with an attorney in reviewing and drafting this agreement. Any uncertainty or ambiguity shall not be construed for or against any party based on attribution of drafting to any party.

## 18. GENERAL PROVISIONS

- 18.1. **Confidentiality.** All data, documents, discussion, or other information developed or received by Consultant for performance of this Agreement are deemed confidential and Consultant shall not disclose it without prior written consent by City. City shall grant such consent if disclosure is legally required. All City data shall be returned to City upon the termination or expiration of this Agreement.

- 18.2. **Conflicts of Interest.** Consultant maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Consultant, to solicit or secure this Agreement. Further, Consultant warrants that it has not paid nor has it agreed to pay any company or person, other than a bona fide employee working solely for Consultant, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. Consultant further agrees to file, or shall cause its employees or subcontractor to file, a Statement of Economic Interest with the City's Filing Officer if required under state law in the performance of the services. For breach or violation of this warranty, City shall have the right to rescind this Agreement without liability. For the term of this Agreement, no member, officer, or employee of City, during the term of his or her service with City, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.
- 18.3. **Non-assignment.** Consultant shall not delegate, transfer, subcontract or assign its duties or rights hereunder, either in whole or in part, without City's prior written consent, and any attempt to do so shall be void and of no effect. City shall not be obligated or liable under this Agreement to any party other than Consultant.
- 18.4. **Binding on Successors.** This Agreement shall be binding on the successors and assigns of the parties.
- 18.5. **No Third-Party Beneficiaries.** Except as expressly stated herein, there is no intended third-party beneficiary of any right or obligation assumed by the parties.
- 18.6. **Time of the Essence.** Time is of the essence for each and every provision of this Agreement.
- 18.7. **Non-Discrimination.** Consultant shall not discriminate against any employee or applicant for employment because of race, sex (including pregnancy, childbirth, or related medical condition), creed, national origin, color, disability as defined by law, disabled veteran status, Vietnam veteran status, religion, age (40 and above), medical condition (cancer-related), marital status, ancestry, or sexual orientation. Employment actions to which this provision applies shall include, but not be limited to, the following: employment, upgrading, demotion, or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; or in terms, conditions or privileges of employment, and selection for training. Consultant agrees to post in conspicuous places, available to employees and applicants for employment, the provisions of this nondiscrimination clause.

18.8. **Waiver.** No provision, covenant, or condition of this Agreement shall be deemed to have been waived by City or Consultant unless in writing signed by one authorized to bind the party asserted to have consented to the waiver. The waiver by City or Consultant of any breach of any provision, covenant, or condition of this Agreement shall not be deemed to be a waiver of any subsequent breach of the same or any other provision, covenant, or condition.

18.9. **Excused Failure to Perform.** Consultant shall not be liable for any failure to perform if Consultant presents acceptable evidence, in City's sole judgment, that such failure was due to causes beyond the control and without the fault or negligence of Consultant.

18.10. **Remedies Non-Exclusive.** Each right, power and remedy provided for herein or now or hereafter existing at law, in equity, by statute, or otherwise shall be cumulative and shall be in addition to every other right, power, or remedy provided for herein or now or hereafter existing at law, in equity, by statute, or otherwise. The exercise, the commencement of the exercise, or the forbearance from the exercise by any party of any one or more of such rights, powers or remedies shall not preclude the simultaneous or later exercise by such party of any or all of such other rights, powers or remedies.

18.11. **Attorneys' Fees.** If legal action shall be necessary to enforce any term, covenant or condition contained in this Agreement, the prevailing party shall be entitled to an award of reasonable attorneys' fees and costs expended in the action.

18.12. **Venue.** The venue for any litigation shall be Los Angeles County, California and Consultant hereby consents to jurisdiction in Los Angeles County for purposes of resolving any dispute or enforcing any obligation arising under this Agreement.

**TO EFFECTUATE THIS AGREEMENT,** the parties have caused their duly authorized representatives to execute this Agreement on the dates set forth below.

"City"  
City of South Pasadena

"Consultant"  
AKD Consulting

By: \_\_\_\_\_  
*Signature*

By: \_\_\_\_\_  
*Signature*

Printed: \_\_\_\_\_

Printed: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

**Attest:**

By: \_\_\_\_\_  
Christina Muñoz, Deputy City Clerk

Date: \_\_\_\_\_

**Approved as to form:**

By: \_\_\_\_\_  
Andrew L. Jared, City Attorney

Date: \_\_\_\_\_

## **EXHIBIT A**

### **Scope of Work**

- (1) Document Review by Consultant
  - a. Review existing project documents including record drawings, previous reports, and any available and pertinent project related information for the existing reservoir from the City.
- (2) Project Team Coordination by Consultant
  - a. Coordination with the geotechnical engineer and review and acceptance of the geotechnical report.
  - b. Coordination with the dive inspector and review and acceptance of the dive inspection report.
- (3) Geotechnical Evaluation by subcontractor Group Delta Consultants
  - a. Conduct Underground Service Alert marking and notification.
  - b. Conduct a geotechnical examination of the site, based on data and observations collected from soil boring(s), including an evaluation of subsurface soil and groundwater conditions, soil classification and relevant attributes (moisture content, compressive strength, etc.), settlement, sliding resistance, bearing capacity / resistance, seismic considerations / design parameters, seismic hazards, and any other related concerns.
  - c. Perform laboratory testing on bulk and Standard Penetration and Modified California collected samples. Conduct laboratory tests based on observed conditions, such as: moisture content and dry density, grain size distribution and percent passing No. 200 sieve, Atterberg Limits, consolidation tests, direct shear test, expansion index test, corrosion evaluation tests.
  - d. Provide a comprehensive geotechnical report including calculations and analysis of the subsurface profile and its impact on the seismic stability and structural integrity of the reservoir.
- (4) Inspection and Examination by Consultant and subcontractors Peterson Structural Engineers and Blue Locker Diving (see Exhibit B for division of tasks)
  - a. City will provide access to the tank roof to enter the tank interior, including unlocking access hatches, gates, and ladder cages and providing steps/ladder to the reservoir roof.
  - b. Reservoir to remain filled at overflow water level during internal inspection.
  - c. Consultant project manager will be present at the site during dive team diving.
  - d. Conduct an internal examination of the reservoir utilizing a knowledgeable, certified, and experienced potable water system diver who is equipped with adequate safety, disinfection, and assessment equipment, including but not limited to suitable lighting, underwater photographic equipment, and necessary



tools to document observations required below. Disinfection shall be conducted in accordance with current relevant standards.

- e. Diver's internal inspection will address the accessible and visible tank structural members including the interior floor, footings, columns, roof, walls, pipe supports and appurtenances.
  - f. Conduct an external examination of the reservoir utilizing a knowledgeable and experienced structural engineer licensed by the State of California, including the observations required below.
  - g. Diver's internal examination of the concrete floor slab, including cracks, spalling, exposed rebar, deflections, settlement, evidence of intrusion, efflorescence, visible seismic and structural impairment with respect to applicable standards, and any other related concerns.
  - h. Diver's internal examination of the internal columns, including cracks, spalling, exposed rebar, deflections, eccentric loading, seismic and structural impairment with respect to applicable standards, and any other related concerns. Column examination shall include an evaluation of differential settlement by measuring relative elevations of each column base with respect to an arbitrary datum.
  - i. Internal (diver) and external examination of the roof slab, including evidence of intrusion, cracks, efflorescence, corrosion product and/or staining, spalling, exposed rebar, deflections, settlement, seismic and structural impairment with respect to applicable standards, and any other related concerns.
  - j. Internal (diver) and external examination of the walls, including evidence of leaks/seepage, cracks, efflorescence, corrosion product and/or staining, spalling, exposed rebar, deflections, eccentric loading, seismic and structural impairment with respect to applicable standards, and any other related concerns.
  - k. External examination of the exposed walls shall include tapping with a hammer to audibly identify delaminated sections.
  - l. Internal (diver) and external assessment observations shall be documented, and their location identified in a clockwise direction from a fixed reference point.
  - m. Diver's internal examination shall include the general condition of the coating, if applicable, including observations of coating failure or blistering.
- (5) Seismic and Structural Evaluation of Westside Reservoir by subcontractor Peterson Structural Engineers
- a. Perform a comprehensive seismic and structural examination of the site and the reservoir by a Structural Engineer licensed by the State of California, including detailed analysis accompanied by calculations, and an evaluation of mitigating alternatives.

- b. Evaluate/measure the capacity of lateral force resisting elements, including, columns, walls, roof slab, and roof-to-column, and roof-to-wall connections, and utilize this data in the seismic and structural analysis.
  - c. Determine the demand-capacity ratio factors of safety for the structure (utilizing calculations, design parameters, and the current condition based on examination), considering the loading demand of the structure under normal and seismic conditions.
  - d. Perform a three dimensional seismic analysis for the tank in accordance with ACI 350.3-06 and AWWA D115-20, Tendon-Prestressed Concrete Water Tanks, using seismic hazards that are based on the latest standards/codes and the geotechnical examination.
- (6) Reports by Consultant and subcontractors Peterson Structural Engineers, Group Delta Consultants, and Blue Locker Diving (see Exhibit B for division of tasks)
- a. Generate and submit a draft report for review and comment by City.
  - b. Generate and submit a final report.
  - c. The report contents shall include, but not be limited to, the following:
    - i. Executive Summary;
    - ii. Project Scope;
    - iii. Detailed explanation of the site examination observations as required above;
    - iv. Detailed structural and seismic analysis as described above, based on the collected documentation, examination findings, geotechnical evaluation, demand and capacity calculations, current code compliance, and any other reviewed or collected data and information. The analysis shall include a conclusive evaluation of repair, rehabilitation, and replacement alternatives for the reservoir structure including the inspected internal and external components, as well as alternative prioritization and recommendations (considering a short-term, mid-term, and long-term asset improvement life cycle).
    - v. Cost estimates associated to the recommended repair, rehabilitation, and replacement alternatives provided in the above requirement. Estimates shall include recommended repair/rehabilitation costs for: (1) short-term 1-10 years, (2) mid-term 10-20 years, and (3) long-term 20-30 years, as well as (4) a replacement estimate cost for the reservoir.
    - vi. Supporting structural and seismic design and capacity calculations by subcontractor Peterson Structural Engineers, included in the report and stamped by a California Registered Structural Engineer
    - vii. Diver inspection report by subcontractor Blue Locker Diving including observations and photographs, and a summary of the diver's examination procedure and disinfection standard/method utilized.

- viii. Geotechnical report by subcontractor Group Delta Consultants which includes components as listed above, as well as:
  - 1. Introduction, project description, purpose, and scope of work.
  - 2. Field and Laboratory investigation including boring logs and laboratory results.
  - 3. Site geology and subsurface soil and groundwater conditions.
  - 4. Geologic and Seismic Hazards Evaluation including expansive soils, ground shaking, fault rupture hazard, seismic settlement, and liquefaction hazard.
  - 5. Geotechnical recommendations for tank evaluation and design, including seismic design criteria, bearing capacity, settlement estimate, soil pressure, and liquefaction potential and geologic hazards.
- (7) Excluded Items:
  - a. Hydraulic and water demand and capacity evaluations are excluded.
  - b. Survey to establish actual elevations of structural components is excluded (instead, relative elevations shall be used).
  - c. Removal of more than 1-inch of sediment or removal of sediment that requires significant effort (sand, clay, rocks, etc.) is excluded.
  - d. Renderings or development of graphic models is excluded.
  - e. Inspection of reservoir non-structural elements are excluded, e.g. reservoir water-tightness, underdrain system, piping, water quality, detailed coating evaluation, site civil other than reservoir area, and security.
- (8) Optional Tasks (not included in agreement fee)
  - a. Finite Element Analysis related to differential settlements
    - i. Generation of a 3D Finite Element Analysis of the roof and column interaction with the foundation to determine impacts of differential settlement on the roof and foundation elements
  - b. Additional Finite Element Analysis related to seismic evaluation of the tank
    - i. Generation of a 3D Finite Element Model of the reservoir for seismic analysis, utilizing code based seismic loads and site-specific geotechnical information (performance objectives to be developed in conjunction with the project team and owner).

## EXHIBIT B

### Fee Schedule & Rates for Westside Structural and Seismic Evaluation

All amounts are paid directly to Consultant, AKD Consulting, and no payments are made to subcontractors

#### Exhibit A Scope of Work Items

Item 1	\$ 6,500
Item 2	\$ 5,300
Item 3	\$ 21,000
Item 4	\$ 17,000
Item 5	\$ 25,000
Item 6	\$ 9,150
Total	\$ 83,950

AKD Consulting	Exhibit A Items 1-6 (Excluding subcontractor items as listed below)
Peterson Structural Engineers	Exhibit A Items 4.f, 4.k, 5, 6.c.iv, & 6.c.vi
Group Delta Consultants	Exhibit A Items 3 & 6.c.viii
Blue Locker Diving	Exhibit A Items 4.d, 4.e, 4.g, 4.h, 4.i, 4.j, 4.l, 4.m, & 6.c.vii

Optional Task (\$10,538): Finite Element Analysis related to differential settlements

Optional Task (\$19,900): Additional Finite Element Analysis related to seismic evaluation of the tank

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### SCHEDULE OF HOURLY RATES 2022

All hourly rates below are subject to yearly escalation at the annual CPI rate.

#### AKD CONSULTING

Classification	Hourly Rates
Project Administrator (Ash Dhingra)	\$ 330
Administrative Assistant	\$ 96

Mileage Charged at IRS rates currently at \$0.585/mile.

Subconsultants charged at invoice plus 15% mark-up.

Other Expenses directly related to the project, at cost.

#### LIST OF APPROVED SUBCONSULTANTS TO AKD CONSULTING

1. Blue Locker Commercial Diving
2. Group Delta (Geotechnical)
3. PSE (Peterson Structural Engineers)

Hourly rates do not apply to Blue Locker Commercial Diving because of the equipment involved for the basic Scope of Work. Only if additional sediment beyond 1-inch thick needs to be removed it will be at a rate of \$350/ hr. A written proposal for any additional work will be provided to the City for review and approval before any additional work is performed. Any delays due to no utility personnel onsite, tanks that are not full, locked gates or hatches a downtime charge of \$350/hr. will apply.

**GROUP DELTA SCHEDULE OF HOURLY RATES  
HOURLY CHARGES FOR PERSONNEL  
(Engineer/Geologist/Scientist)**

PRINCIPAL	\$245
ASSOCIATE	\$225
SENIOR	\$195
PROJECT	\$180
SENIOR STAFF	\$165
STAFF	\$155
SENIOR PRINCIPAL	\$295
DESIGNER / ILLUSTRATOR / AUTOCAD	\$100
TECHNICAL / PROJECT SUPPORT / ADMIN	\$80
DRIVER /PICKUP & DELIVERY OF SAMPLES	\$95

**PSE (Peterson Structural Engineers) SCHEDULE OF HOURLY RATES**

Principal	\$232
Senior Associate	\$203
Project Manager	\$185
Staff Designer	\$162
Admin or Drafter	\$128



**City of South Pasadena  
Public Works Department**

# Memo

**Date:** April 27, 2022

**To:** The Honorable City Council

**Via:** Arminé Chaparyan, City Manager *DMM for AC*

**From:** H. Ted Gerber, Public Works Director

**Re:** April 27, 2022, City Council Special Meeting Item No. 4 – Presentation by Main San Gabriel Basin Watermaster

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A presentation will be provided by Tony Zampielo, Executive Officer of the Main San Gabriel Basin Watermaster, which administers the Basin's adjudicated water rights and provides a basin-wide governing body for management of water resources.





# City Council Agenda Report

ITEM NO. 5

**DATE:** April 27, 2022  
**FROM:** Arminé Chaparyan, City Manager *DKM for AC*  
**PREPARED BY:** H. Ted Gerber, Director of Public Works  
**SUBJECT:** **One Water 2050 Plan & Sewer System Management Plan**

---

## Recommendation

It is recommended that the City Council provide direction to staff regarding the drafts of the South Pasadena Integrated Water and Wastewater Resources Management Plan (IWWRMP), and the 2021 Sewer System Management Plan (SSMP).

## Background

The City operates existing utility services including potable water, sewer collection, and stormwater drainage systems. The water distribution system consists of approximately 80 miles of transmission and distribution water pipelines, four groundwater wells, five storage reservoirs, two elevated tanks, and six booster-pumping stations, which provide water service to approximately 6,200 connections in five pressure zones. The sewer collection system consists of approximately 58 miles of sewer pipelines and two sewer lift stations. The stormwater drainage system consists of a network of street gutters, catch basins, and drainage pipes. The IWWRMP Plan includes an integrated master plan for all these systems, and a potential recycled water system, to completely characterize all water resources, and identify short- and long-term water operation, maintenance, and capital improvement programs. This integrated plan will allow the City to more efficiently and strategically manage its water assets with respect to future and existing utility demand. The SSMP provides a plan and schedule to properly manage, operate, and maintain all parts of the City's sanitary sewer system – preventing potential sanitary sewer overflows (SSOs), or mitigating the impact of SSOs that occur.

## Analysis

On December 18, 2019, the City Council awarded a contract to Carollo Engineers, Inc. (Carollo) to prepare the IWWRMP and the SSMP. Carollo's work and the City's work on the plans commenced in 2020 and concluded in 2022. The IWWRMP includes:

- A detailed condition assessment of existing water and sewer infrastructure.
- Identification of demand, capacity, and infrastructure needs for the next 30 years.

- Operations and maintenance (O&M) planning for water, sewer, and stormwater systems.
- A feasibility analysis for a potential City recycled water system.
- A 30-year Capital Improvement Program (CIP) for the water, sewer, and stormwater systems.
- Potential funding sources for O&M and CIP planning.

The SSMP is a State Water Board required document, which the City must update every five (5) years.

With the finalization of the IWWRMP, the City has developed projections for the near-term (year 2025) and long-term (year 2050) potable water demands, wastewater flows, and potential recycled water demands, and defined planning and evaluation criteria for these systems. In addition, the City can now utilize updated water, wastewater, and stormwater Geographic Information Systems (GIS) to accurately reflect existing conditions, and updated hydraulic models for the City's potable water and wastewater collection systems to identify system deficiencies and improvement needs. The City will also utilize the IWWRMP's recommended improvements to water, wastewater, and stormwater system infrastructure in the 2022-2027 CIP, to be adopted this year during the annual budget cycle.

Staff will incorporate any direction received tonight into the revised draft documents for future City Council adoption. Please note that there are some pending updates to the documents which will be reflected in the final documents before City Council, including revisions to reflect the most recent approved Public Works Department reorganization, staffing and directory, and other updates to language and formatting.

### **Fiscal Impact**

There is no fiscal impact resulting from the adoption of the IWWRMP, however, the plan recommends approximately \$230 million of infrastructure improvements over a 30-year period to the water, wastewater, and stormwater systems.

### **Commission Review and Recommendation**

Council's adoption of the One Water 2050 Plan & Sewer System Management Plan was recommended by the Public Works Commission on February 24, 2022.

### **Environmental Analysis**

This item is a review of a draft master plan for utility infrastructure and a draft sewer management plan; further environmental analysis will be conducted at a later time.

### **Attachments:**

1. Draft One Water 2050 Plan
2. Draft Sewer System Management Plan

**ATTACHMENT 1**  
Draft One Water 2050 Plan

Appendices not included.  
[Click here](#) for full document.

**ATTACHMENT 2**  
Draft Sewer System Management Plan



City of South Pasadena  
Integrated Water and Wastewater Master Plan

**SEWER SYSTEM  
MANAGEMENT PLAN**

FINAL | December 2021







City of South Pasadena  
Integrated Water and Wastewater Master Plan

## SEWER SYSTEM MANAGEMENT PLAN

FINAL | December 2021







## Contents

<b>Chapter 1 - Introduction</b>	<b>1-1</b>
1.1 Purpose	1-1
1.2 Service Area	1-1
1.3 Background	1-1
1.4 Acknowledgements	1-2
1.5 Reference Format	1-2
1.6 Report Organization	1-3
1.7 Abbreviations	1-4
<b>Chapter 2 - Goals</b>	<b>2-1</b>
2.1 Regulatory Requirements	2-1
2.2 SSMP Goals	2-1
2.3 Definitions	2-1
2.4 Prohibition	2-2
<b>Chapter 3 - Organization Structure</b>	<b>3-1</b>
3.1 Regulatory Requirement	3-1
3.2 Authorized Representative	3-1
3.3 Organizational Hierarchy	3-1
3.4 Chain of Communication for Reporting SSOs	3-4
3.4.1 SWRCB Category 1 SSO Reporting Procedure	3-4
3.4.2 SWRCB Category 2 SSO Reporting Procedure	3-4
3.4.3 Private Lateral SSO Reporting Procedure	3-5
3.4.4 Monthly SSO Reporting Procedure	3-5
<b>Chapter 4 - Legal Authority</b>	<b>4-1</b>
4.1 Regulatory Requirement	4-1
4.2 Waste Discharge and Sewer Use Ordinances	4-1
4.2.1 Authority to Enforce Waste Discharge and Sewer Use Regulations	4-1
4.2.2 Illicit Discharges	4-2
4.2.3 Design and Construction Requirements	4-3
4.2.4 Maintenance, Inspection, and Repair Access	4-4
4.2.5 Limitations on FOG and Other Debris	4-4

4.2.6 Policies for Enforcing Violations	4-5
<b>Chapter 5 - Operation and Maintenance Program</b>	<b>5-1</b>
5.1 Regulatory Requirement	5-1
5.2 Collection System Map	5-2
5.3 Wastewater Collection System Overview	5-5
5.4 City Preventative Maintenance Program	5-5
5.4.1 Sanitary Sewer Main Line Cleaning	5-5
5.4.2 CCTV Program	5-5
5.4.3 Lift Station Maintenance Program	5-5
5.5 Rehabilitation and Replacement Plan	5-5
5.6 Staff Training	5-8
5.7 Equipment and Replacement Part Inventories	5-8
<b>Chapter 6 - Design and Performance Provisions</b>	<b>6-1</b>
6.1 Regulatory Requirement	6-1
6.2 Design Standards and Specifications	6-1
6.2.1 Design Requirements	6-1
6.2.2 Inspection Requirements	6-3
6.2.3 Standard Drawings	6-3
<b>Chapter 7 - Overflow Emergency Response Plan</b>	<b>7-1</b>
7.1 Regulatory Requirements	7-1
7.2 Sewer Spill Response Plan	7-1
7.3 Primary Notification Procedures	7-1
7.4 SSO Response Plan	7-2
7.5 Notification of Regulatory Agencies	7-2
7.6 Emergency Response Plan Awareness and Training	7-2
7.7 SSO Surface Water Impact Mitigation Program	7-2
<b>Chapter 8 - FOG Control Program</b>	<b>8-1</b>
8.1 Regulatory Requirements	8-1
8.2 FOG Control Plan	8-1
8.3 Existing FOG Control Measures	8-2
<b>Chapter 9 - System Evaluation and Capacity Assurance Plan</b>	<b>9-1</b>
9.1 Regulatory Requirement	9-1

9.2 System Evaluation and Capacity Assurance Plan	9-2
9.2.1 Analysis Method	9-2
9.2.2 Planning and Design Criteria	9-2
9.2.3 Capacity Evaluation	9-5
<b>Chapter 10 - Monitoring, Measurement, and Program Modifications</b>	<b>10-1</b>
10.1 Regulatory Requirement	10-1
10.2 SSMP Information Maintenance Program	10-1
10.3 SSMP Implementation Monitoring	10-2
10.4 Preventative Maintenance Program Evaluation	10-2
10.5 SSMP Program Update	10-2
10.6 SSO Trends	10-2
<b>Chapter 11 - SSMP Program Audits</b>	<b>11-1</b>
11.1 Regulatory Requirements	11-1
11.2 City's SSMP Program Audits	11-1
11.2.1 Responsible Party for Program Audit	11-1
11.2.2 Scope of SSMP Program Audits	11-1
11.2.3 SSMP Program Audit Report	11-2
11.2.4 Schedule for Program Audits	11-2
<b>Chapter 12 - Communication Program and Final Certification</b>	<b>12-1</b>
12.1 Regulatory Requirements	12-1
12.2 Communication Program and SSMP Adoption	12-2
12.3 Final Certification	12-2

## Appendices

Appendix A	References
Appendix B	SWRCB Order WQ 2006-003-DWQ
Appendix C	SWRCB Order WQ 2013-0058-EXEC
Appendix D	SSO Procedures
Appendix E	City of South Pasadena Municipal Code Section 30
Appendix F	Annual Sewer Cleaning Schedule
Appendix G	SSMP Adoption Resolution
Appendix H	Notice of Public Hearing regarding SSMP Adoption
Appendix I	SWRCB Certification Form

## Tables

Table 5.1	One Water 2050 Plan Rehabilitation and Repair Summary	5-7
Table 6.1	Minimum Slopes for New Circular Pipes	6-2
Table 9.1	Master Plan Maximum d/D Ratio	9-4
Table 9.2	Minimum Slopes for New Circular Pipes	9-4

## Figures

Figure 1.1	Study Area	1-5
Figure 3.1	Organizational Chart	3-2
Figure 5.1	Existing Sewer System Map	5-3
Figure 5.2	Existing Sewer System Capital Improvement Plan	5-9
Figure 7.1	Sewage Spill Response Procedures (SSRP) Flow Chart	7-3
Figure 7.2a	Sewage Spill Response Procedures (SSRP) Flow Chart	7-4
Figure 7.2b	Sewage Spill Response Procedures (SSRP) Flow Chart	7-5

## Abbreviations

ADWF	average dry weather flow
afy	acre-feet per year
BMPs	best management practices
Carollo	Carollo Engineers, Inc.
CCTV	closed circuit television
CIP	Capital Improvement Program
City	City of South Pasadena
CIWQS	California Integrated Water Quality System
CMOM	Capacity, Management, Operation, and Maintenance
CSDLA	County Sanitation Districts of Los Angeles
d/D	depth of flow to pipe diameter ratio
EPA	Environmental Protection Agency
FOG	Fats, Oils, and Grease
fps	feet per second
FSE	Food Service Establishment
GIS	Geographic Information System
gpcd	gallons per capita per day
HTP	Hyperion Water Treatment Plant
I/I	infiltration and inflow
InfoSWMM	Stormwater Management Model
mgd	million gallons per day
MRP	monitoring reporting program
NASSCO	National Association of Sewer Service Companies
NPDES	National Pollutant Discharge Elimination Program
OES	State Office of Emergency Services
O&M	Operation and Maintenance
Order No. 2006-0003	State Water Resources Control Board Order No. 2006-0003
Order No. WQ 2013-0058-EXEC	State Water Resources Control Board Order No. WQ 2013-0058- EXEC
PACP	Pipeline Assessment Certification Program
PM	preventative maintenance
PVC	polyvinyl chloride
PWWF	peak wet weather flow
RWQCBs	Regional Water Quality Control Boards
SSMP	Sewer System Management Plan
SSRP	Sewage Spill Response Procedures

SSOs	sanitary sewer overflows
SWRCB	State Water Resources Control Board
TV	television
WDRs	waste discharge requirements

## Chapter 1

# INTRODUCTION

This chapter presents an overview of the need for this Sewer System Management Plan (SSMP). The City of South Pasadena's (City) previous SSMP was adopted in June 2008. This SSMP is an update to the City's existing SSMP.

### 1.1 Purpose

This SSMP has been prepared by Carollo Engineers, Inc. (Carollo) as part of the City's One Water 2050 Plan in order to comply with the State Water Resources Control Board (SWRCB) Order No. 2006-0003 (Order No. 2006-0003), as well as SWRCB Order No. WQ 2013-0058-EXEC (Order No. WQ 2013-0058-EXEC). Copies of Order No. 2006 0003 and Order No. WQ 2013-0058-EXEC are included in Appendix B and Appendix C, respectively.

The purpose of this SSMP is to provide a plan and schedule to properly manage, operate, and maintain all parts of the City's sanitary sewer system. This will help reduce and prevent sanitary sewer overflows (SSOs) to the extent possible, as well as mitigate any SSOs that do occur.

### 1.2 Service Area

The City encompasses a 3.44 square mile area in Los Angeles County, located approximately 6 miles northeast of downtown Los Angeles and approximately 2.5 miles south of the center of the City of Pasadena. As shown on Figure 1.1 the City is bordered on the north by the City of Pasadena, on the east by the City of San Marino, on the southeast by the City of Alhambra, on the west and southwest by the City of Los Angeles.

This report serves as a comprehensive SSMP and covers the City's entire collection system.

### 1.3 Background

Nationally, SSOs have been in the regulatory spotlight since 1995. The Environmental Protection Agency (EPA) Report to Congress (August 2004) identified the number and frequency of SSOs as a public health and water quality issue.

On May 2, 2006, the California SWRCB adopted Order No. 2006-0003, which focused on the reduction of SSOs. Order No. 2006-0003 requires that all collection systems with more than one mile of sewer pipe apply for coverage under the order by November 2, 2006.

The Los Angeles Regional Water Quality Control Board (RWQCB) has existing requirements for collection systems and SSOs. Order No. 2006-0003 supplements the existing RWQCB requirements with the intent to gradually make requirements consistent statewide.

The requirements for SSMPs are closely related to the Environmental Protection Agency's Capacity, Management, Operation, and Maintenance (CMOM) rule (published in the Federal Register in January 2001) and they constitute a best management practices (BMPs) approach to the regulation of collection systems. The SSMP elements are:

- Goals.
- Organization Structure.
- Overflow Emergency Response Plan.
- Fats, Oils, and Grease (FOG) Control Program.
- Legal Authority.
- Operation and Maintenance (O&M) Program.
- Design and Performance Provisions.
- System Evaluation and Capacity Assurance Plan.
- Monitoring, Measurement, and Program Modifications.
- SSMP Audits.
- Communication Plan.

#### **1.4 Acknowledgements**

Carollo wishes to acknowledge and thank the following staff from the City for their cooperation and courtesy in obtaining a variety of necessary information required to produce this SSMP:

- Ted Gerber (Deputy Director of Public Works).
- Julian Lee (former Deputy Director of Public Works).
- Anteneh Tesfaye (Water Operations Manager).
- Garrett Crawford (former Public Works Operations Manager).
- Eddy Munoz (Street and Sewer Supervisor).

Carollo would also like to thank their staff who contributed to this SSMP:

- Inge Wiersema (Project Manager).
- Matt Huang (Project Engineer).
- Ryan Hejka (Engineer).

#### **1.5 Reference Format**

References are cited periodically throughout this report, as appropriate. Reference sources are identified by the author of the referenced document followed by the year it was published in parentheses. The reference format is provided below:

- (EPA, 2004).

A complete list of references containing detailed information concerning each reference source is provided in Appendix A.



## 1.6 Report Organization

This SSMP contains 12 chapters. Appendices are provided to support the information provided in the text. A brief description of the chapters is provided as follows:

**Chapter 1 – Introduction.** This chapter provides a brief description of the need for the SSMP and a description of the report organization.

**Chapter 2 – Goals.** This chapter discusses the goals of the City's SSMP. These goals pertain to the operation and management of the City's wastewater collection system with respect to SSOs.

**Chapter 3 – Organization Structure.** This chapter identifies the City's responsible representative for the implementation of this SSMP. It also includes an organizational chart and a chain of communication for reporting SSOs.

**Chapter 4 – Legal Authority.** This chapter serves to confirm that the City has the authority, through ordinances, services agreements, or other legally binding procedures, to conform to the requirements of Order No. 2006-0003.

**Chapter 5 – Operation and Maintenance Program.** This chapter contains a description of the City's O&M program, including mapping, routine and preventative maintenance, rehabilitation, and training.

**Chapter 6 – Design and Performance Provisions.** This chapter presents a summary of the City's design and construction standards, as well as its standards for the inspection and testing of new sewers, pumps, and other appurtenances and for rehabilitation projects.

**Chapter 7 – Overflow Emergency Response Plan.** This chapter contains a description of the City's overflow emergency response plan that serves to provide measures to protect the public health and the environment in the event of an overflow.

**Chapter 8 – FOG Control Program.** This chapter discusses the need for a FOG control program. The purpose of such a program is to limit the amount of FOG that enter the collection system to the extent feasible.

**Chapter 9 – System Evaluation and Capacity Assurance Plan.** This chapter provides an evaluation of the City's sanitary sewer system facilities, identifies and proposes improvements for deficiencies, identifies design criteria, and provides a Capital Improvement Program (CIP) and schedule for improvements.

**Chapter 10 – Monitoring, Measurement, and Program Modifications.** This chapter presents a summary of the steps to be taken by the City to evaluate the effectiveness of this SSMP and update it should improvements be necessary or desirable.

**Chapter 11 – SSMP Program Audits.** This chapter presents a summary of the procedures to be used by the City to perform internal audits.

**Chapter 12 – Communication Program and Final Certification.** This chapter presents a summary of the steps to be taken by the City to communicate with the public on the development, implementation, and performance of the SSMP. This chapter also contains the final certification of this SSMP.

## 1.7 Abbreviations

To improve readability, this report includes several abbreviations. The abbreviations are spelled out in the text the first time the phrase or title is used in the report and subsequently identified by abbreviation only. A summary of the abbreviations used in this report is located in the List of Abbreviations found immediately after the Table of Contents.

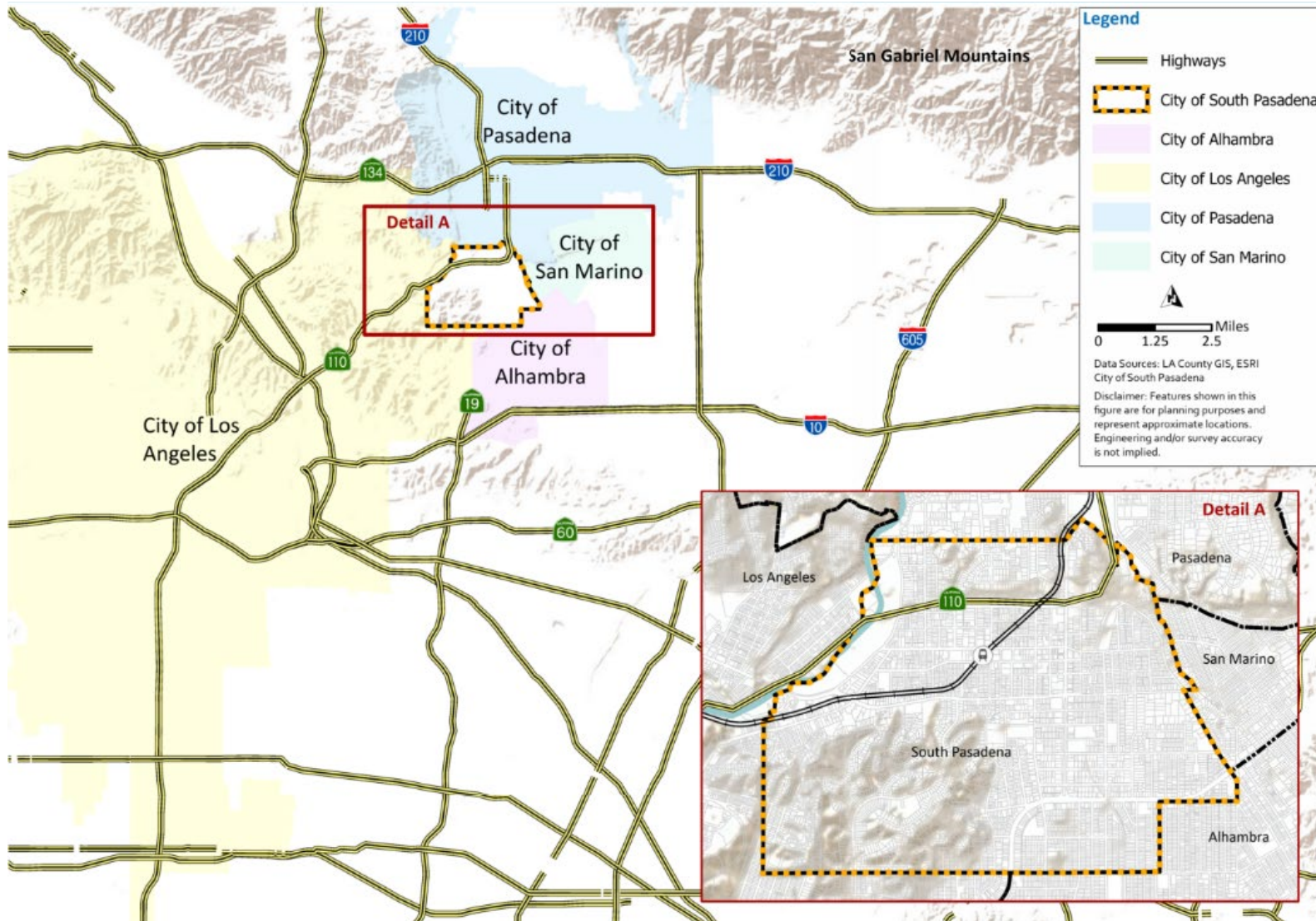


Figure 1.1 Study Area



## Chapter 2

# GOALS

This chapter discusses the goals of the City's SSMP. The SSMP goals pertain to the operation and management of the City's wastewater collection system with respect to SSOs.

### 2.1 Regulatory Requirements

Order No. 2006-0003 establishes the goal of the SSMP as follows:

“The purpose of this SSMP is to provide a plan and schedule to properly manage, operate, and maintain all parts of the sanitary sewer system. This will help reduce and prevent SSOs, as well as mitigate any SSOs that do occur.”

### 2.2 SSMP Goals

This SSMP has been prepared in order to achieve the following goals:

- Properly manage, operate, and maintain all aspects and components of the City's wastewater collection system.
- Provide the wastewater collection system with adequate capacity to convey peak wastewater flows.
- Minimize the occurrence of SSOs to the extent possible.
- Mitigate the impacts that are associated with any SSO that may occur.
- Meet all regulatory requirements related to the SSMP and SSO reporting system.

### 2.3 Definitions

An SSO is defined as any overflow, release, discharge, or diversion of untreated or partially treated wastewater from a sanitary sewer system. There are three categories of SSOs as established by Order No. 2006-0003:

- **Category 1:** This category includes all discharges of sewage resulting from a failure in the City's sanitary sewer system that:
  - Equal or exceed 1,000 gallons, or
  - Result in a discharge to a drainage channel and/or surface water; or
  - Discharge to a storm drainpipe that was not fully captured and returned to the sanitary sewer system.
- **Category 2:** This category includes all other discharges of sewage resulting from a failure in the City's sanitary sewer system.
- **Private Lateral Sewage Discharges:** Sewage discharges that are caused by blockages or other problems within a privately owned lateral.

As part of Order No. 2006-0003, all agencies that own or operate sanitary systems greater than one mile in length that collect and/or convey untreated or partially treated wastewater to a publicly owned treatment facility are required to report Category 1 and Category 2 SSOs. The reporting of Private Lateral Sewage Discharges is optional.

SSOs include:

- Overflows or releases of untreated or partially treated wastewater that reach the waters of the United States.
- Overflows or releases of untreated or partially treated wastewater that do not reach the water of the United States.
- Wastewater backups into buildings and on private property that are caused by blockages or flow conditions within the publicly owned portion of a sanitary sewer system.

## 2.4 Prohibition

Order No. 2006-0003 prohibits any SSO that results in a discharge of untreated or partially treated wastewater to waters of the United States or that causes a “nuisance,” as defined in California Water Code Section 13050(m). There is no “affirmative defense” for unforeseen or unavoidable SSOs. Instead, Section D.6 of Order No. 2006-0003 includes the concept of “enforcement discretion,” and identifies seven specific factors that must be considered in an enforcement action, such as the extent to which the discharger has complied with the provisions of the WDRs. In the event of an SSO, all feasible steps should be taken to limit the released volume and prevent untreated water from entering storm drains, creeks, etc. All SSOs must be reported through a statewide online reporting system, the California Integrated Water Quality System (CIWQS) <https://www.waterboards.ca.gov/ciwqs/>.

## Chapter 3

# ORGANIZATION STRUCTURE

This chapter identifies the responsible representative from the City for the implementation of this SSMP. It also includes an organizational chart and a chain of communication for reporting SSOs.

### 3.1 Regulatory Requirement

Order No. 2006-0003 specifies that the SSMP must identify the following:

- The name of the responsible or authorized representative for the implementation of the SSMP.
- The names and telephone numbers for management, administrative, and maintenance positions responsible for implementing specific measures of the SSMP program. The SSMP must identify lines of authority through an organizational chart or similar document with a narrative explanation.
- The chain of communication for reporting SSOs, from receipt of a complaint and other information, including the person responsible for reporting SSOs to the State and Regional Water Board and other agencies if applicable (such as County Health Officer, County Environmental Health Agency, Regional Water Board, and/or State Office of Emergency Services (OES)).

### 3.2 Authorized Representative

The City has authorized four staff members to serve as authorized representatives. These individuals are the Public Works Director (Shahid Abbas), the Deputy Public Works Director of Engineering and Operations (Ghassan Shelleh), the Public Works Operations Manager (Garrett Crawford), and the Streets and Sewer Supervisor (Eddy Munoz).

These employees are responsible for entering spill data on CIWQS at <https://www.waterboards.ca.gov/ciwqs/>.

### 3.3 Organizational Hierarchy

The organizational hierarchy and contact information for the implementation of the measures specified in this SSMP are shown on Figure 3.1. A general description of those positions, as supplied by City staff, is provided in this section.

- **Public Works Director (Shahid Abbas, 626-403-7240).** The Public Works Director, plans, manages, oversees, and directs the general organization, supervision, financial management, and efficient operation of the Public Works Department, which includes Streets, Parks, Facilities, Engineering, Water, Stormwater, Sewer, and Sustainability programs; coordinates activities with other City officials, departments, outside agencies, contractors, organizations and the public; provides responsible and complex staff support to the City Manager and City Council.

## PUBLIC WORKS DEPARTMENT

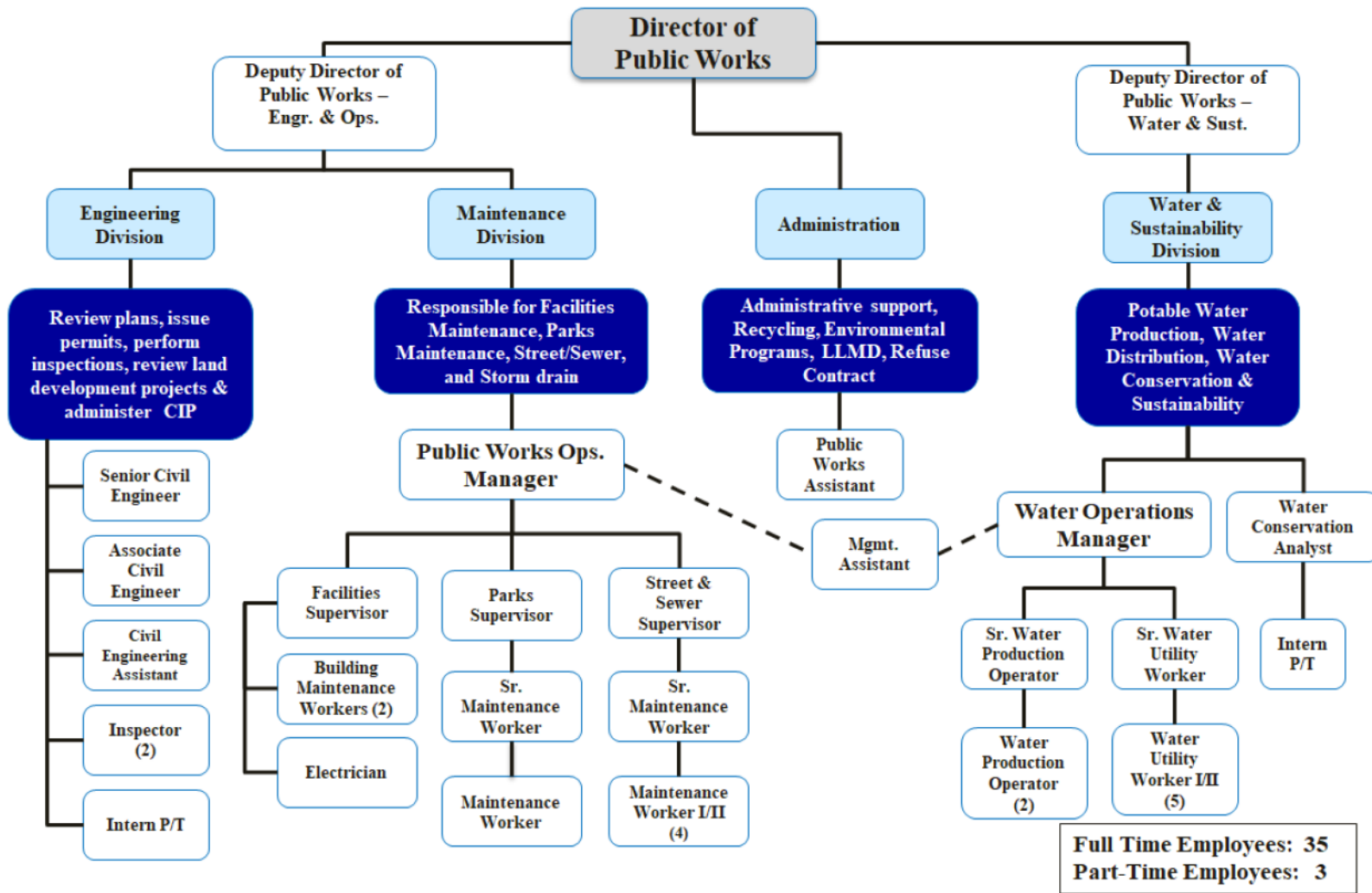


Figure 3.1 Organizational Chart



- **Public Works Assistant (Leonna DeWitt, 626-403-7243).** The Public Works Assistant provides administrative support to the Public Works Director.
- **Deputy Public Works Director of Engineering and Operations (Ghassan Shelleh, 626-403-7246).** The Deputy Public Works Director of Engineering and Operations plans, directs, manages, and oversees the functions, programs, and operations of the Engineering and Operations Department. This includes the City's, the City's wastewater collection and source control program, the City's fleet maintenance and repair operations, City facilities and grounds maintenance and repair, and the City's Safety and Health Program.
- **Public Works Operations Manager (Garrett Crawford, 626-403-7376).** The Public Works Operations, under the direction of the Deputy Public Works Director, manages the Operations Section of the Public Works Department including Streets, Parks, Facilities; serves as Contract Administrator and Facilities/Property Manager overseeing all contracts and repairs for City facilities and properties; provides highly responsible administrative support to the Deputy Public Works Director.
- **Associate Civil Engineer (Vacant).** The Associate Civil Engineer performs responsible professional engineering work both in the office and in the field in connection with design, development, investigation, and completion of public works projects; serves as project engineer.
- **Civil Engineer Assistant (Tatevik Barakazyan, 626-403-7245).** The Civil Engineering Assistant, under supervision, performs technical engineering duties both in the office and in the field in the design, development, and construction of public works projects.
- **Public Works Inspector (Dan Garcia, 626-403-7248).** The Public Works Inspector inspects construction projects for compliance with approved engineering standards; performs semi-skilled and technical construction inspection work for water, sewer, street and other public works construction projects; performs a variety of duties involved in inspecting the workmanship and materials used in a variety of public works construction and capital improvement projects of City infrastructure, such as encroachment, grading, landscaping, traffic control, and public safety; performs permit inspections for compliance of plans, specifications, and other standards; ensures conformance with applicable Federal, State, and local laws, codes, ordinances, plans, specifications, and departmental regulations.
- **Facilities Supervisor (Francois Brard, 626-403-7379).** The Facilities Supervisor participates in the maintenance of City buildings and the City's street lighting, signal lights, water pumping facility and other duties as required. Monitors and reviews contractors' work in janitorial services, street signals, and any other contractors engaged in repairs to City-owned facilities. The Facilities Maintenance Supervisor is also responsible for the first line supervision of employees engaged in the maintenance and repair of City buildings, equipment, furniture, plumbing and all electrical systems within the City; assigns work and reviews work of electrician and building maintenance workers.
- **Streets Supervisor (Eddie Munoz, 626-403-7375).** The Streets Supervisor plans, directs, supervises, and participates in the maintenance of the City streets and sewer collection system; and performs other related duties as required.

- **Management Assistant (Reyna Salazar-Martin, 626-403-7373).** The Management Assistant provides primary support for a department or division, performing a wide range of secretarial and clerical work; and performs other related duties as required.
- **Electrician (Michael Lee).** The Electrician performs skilled work in the maintenance, repair, and installation of electrical building/street lighting and control systems in the water pumping facilities; and performs other related duties as required.
- **Streets & Sewer Senior Maintenance Worker (Richard Arriola).** The Streets & Sewer Senior Maintenance Worker, under general supervision, performs skilled work in one of the Public Works divisions of Streets/Sewers, Water or Parks; leads the work of a small crew or works independently; and performs other related duties as required.
- **Maintenance Work II (Ryan Garcia).** The Maintenance Worker II performs a variety of unskilled and semi-skilled maintenance, repair, and general construction work in one of the Public Works divisions of Streets/Sewers; and performs other related duties as required.
- **Maintenance Work I (Hugo Houston, Tim Rodriguez, Nick Herrera, & Luis Ibarra).** The Maintenance Worker I performs a variety of unskilled and semi-skilled maintenance, repair, and general construction work in one of the Public Works divisions of Streets/Sewers; and performs other related duties as required.

### 3.4 Chain of Communication for Reporting SSOs

The City has developed procedures for responding to SSOs as discussed in Chapter 7 of the SSMP. The City's Sewage Spill Response Procedures (SSRP), shown in Appendix D, contains the procedures utilized by the City to notify the primary SSO response crews.

#### 3.4.1 SWRCB Category 1 SSO Reporting Procedure

Order No. 2006-0003 specifies certain requirements for the reporting of SSOs. The City intends to comply with these requirements. Upon notification that a SSO has occurred, an initial report will be prepared and submitted through CIWQS. This initial report will be submitted as soon as is practicable, but no later than three business days after the City has been made aware of the SSO.

The initial report is then expanded and updated if new information on the overflow is made available. Upon review of the updated report by the City's authorized representative, it is finalized and certified on CIWQS. This final certification will be completed as soon as possible, but no later than 15 calendar days of the conclusion of SSO response and remediation.

The above reporting requirements do not preclude other emergency notification requirements and timeframes mandated by other regulatory agencies (local County Health Officers, local Director of Environmental Health, Regional Water Boards, or OES or State Law).

#### 3.4.2 SWRCB Category 2 SSO Reporting Procedure

The requirements for the reporting of Category 2 spills by the SWRCB are far less stringent than the Category 1 requirements. Upon notification that a Category 2 spill has occurred, all information relating to that spill is gathered. Once all the data on the spill is available, a spill report is completed through CIWQS. The report is then reviewed by the City's authorized representative and submitted on CIWQS. This report will be submitted as soon as possible, but no later than 30 days after the end of the calendar month in which the SSO occurs.

### **3.4.3 Private Lateral SSO Reporting Procedure**

If there is a private lateral SSO it may be reported at the discretion of the Public Works Director. If the private lateral SSO is reported in the SSO Database, the City must identify sewage discharge as occurring and caused by a private lateral and a responsible party (not the City) should be identified.

### **3.4.4 Monthly SSO Reporting Procedure**

If there are no SSOs during the calendar month, the City will provide, within 30 days after the end of each calendar month, a statement through the Online SSO Database certifying that there were no SSOs for the month. If the SSO Online Database is not available, the City must fax all required information to the appropriate Regional Water Board office. Once the Online SSO Database is back online, the City must enter all required information as soon as practical.



## Chapter 4

# LEGAL AUTHORITY

This chapter serves to confirm that the City has the authority, through ordinances, services agreements, or other legally binding procedures, to conform to the requirements of Order No. 2006-0003.

### 4.1 Regulatory Requirement

Order No. 2006-0003 specifies the following with respect to Legal Authority:

Each Enrollee must demonstrate, through sanitary sewer system use ordinances, service agreements, or other legally binding procedures, that it possesses the necessary legal authority to:

1. Prevent illicit discharges into its sanitary sewer system (examples may include infiltration and inflow (I/I), stormwater, chemical pumping, unauthorized debris and cut roots, etc.).
2. Require that sewers and connections be properly designed and constructed.
3. Ensure access for maintenance, inspection, or repairs for portions of the laterals owned or maintained by the Public Agency.
4. Limit the discharge of FOG and other debris that may cause blockages.
5. Enforce any violation of its sewer ordinances.

### 4.2 Waste Discharge and Sewer Use Ordinances

In May 2009, the City updated its sewer ordinance to better reflect the SSMP requirements. The City adopted Ordinance 2186 which identifies City regulations for waste discharge and sewer use. Ordinance 2816 updated the Chapter 30 (Sewers) of the City's Municipal Code. The following subsections summarize the City's Municipal Code as it pertains to the requirements established in Order No. 2006-0003. Chapter 30 (Sewers) of the City's Municipal Code is provided in Appendix E. The full text is also available online at

<https://www.codepublishing.com/CA/SouthPasadena/#!/SouthPasadena30.html>.

Based on a review of the City's Municipal Code, it is not anticipated that any additions or modifications are necessary to comply with the requirements (1 through 5) outlined in Section 4.1 of this chapter.

#### 4.2.1 Authority to Enforce Waste Discharge and Sewer Use Regulations

Chapter 30 of the City's Municipal Code describes the City's authority to establish regulations on waste discharge and sewer use. This article states that the City is governed by various United States Government and State of California agencies. Through various Federal and State laws,

the City has been granted authority to regulate and/or prohibit direct or indirect discharges into the City's wastewater facilities. These laws include, but are not limited to, the following:

- The Clean Water Act (33 U.S.C. Section 1251 et seq).
- California Porter Cologne Water Quality Act (California Water Code Section 13000 et seq).
- California Health and Safety Codes Sections 25100 to 25250.
- Resource and Recovery Act of 1976 (42 U.S.C. Section 6901 et seq).
- California Government Code, Sections 54739 - 54740.

#### 4.2.2 Illicit Discharges

Chapters 30.2, 30.6, and 30.7 of the City's Municipal Code provide prohibitions on certain types of wastewater discharges into the City's wastewater collection system. The following subsections summarize Article 1 Section 30, while Appendix E contains the full text of Section 30 of the City's Municipal Code.

##### 4.2.2.1 General Waste Discharge Prohibitions

Section 30.2 provides generalized discharge prohibitions for the City's wastewater collection system. This section states:

"30.2 General prohibitions.

(a) No person shall act, or cause or permit any agent, employee, independent contractor or third party to act to construct, maintain, operate or utilize any wastewater system connection without a permit ("illicit connection"). The prohibition against illicit connection shall apply irrespective of whether the illicit connection may have been established prior to the date of enactment of the ordinance codified in this chapter, so long as the connection was illicit when established.

(b) No person shall act, or cause or permit any agent, employee, independent contractor or third party to act to cause, allow or facilitate any prohibited discharge. Nor may any person act to impair the useful functioning of such drain, channel, or natural watercourse or act to cause a public nuisance, public hazard or detrimental pollution of natural surface or subsurface water. Any excessive sewer or sewerage maintenance expenses or any other expenses attributable thereto shall be paid by the responsible entity or person.

(c) It is unlawful for any person to discharge to the wastewater system any wastewater, waste, rainwater or other unpolluted water that is prohibited by County Sanitation Districts of Los Angeles (CSDLA's) wastewater ordinance or causes a violation of stormwater regulations or any requirements of the RWQCB, Los Angeles Region. These prohibitions include, but are not limited to, prohibited rainwater, groundwater and other water discharges; prohibited industrial wastewater discharges; discharges which cause excessive sewer maintenance; prohibited and restricted waste discharges; medical and infectious wastes; and radioactive wastes.

(d) It is unlawful for any person to discharge or cause to be discharged any industrial wastewaters directly or indirectly to wastewater system owned by the city without first obtaining a permit for industrial wastewater discharge from the CSDLA. When required

by the CSDLA, this permit shall be obtained prior to commencement of any construction of new or modified facilities which will discharge industrial wastewater to the sewer.

A violation of these prohibitions shall occur irrespective of the intent of the violator to construct, maintain, operate, or utilize an illicit connection or to cause, allow or facilitate any prohibited discharge. (Ord. No. 2186, § 2, 2009.)"

#### 4.2.2.2 Stormwater drain discharge Prohibitions

Section 30.6 provides stormwater discharge prohibitions for the City's wastewater collection system. This section states:

"30.6 Stormwater drains not to be connected with sewers.

It is unlawful for any person to connect any roof drain, cellar drain or any other drain carrying stormwater with any public sewer. (Ord. No. 2186, § 2, 2009.)"

#### 4.2.2.3 Unauthorized Tampering

Section 30.7 provides unauthorized tampering of the City's wastewater collection system. This section states:

"30.7 Unauthorized removal of covering to manhole or flush tank.

It is unlawful for any person, except a properly authorized official or employee of the city, to remove any covering to any manhole or flush tank connected with any sewer in the city. (Ord. No. 2186, § 2, 2009.)"

### 4.2.3 Design and Construction Requirements

Sections 30.4 and 30.5 of the City's Municipal Code identifies the requirements for building sewers and the inspection of newly constructed building sewer connections as well as new pipe connection requirements.

#### 4.2.3.1 General Sewer Connections

Section 30.4 describes the requirements of permitting and connecting to the City's wastewater collection system. This section states:

"30.4 Connection permits generally.

It is unlawful for any person to connect any drain or pipe with any city sewer, or discharge any drainage therein, without a permit to do so being first obtained from the city engineer, who shall charge and collect for each such permit the sum as set and adjusted by resolution of the city council. Each permit shall indicate the place at which the connection is to be made and the property to be connected, and it shall be unlawful to make any such connection with any public sewer at any other place than that designated in the permit.

Every connection made with any public sewer of the city shall be made in accordance with the engineering and public works department's standard plans and specifications.

No sewer connection shall be covered or concealed in any way until it has been inspected and approved by the director or authorized representative.

The applicant shall have the required sewer installation performed by a contractor licensed by the state to perform this type of work. Complete engineering shall be by a

registered civil engineer licensed in the state, and shall include the submission of a full set of detailed improvement plans of a scale acceptable to the director, along with appropriate plan check and inspection fees. The director reserves the right to require the contractor to televise the mains at the applicant's expense to determine acceptability. Any changes in installation shall have prior approval of the director, and the applicant shall furnish the director a complete set of as-built plans at the completion and acceptance of the installation.

The property owner shall be responsible for the construction, maintenance and repairs of all private property sewer connections to the public sewer. (Ord. No. 2186, § 2, 2009.)"

#### 4.2.3.2 Pipe Connections

Section 30.5 describes the requirements of a pipe connection to the City's wastewater collection system. This section states:

"30.5 Pipe with which connections are made.

Pipe with which a sewer connection is made must be at least four feet below the established grade of the street at the property line. In all cases, the line of the pipe must be straight from the property line to the wye connection at the sewer main unless otherwise approved by the city engineer. Where a wye connection cannot be found, saddling may be permitted upon approval of the city engineer. (Ord. No. 2186, § 2, 2009.)"

#### 4.2.4 Maintenance, Inspection, and Repair Access

Chapter 5 of this SSMP details the City's O&M Program. Section 30.3 of the City's Municipal Code identifies the requirements for inspection and repair access of connections the City's wastewater collection system. Section 30.3 states:

"30.3 Jurisdiction of building inspector and city engineer.

All pipes, drains and fixtures whatsoever within any building and to a point two feet outside thereof, as well as all septic tanks and cesspools and their connections to the house drains, shall be under the jurisdiction of the building inspector. The jurisdiction of the building inspector over sewer connections shall extend from a point two feet outside of the exterior wall served by such connection to the public right-of-way or easement. The city engineer shall have jurisdiction within the public right-of-way or easement. (Ord. No. 2186, § 2, 2009.)"

#### 4.2.5 Limitations on FOG and Other Debris

The City's existing FOG control provisions are presented in Section 30 Article II of the City's Municipal Code. Chapter 8 of this report details the City's FOG Control Program.



#### 4.2.6 Policies for Enforcing Violations

Article III which includes Sections 30.50 through 30.54 of the City's Municipal Code establishes the enforcement of the City's wastewater collection system codes. Sections 30.50 through 30.54 state:

##### "ARTICLE III. ENFORCEMENT

##### 30.50 Notice of noncompliance.

The director may deliver to the owner or occupant of any private property, any permittee or any responsible party a notice of noncompliance listing the steps necessary to correct the conditions on the property causing noncompliance with the provisions of this chapter.

The director shall prepare each notice of noncompliance listing the applicable chapter provision(s), permit requirements violated, the selected compliance deadline, not to exceed ninety days, and stating that continued noncompliance may result in additional enforcement actions against the owner or occupant. The director may extend the compliance deadline an additional ninety days where good cause exists for the extension. (Ord. No. 2186, § 2, 2009.)

##### 30.51 Administrative compliance orders.

(a) The director may issue an administrative compliance order to:

- (1) The owner or occupant of any private property requiring abatement of conditions on the property that cause or may cause discharges in violation of this chapter;
- (2) The permittee subject to the requirements of any permit issued pursuant to this chapter to ensure compliance with the terms, conditions and requirements of the permit.

(b) The administrative compliance order may include the installation of approved grease control devices. (Ord. No. 2186, § 2, 2009.)

##### 30.52 Recovery of cost.

The director may issue to the owner or occupant of any private property, any permittee or any responsible party, who becomes subject to a notice of noncompliance or administrative order, an invoice for costs, which shall be immediately due and payable to the city for the actual costs incurred by the city in issuing and enforcing any notice or order.

If any owner or occupant, permittee or responsible party, fails to pay the invoice for costs within thirty days of the authorized inspector's deposit of the invoice for costs in the regular mail, postage prepaid, the enforcing attorney may institute collection proceedings or elect to place a lien on the property in the amount of the invoice of costs. (Ord. No. 2186, § 2, 2009.)

##### 30.53 Compliance schedule.

Upon determination that a discharger is in noncompliance with any provisions of this chapter, the director may require the discharger to submit for review and approval a compliance schedule. If, following the compliance schedule expiration date, the

discharger fails to comply with the terms, conditions, or limitations specified in the compliance schedule, the discharger's permit, or with any provisions of this chapter, then the discharger may be subject to noncompliance fees, a probation order, a cease and desist order, and/or legal actions. (Ord. No. 2186, § 2, 2009.)

#### 30.54 Cease and desist order.

(a) The director may order the owner or occupant of any private property, permittee or any responsible party to: (1) immediately discontinue any process water, wastewater or pollutant discharge to the wastewater system or the stormwater drainage system; (2) immediately block or divert any flow of water from the property, where the flow is occurring in violation of any provision of this chapter; and (3) immediately discontinue any other violation of this chapter. The cease and desist order may contain terms and conditions including, but not limited to, limits on rate and time of discharge, or other provisions to ensure compliance with this chapter.

(b) Notice/Hearing. When the director has reason to believe that grounds exist to issue a cease and desist order, he or she shall give written notice thereof either by personal delivery or by certified mail to the discharger setting forth the grounds for such an order, together with the time and place where the charges shall be heard.

(c) After the conclusion of the hearing, the director shall make a determination and issue a decision and order within thirty calendar days of the hearing. The written decision and order of the director shall be sent by personal delivery or by certified mail to the discharger. The order of the director shall be final in all aspects fourteen days after it is mailed to the discharger unless a request for hearing is filed with the city council.

Failure of the discharger to comply with the conditions of the cease and desist order may result in permit suspension, permit revocation, termination of service and/or legal actions. (Ord. No. 2186, § 2, 2009.)"

## Chapter 5

# OPERATION AND MAINTENANCE PROGRAM

This chapter contains a description of the City's O&M program, including mapping, routine and preventative maintenance, rehabilitation, and training.

### 5.1 Regulatory Requirement

Order No. 2006-0003 specifies that a City's SSMP must include the following elements as appropriate to the system:

- Maintain an up-to-date map of the sanitary sewer system, showing all gravity line segments and manholes, pumping facilities, pressure pipes and valves, and applicable stormwater conveyance facilities.
- Describe routine preventative operation and maintenance activities by staff and contractors, including a system for scheduling regular maintenance and cleaning of the sanitary sewer system with more frequent cleaning and maintenance targeted at known problem areas. The preventative maintenance (PM) program should have a system to document scheduled and conducted activities, such as work orders.
- Develop a rehabilitation and replacement plan to identify and prioritize system deficiencies and implement short-term and long-term rehabilitation actions to address each deficiency. The program should include regular visual and television (TV) inspections of manholes and sewer pipes, and a system for ranking the condition of sewer pipes and scheduling rehabilitation. Rehabilitation and replacement should focus on sewer pipes that are at a risk of collapse or prone to more frequent blockages due to pipe defects. Finally, the rehabilitation and replacement plan should have a capital improvement plan that addresses proper management and protection of the infrastructure assets. The plan shall include a time schedule for implementing the short- and long-term plans plus a schedule for developing the funds needed for the capital improvement plan.
- Provide training on a regular basis for staff in sanitary sewer system operations and maintenance, and require contractors to be appropriately trained.
- Provide equipment and replacement part inventories, including identification of critical parts.

## 5.2 Collection System Map

The City maintains a comprehensive map of its wastewater collection facilities in a Geographic Information System (GIS) format (Figure 5.1). An extensive amount of information is stored in the City's collection system GIS data. This data includes the following:

### Gravity Mains and Force Mains

- Diameter.
- Status (Active or Inactive).
- Installation Date.
- Pipe Material.
- Pipe Length.
- Upstream and Downstream Invert Elevations.
- Pipe Slope.
- Lift Station that the Pipeline is Tributary to.

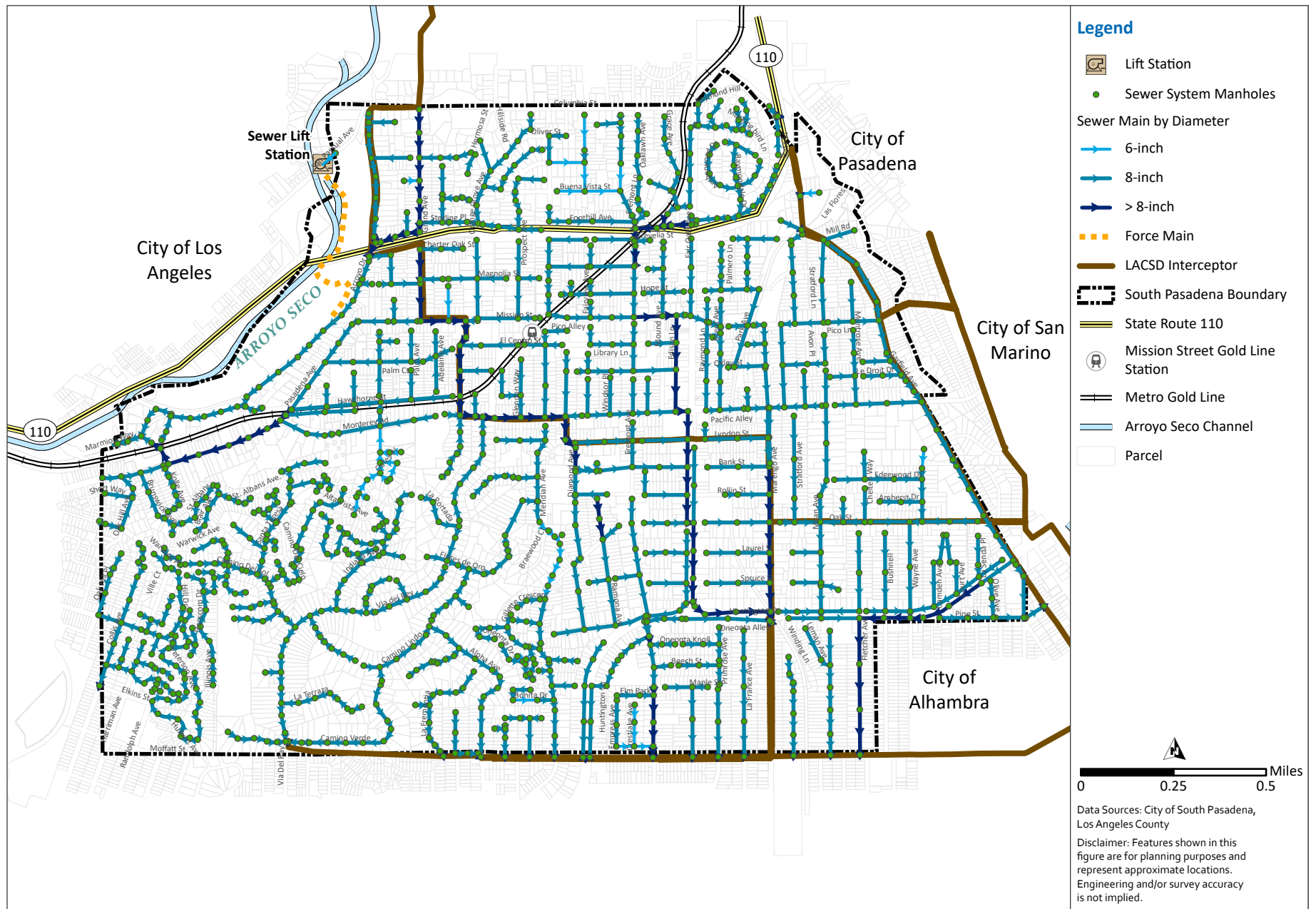
### Manholes

- Status (Active or Inactive).
- Installation Date.
- Manhole Diameter.
- Manhole Depth.
- Influent and Effluent Pipeline Invert Elevations.
- Manhole Rim Elevation.
- Lift Station that the Manhole is Tributary to.

### Lift Station

- Status (Active or Inactive).
- Installation Date.
- Lift Station Name.
- Number of Pumps.
- Lift Station Capacity.
- Address.
- Location of Lift Station (Latitude and Longitude).
- Water reclamation facility that the Lift Station is Tributary to.

The City's GIS data was created as part of the One Water 2050 Plan and will be updated periodically whenever changes to the collection system are made.





### 5.3 Wastewater Collection System Overview

This section provides a brief overview of the City's wastewater collection system facilities shown on Figure 5.1. A detailed description of these facilities can be found in the One Water 2050 Plan.

- **Water Treatment Plants**
  - Most of the wastewater flows from the City's wastewater collection system are routed to LACSD's Whittier Narrows WRP but can be bypassed by Whittier Narrows and sent to the Joint Water Pollution Control Plant or sent to the Los Coyotes Water Reclamation Plant. These flows are conveyed to Hyperion Water Treatment Plant (HTP) via a 42-inch interceptor which runs through the center and east border of South Pasadena. Some flows on the southwest end of the City are routed to HTP in the City of Los Angeles. The City doesn't own or operate a water treatment plant.
- **Gravity Mains**
  - The existing wastewater collection system consists of approximately 56 miles of sanitary sewer pipelines ranging in diameter from 6 inches to 18 inches which discharge into the LACSD's owned sewer interceptors.
- **Lift Station and Force Mains**
  - The City has one lift station located in Arroyo Park with one force main to pump the wastewater back to the gravity main along Arroyo Drive.

### 5.4 City Preventative Maintenance Program

The following subsections summarize the City's existing maintenance activities with respect to the requirements of Order No. 2006-0003.

#### 5.4.1 Sanitary Sewer Main Line Cleaning

The City has developed a preventative maintenance program in order to manage and operate its wastewater collection facilities more efficiently. This program consists of an annual cleaning of the City's wastewater collection system using hydro jetting. Each month the City's Streets Supervisor develops a sewer cleaning map to track and plan the cleaning of the City's wastewater collection system. An example of the annual cleaning map for 2021 is presented in Appendix F.

#### 5.4.2 CCTV Program

The City contracts closed circuit television (CCTV) inspections approximately every 5 to 10 years to analyze the sewer collection system which helps determine locations in need of maintenance.

#### 5.4.3 Lift Station Maintenance Program

The City inspects its only sanitary sewer lift station on a monthly basis. Any issues uncovered during these inspections are addressed as soon as possible to ensure that the City's lift station is operating correctly.

### 5.5 Rehabilitation and Replacement Plan

Replacement and rehabilitation of deteriorated and capacity limited facilities is coordinated through the City's CIP.

In 2020 and 2021, the City had CCTV performed for their entire sanitary sewer system. The CCTV program had structural rating score assigned to each pipe based on the National Association of

Sewer Service Companies (NASSCO) Pipeline Assessment Certification Program (PACP). In the NASSCO PACP system, there are 5 levels of deficiencies, with Level 5 being the worst condition. The structural sewer pipe ratings were broken into 5 categories:

- **Very Poor:** Very poor pipes had two level 5 deficiencies or 20 level 4 deficiencies.
- **Poor:** Poor pipes had six level 4 deficiencies.
- **Mediocre:** Mediocre pipes had a rating of two level 4 deficiencies or 20 level 3 deficiencies.
- **Average:** Average pipes had two level 3 deficiencies or 20 level 2 deficiencies.
- **Good:** Good pipes had a one level 3 deficiency or less than 20 level 2 deficiencies.

The CCTV structural score ratings are summarized in Table 8.5 of the One Water 2050 Plan. The structural ratings for each pipe segment are presented on Figure 8.7 of the One Water 2050 Plan.

The Poor, Very Poor, and Mediocre pipes were reviewed, and the following existing and future system improvements were recommended:

Existing System:

- There were 18 projects recommended for sewer pipes with Poor and Very Poor pipeline PACP structural scores.
- 8,900 feet of pipeline with Mediocre PACP scores are estimated to need replacement or rehabilitation.

Future System:

- Consider existing costs of rehabilitation and replacement carry into the future to budget for remediation of aging pipelines.

As part of the One Water 2050 Plan, a CIP and schedule were developed with a planning horizon of 2050. Table 9.2 lists the CIP and schedule for improvements that were included in the One Water 2050 Plan. As shown in Table 9.2, the total wastewater collection systems CIP is estimated to be approximately 14.6 million dollars. More details on the wastewater collection systems CIP can be found in the One Water 2050 Plan. A summary of the City's wastewater CIP is presented on Figure 5.2 and a list of CIP projects is presented in Table 5.1.



Table 5.1 One Water 2050 Plan Rehabilitation and Repair Summary

CIP ID	Replacement Type	Diameter (in)	Length <sup>(1)</sup> (ft)	Location Description
SR-1	Replace	8	440	Edgewood Drive between manhole 17E and manhole 16C
SR-2	Replace	8	200	Brent Ave between manhole 52C and manhole 55B
SR-3	Replace	8	220	Fremont Ave between manhole 95E and manhole 39B
SR-4	Replace	8	200	Garfield Ave manhole 117K and manhole 117L
SR-5	Replace	8	340	Fair Oaks Ave between manhole 48B and manhole 48C
SR-6	Replace	8	380	Marengo Ave between manhole 33E and manhole 33B
SR-7	Replace	8	200	Saint Albans Ave between manhole 119A and manhole 119K
SR-8	Replace	8	140	In easement east of Camino Del Sol between manhole 178E and manhole 178F
SR-9	Replace	8	190	In easement between Collis Ave and Harriman Ave. Between manhole 142E and manhole 189E
SL-1	Line	8	500	Laurel street between manhole 49A and manhole 49B
SL-2	Line	8	330	Stratford Ave between manhole 6D and manhole 6E
SL-3	Line	8	240	Brent Ave between manhole 52A and manhole 52B
SL-4	Line	8	410	Fair Oaks Ave between manhole 48D and manhole 48C
SL-5	Line	8	280	Donald Court between manhole 134F and manhole 13C
SL-6	Line	10	430	Marengo Ave between manhole 32A and manhole 32B
SL-7	Line	8	110	Monterey Road between manhole 105E and manhole 105D
SPR-1	Point Repair	8	100	Repair 100 feet of pipe on Chelton Way between manhole 19E and manhole 16D
SPR-2	Point Repair	8	100	Repair 100 feet of pipe in easement south of Peterson Ave between manhole 194C and manhole 194B

Notes:

(1) Length of replacement. The point repairs were assumed to be 100 feet, not the entire pipe segment length.

The City will repair immediate problems in their wastewater collection system; however, they do not directly install, rehabilitate, or replace their wastewater system. Instead, the City bids out sewer projects to outside party(s) who are managed by City staff.

### **5.6 Staff Training**

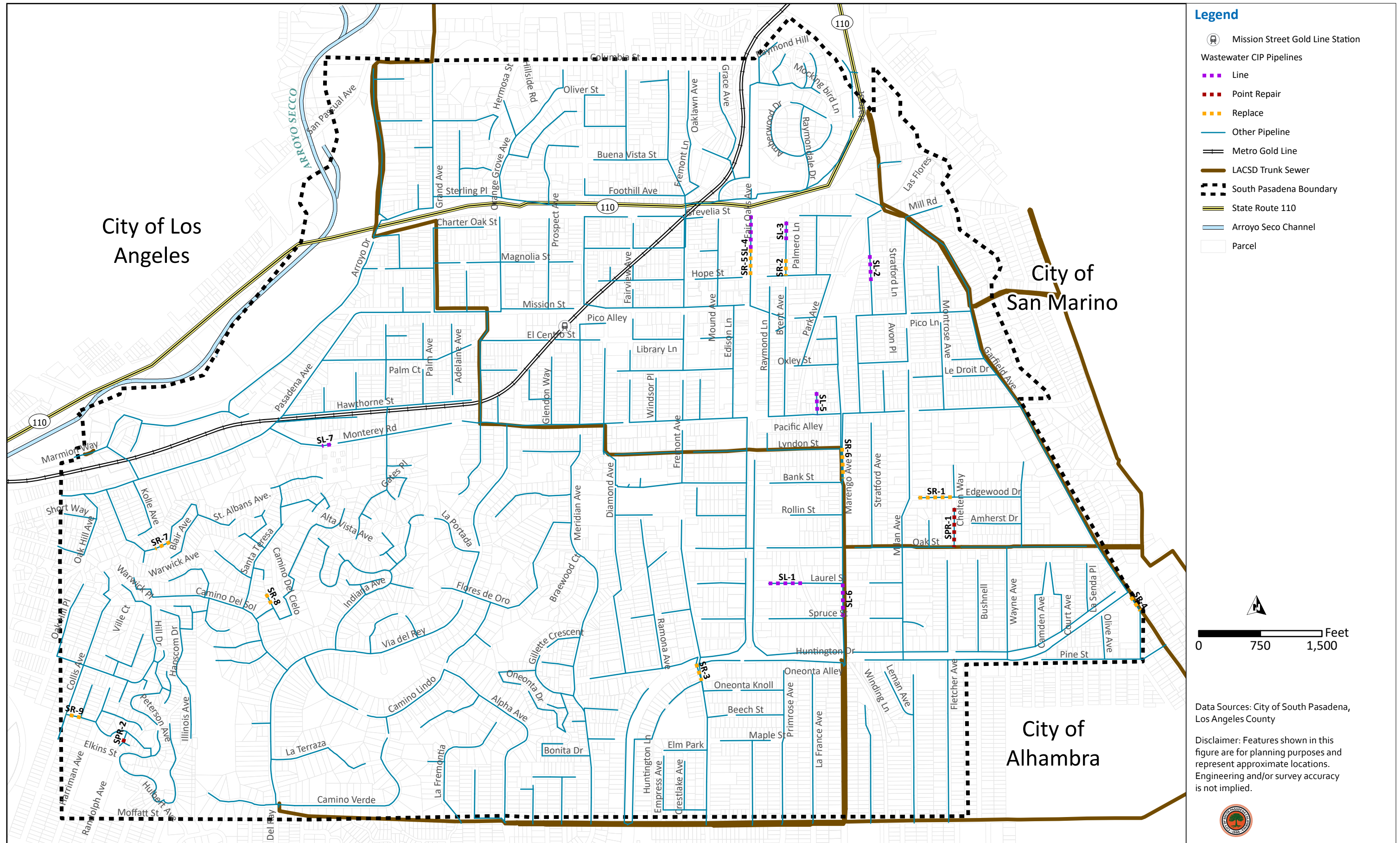
The City trains its maintenance workers through a combination of formal and informal training through workshops. Maintenance workers receive a minimum of two workshops per year. These workshops are taught through vendors and professional organizations.

Additionally, the higher-level maintenance workers are responsible for training the lower level maintenance workers on work practices and procedures. Lower level maintenance workers thereby gain valuable experience by working under and learning from the more experienced workers.

All new staff are trained on City standard operating procedures for equipment use and tasks upon hire. Specialty training on specific safety programs is provided annually.

### **5.7 Equipment and Replacement Part Inventories**

As the City doesn't directly install, rehabilitate, or replace their wastewater system, the City does not keep spare parts in their inventories.





## Chapter 6

# DESIGN AND PERFORMANCE PROVISIONS

This chapter presents a summary of the City's design and construction standards, as well as its standards for the inspection and testing of new sewers, pumps, and other appurtenances and for rehabilitation projects.

### 6.1 Regulatory Requirement

Order No. 2006-0003 specifies that a SSMP must include the following:

- Design and construction standards and specifications for the installation of new sanitary sewer systems, pump stations, and other appurtenances; and for the rehabilitation and repair of existing sanitary sewer systems.
- Procedures and standards for inspecting and testing the installation of new sewers, pumps, and other appurtenances and for rehabilitation and repair projects.

### 6.2 Design Standards and Specifications

The City currently doesn't have a set of Standard Specifications and Drawings; however, the City is in the process of creating these drawings. The drawings will contain the City's requirements for the design and construction of sanitary sewer facilities. Design criteria for wastewater facilities is included as part of the One Water 2050 Plan.

#### 6.2.1 Design Requirements

This section summarizes the City's sewer design requirements as presented in the One Water 2050 Plan. For a more detailed account of the City's design requirements, refer to Chapter 4 of the City's One Water 2050 Plan.

##### 6.2.1.1 Mainline Size

The minimum pipe diameter for public collection sewers in the City is 8 inches, unless a smaller pipeline size is authorized by the City. When sizing new sewer pipelines, it is common practice to adopt variable flow depth criteria for various pipe sizes. Design depth of flow to pipe diameter ratio ( $d/D$ ) ratios typically range from 0.5 to 0.92, with the lower values typically used for smaller pipes, which may experience flow peaks greater than design flow or blockages from debris, paper, or rags. For pipelines 8-inches in diameter and smaller, the maximum  $d/D$  value is 0.67 or 67 percent of the pipeline depth. For pipelines 12-inches and larger, the maximum  $d/D$  is 0.75.

##### 6.2.1.2 Manning's Coefficient

The Manning coefficient 'n' is a friction coefficient and varies with respect to pipe material, size of pipe, depth of flow, smoothness of joints, root intrusion, and other factors. The assumptions in the One Water 2050 Plan specify that a Manning's roughness coefficient ( $n$ ) of 0.013 be used for the design of sewer facilities in the City.

### 6.2.1.3 Design Velocities and Minimum Slope

To minimize the settlement of sewage solids, it is standard practice in the design of gravity sewers to specify that a minimum velocity of 2 feet per second (fps) be maintained when the pipeline is half-full. At this velocity, the sewer flow will typically provide self-cleaning for the pipe. Due to hydraulics of a circular conduit, velocity of half-full flow in pipes approaches the velocity of nearly full flow in pipes. Table 6.1 lists the recommended minimum slopes and their corresponding maximum flows for maintaining self-cleaning velocities (equal to or greater than 2 fps) when the pipe is flowing at its maximum depth (d/D ratio).

### 6.2.1.4 Minimum Cover

The minimum cover for sewer pipes is seven feet. City approval must be obtained if a shallower depth is needed. Additionally, the City may require greater cover depths, if necessary, to extend the sewer to other areas.

Table 6.1 Minimum Slopes for New Circular Pipes

Sewer Size (inches)	Minimum Pipe Slope (foot/foot)
8	0.004
10	0.003
12	0.0024
15	0.0017
18	0.0014
21	0.0011
24	0.0010

### 6.2.1.5 Manhole Requirements

The following summarizes the City's requirements for the installation of sanitary sewer manholes:

- Manholes must be installed at all changes in pipe slope, diameter, alignment, and all intersections of main sewers.
- The maximum manhole spacing is 400 feet. For curved sewers, the maximum spacing is 300 feet.
- The minimum drop across a manhole for pipes with less than a 7.5 percent slope is 0.10 feet. For pipe slopes greater than 7.5 percent, the following equation is used:

$$\text{Manhole Drop} = (S1 + S2)(D1 + D2)$$

Where:

S1 = Invert slope entering manhole, feet/feet

S2 = Invert slope leaving manhole, feet/feet

D1 = Diameter of inlet pipe

D2 = Diameter of outlet pipe

- When a smaller sewer joins a larger one, the crown elevations should be matched.
- The City must approve drop manholes for pipe sizes over 15 inches.
- The minimum inside diameter of a manhole is 48 inches (4 feet).

- Five-foot diameter manholes are required when sewer depths are greater than 12 feet, when more than two sewer mains or laterals are connected to the manhole, and for pipe sizes greater than 18 inches.
- Manholes connected to steeply sloped pipes shall be polyvinyl chloride (PVC)-lined and provided with a sealed lid.
- Manholes in non-paved areas must have a 10-foot by 10-foot paved area surrounding them.

#### 6.2.1.6 Other Miscellaneous Considerations

The City's design standards identify other requirements for the design of sanitary sewer facilities. These include requirements for the horizontal alignment of sewers, the requirements for curved sewers, service laterals, inverted siphons, easements, and CCTV inspection. Final inspection of all sewer lines is performed using CCTV. The contractor shall repair, at its own expense, any defects, should they be observed, to the satisfaction of the City.

#### 6.2.2 Inspection Requirements

The City requires new sewer connections to obtain a permit from Public Works and undergo an inspection by City sewer staff prior to completion of the installation.

#### 6.2.3 Standard Drawings

The City currently doesn't have a set of Standard Specifications and Drawings; however, the City is in the process of creating these drawings. The City's sewer standard drawings will be included in the next update to this SSMP.





## Chapter 7

# OVERFLOW EMERGENCY RESPONSE PLAN

This chapter contains a description of the City's overflow emergency response plan that serves to provide measures to protect the public health and the environment in the event of an overflow.

### 7.1 Regulatory Requirements

Order No. 2006-0003 specifies that a SSMP must include an Overflow Emergency Response Program that includes, at a minimum, the following:

- Proper notification procedures so that the primary responders and regulatory agencies are informed of all SSOs in a timely manner.
- A program to ensure an appropriate response to all overflows.
- Procedures to ensure prompt notification to appropriate regulatory agencies and other potentially affected entities (e.g., health agencies, Regional Water Boards, water suppliers, etc.) of all SSOs that potentially affect public health or reach the waters of the State in accordance with the monitoring reporting program (MRP), the California Water Code, other State Law, and other applicable Regional Water Board waste discharge requirements (WDRs) or National Pollutant Discharge Elimination Program (NPDES) permit requirements. The SSMP should identify the officials who will receive immediate notification.
- Procedures to ensure that appropriate staff and contractor personnel are aware of and follow the Emergency Response Plan and are appropriately trained.
- Procedures to address emergency operations, such as traffic and crowd control and other necessary response activities.
- A program to ensure that all reasonable steps are taken to contain and prevent discharge of untreated or partially treated wastewater to waters of the United States and to minimize or correct any adverse impact of the environment resulting from the SSOs, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the discharge.

### 7.2 Sewer Spill Response Plan

The City has prepared a SSRP, which provides information on procedures to be followed by City staff in the event of a SSO (Appendix D).

### 7.3 Primary Notification Procedures

Section 3 of the City's SSRP contains the procedures that the City follows in the event of a SSO. This includes the procedures utilized during normal working hours, as well as weekends, holidays, and after hours. These procedures are included in Appendix D and are summarized in Section 3.4 of this SSMP.

## 7.4 SSO Response Plan

The City's SSRP contains procedures that are used to promote an appropriate response to SSOs that occur within the City's service boundary. Figure 7.1 is a flow chart that response crews follow while responding to a SSO. This flow chart is provided in the SSRP and provides a general response procedure for SSO response teams. In general, the field responder's duties are grouped into the following categories:

- First Responder Responsibilities.
- Identify and Relieve the Cause of the Spill.
- Spill Containment and Recovery.
- Cleanup and Disinfection.
- Spill Documentation.

A detailed description of individual tasks to be performed by the response crew is included in Appendix D.

## 7.5 Notification of Regulatory Agencies

If a SSO has occurred, the Maintenance Superintendent starts to notify the appropriate regulatory agencies and other impacted agencies in accordance with the City's SSRP (Appendix D).

Notification of the SWRCB is performed through the CIWQS. On CIWQS, the SSO reporting procedure is dependent upon the type and volume of spill that has occurred. The City is required to use this reporting system to submit SSO spill reports, should they occur, or no spill certification reports. A description of the Category 1 and Category 2 SSO reporting procedure is provided in Appendix D and is summarized in the flow chart on Figures 7.2a and 7.2b.

## 7.6 Emergency Response Plan Awareness and Training

Section 7 of the City's SSRP stipulates that appropriate City personnel, including management, collection systems, wastewater treatment, engineering, and public information personnel, receive a copy of the SSRP and be informed and trained on its provisions.

Appendix D of the City's SSRP identifies steps to be taken by the City's SSO response crew. The first responder to a SSO should take steps to establish an appropriate perimeter around the spill site. This will prevent disruption of the response crew by vehicle traffic, pedestrians, and other factors that may interrupt the crew's ability to effectively respond to a SSO.

## 7.7 SSO Surface Water Impact Mitigation Program

Should a SSO result in a discharge to the waters of the United States, the City should take all feasible steps to avoid the degradation of this body of water. These steps will vary on a case-by-case basis.

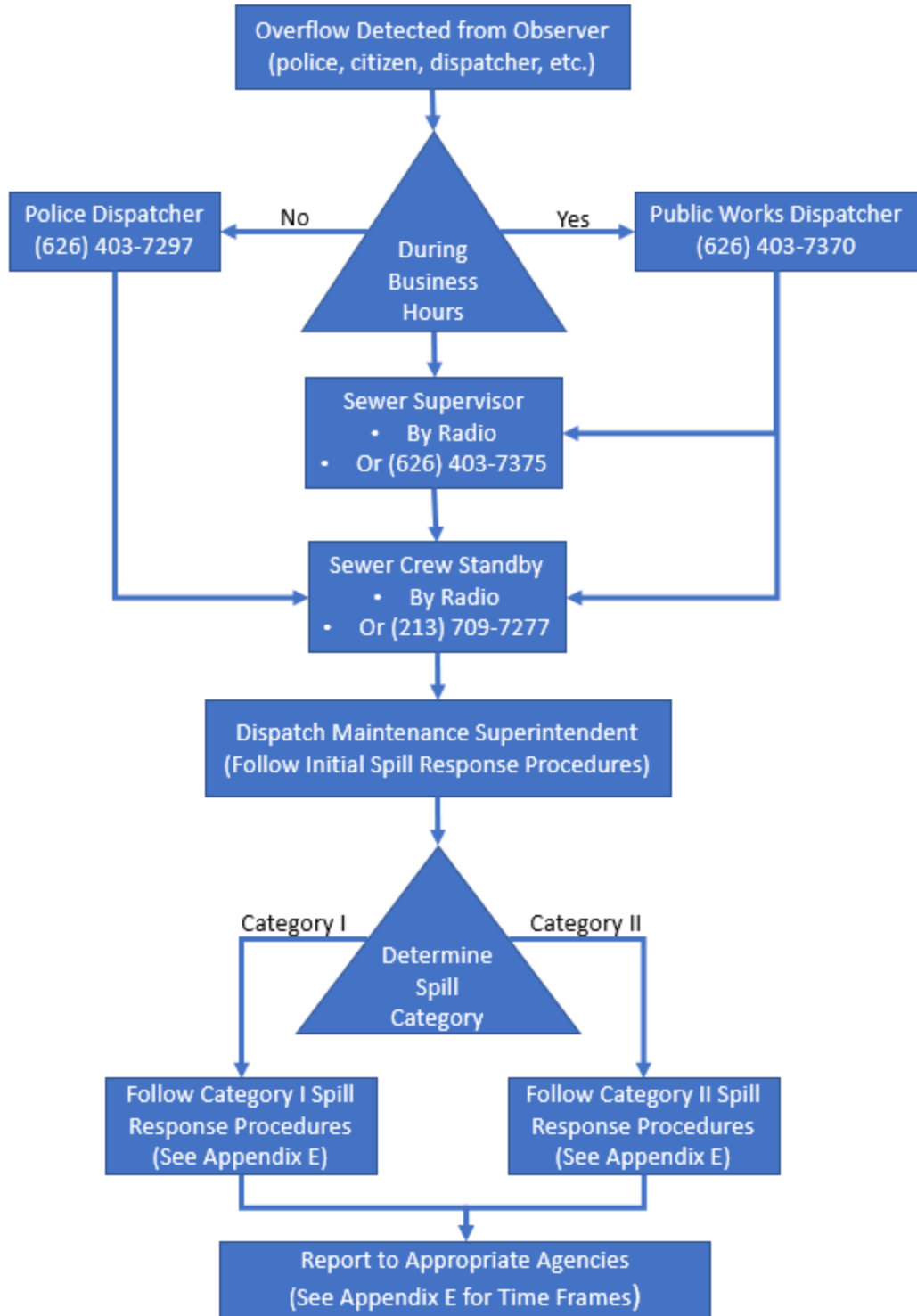
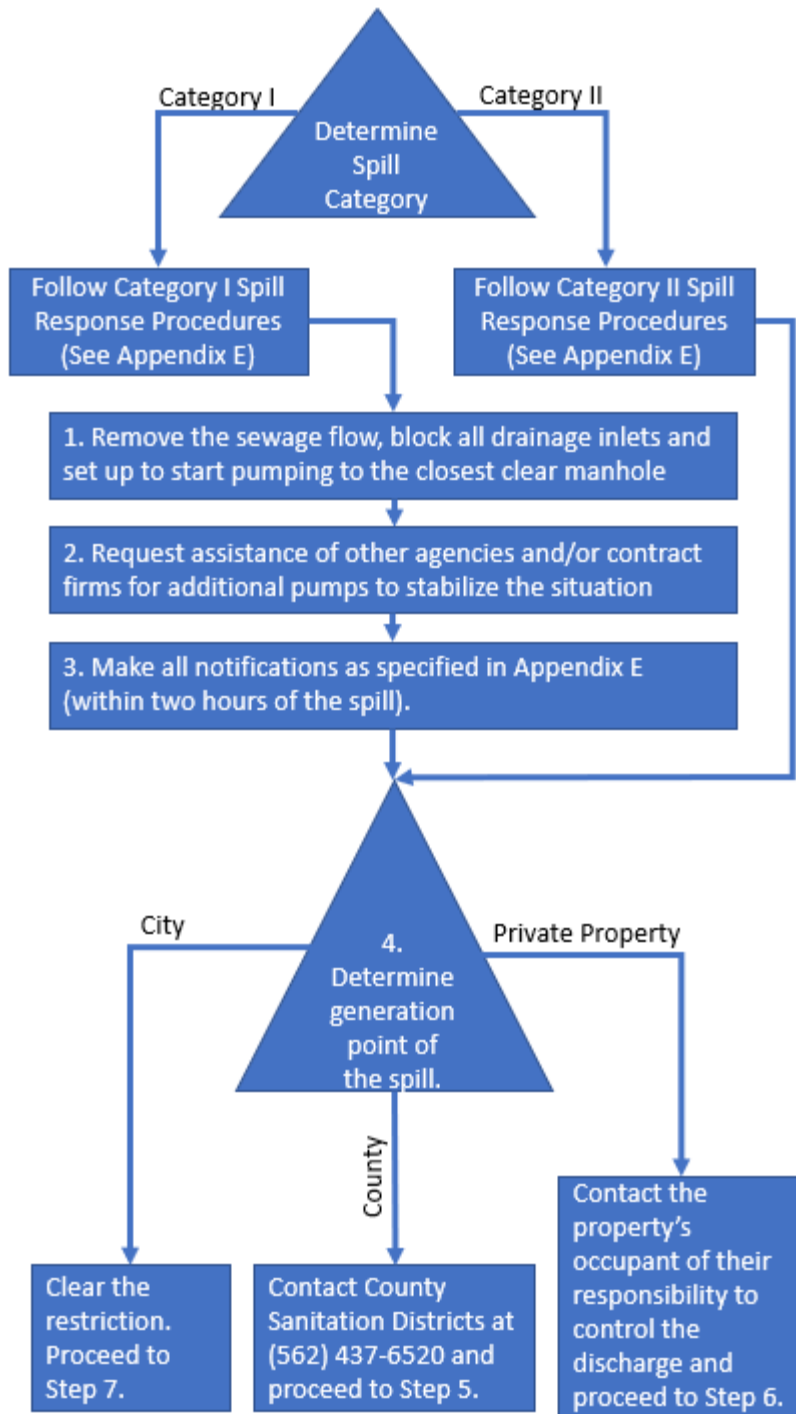


Figure 7.1 Sewage Spill Response Procedures (SSRP) Flow Chart



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Figure 7.2a Sewage Spill Response Procedures (SSRP) Flow Chart

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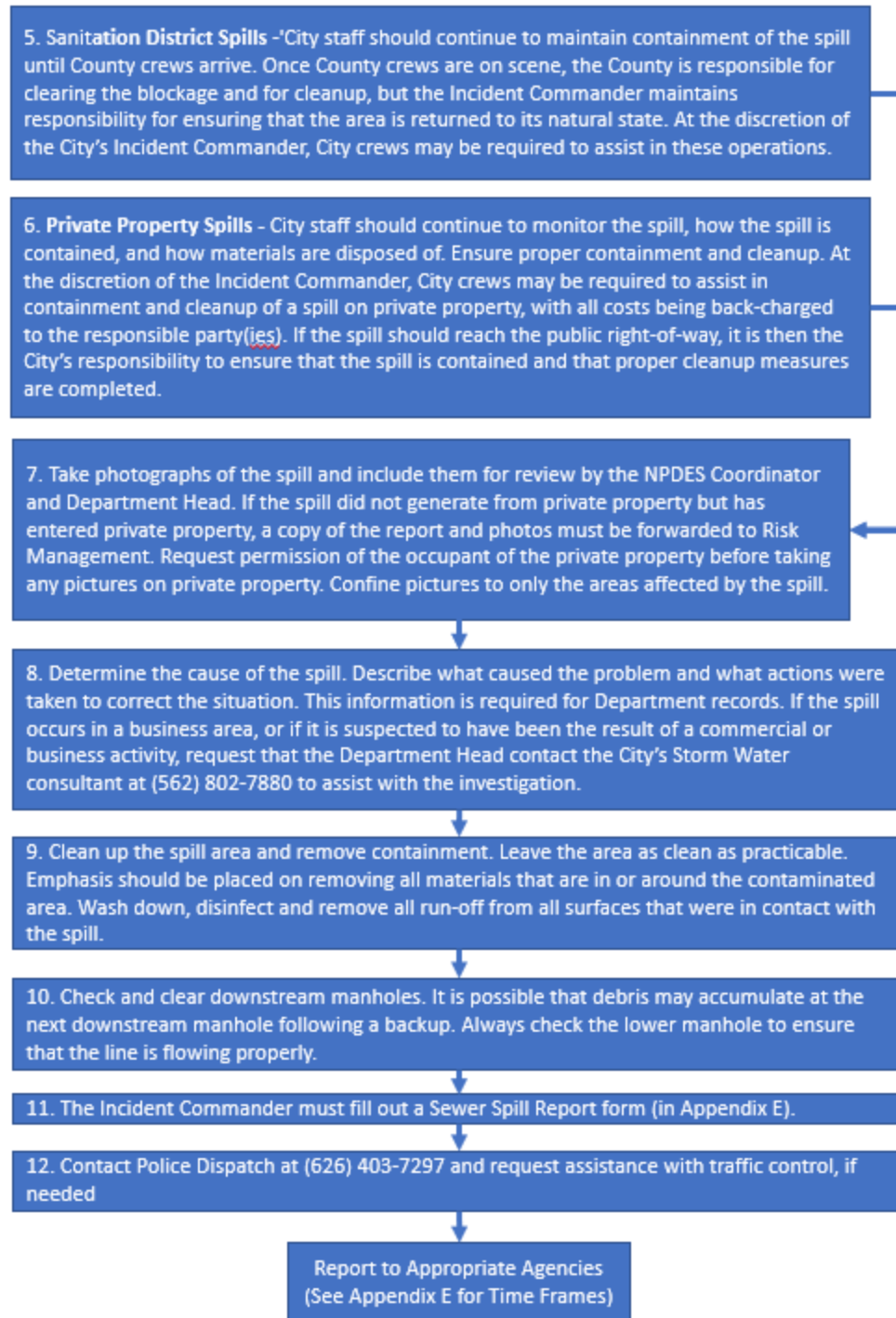


Figure 7.2b Sewage Spill Response Procedures (SSRP) Flow Chart



## Chapter 8

# FOG CONTROL PROGRAM

This chapter discusses the need for a FOG control program. The purpose of such a program is to limit the amount of fats, oils, and greases that enter the collection system to the extent feasible.

### 8.1 Regulatory Requirements

Order No 2006-0003 specifies that each SSMP must include an evaluation of the service area of the City to determine whether a FOG control program is needed. If no FOG program is needed, justification for why it is not needed must be provided. If FOG is considered to be a problem, a FOG source control program must be prepared and implemented, including the following as appropriate:

- An implementation plan and schedule for a public education outreach program that promotes the proper disposal of FOG.
- A plan and schedule for the disposal of FOG generated within the sanitary sewer system service area. This may include a list of acceptable disposal facilities and/or additional facilities needed to adequately dispose of FOG generated within a sanitary sewer system service area.
- The legal authority to prohibit discharges into the system and identify measures to prevent SSOs and blockages caused by FOG.
- Requirements to install grease removal devices (such as traps or interceptors), design standards for the removal devices, maintenance requirements, BMP requirements, record keeping and reporting requirements.
- Authority to inspect grease producing facilities, enforcement authorities, and whether the Enrollee has sufficient staff to inspect and enforce the FOG ordinance.
- An identification of sanitary sewer system sections subject to FOG blockages and establishment of a cleaning maintenance schedule for each section.
- Development and implementation of source control measures for all sources of FOG discharged into the sanitary sewer system.

### 8.2 FOG Control Plan

Based on discussions with City staff familiar with the operation and management of the City's wastewater collection systems, it has been determined that FOG is not a major maintenance issue for the City. The City has not identified any specific areas in the system that are routinely affected by FOG, and in areas where FOG is encountered, it is usually due to another problem, such as root intrusion. For this reason, it is concluded that a formal FOG Control Plan is not necessary. The City, however, has already implemented several FOG control measures, which are discussed in the following section.

Should the City identify FOG as a major maintenance issue in the future, steps would be taken to study the effects of FOG in the City more thoroughly and prepare and develop a formal FOG Control Plan. Such a program would likely consist of source control measures, inspection of FOG producing facilities, requiring grease interceptor maintenance records be submitted to the City, FOG outreach programs, and BMP requirements.

### 8.3 Existing FOG Control Measures

The City's existing FOG control provisions are presented in Section 30 Article II of the City's Municipal Code (Appendix E). This article establishes a FOG Control Program for the City. Section 30 Article II includes Sections 30.20 through 30.37 which state:

#### "ARTICLE II. FOG CONTROL PROGRAM

##### 30.20 FOG discharge requirement.

No Food Service Establishment (FSE) shall discharge or cause to be discharged into the sewer system FOG that exceeds a concentration level adopted by a regulatory agency or that may accumulate and/or cause or contribute to blockages in the sewer system or at the sewer system lateral which connects the FSE to the sewer system. (Ord. No. 2186, § 2, 2009.)

##### 30.21 FOG prohibitions.

The following prohibitions shall apply to all FSEs:

- (a) No person shall discharge, or cause to be discharged any wastewater from FSEs directly or indirectly into the sewer system without first obtaining a FOG wastewater discharge permit pursuant to this chapter.
- (b) Discharge of any waste, including FOG and solid materials removed from the grease control device to the sewer system, is prohibited.
- (c) The installation and use of food grinders shall be prohibited in all new food service establishments that are located in new or existing buildings, in all existing food service establishments undergoing remodeling, and in all existing food preparation and service establishments undergoing remodeling or a change in operations such that they would become a commercial kitchen.
- (d) Introduction of any additives into a food service establishment's wastewater system for the purpose of emulsifying or biologically/chemically treating FOG for grease remediation or as a supplement to interceptor maintenance, unless a specific written authorization from the director is obtained.
- (e) Disposal of waste cooking oil into drainage pipes.
- (f) The discharge of wastewater from dishwashers to any grease traps or grease interceptor.
- (g) Discharge of wastewater with temperature in excess of one hundred forty degrees Fahrenheit to any grease control device, including grease traps and grease interceptors.



(h) Discharge of wastes from toilets, urinals, wash basins, and other fixtures containing fecal material to sewer lines intended for grease interceptor service, is prohibited.

(i) A grease removal device should not be considered properly maintained if for any reason it is not in good working condition, or if sand, oil, sludge, and grease accumulations total more than twenty-five percent of the operative fluid capacity.

(j) The discharge of any waste or FOG to the sewer system in a manner which either violates the California SWRCB's Sewer WDRs or causes or contributes to condition which fails to comply with any of the provisions of the sewer WDRs is prohibited. (Ord. No. 2186, § 2, 2009.)

#### 30.22 FOG wastewater discharge permit required.

(a) FSEs proposing to discharge or currently discharging wastewater containing FOG into the city's sewer system shall obtain a FOG wastewater discharge permit from the city within either (1) one hundred eighty days from the effective date of the ordinance codified in this chapter. or (2) at the time any FSE applies for or renews its annual business license from the city. Compliance with this chapter must be demonstrated at the time any business license is issued, provided that the director may extend the compliance date for no more than ninety days after the date of the issuance of the license.

(b) FOG wastewater discharge permits shall be expressly subject to all provisions of this chapter and all other regulations, charges for use, and fees established by the city. The conditions of FOG wastewater discharge permits shall be enforced by the city in accordance with this chapter and applicable state and federal regulations.

(c) The city shall not issue a certificate of occupancy for any new construction, or occupancy unless a FSE has fully complied with the provisions of this chapter. (Ord. No. 2186, § 2, 2009.)

#### 30.23 FOG wastewater discharge permit application.

Any person required to obtain a FOG wastewater discharge permit shall complete and file with the city prior to commencing discharges, an application in a form prescribed by the director and shall provide the city such information and documents as the director determines is necessary and appropriate to properly evaluate the application. The applicable fees shall accompany this application. After evaluation of the data furnished, the director may issue a FOG wastewater discharge permit, subject to terms and conditions set forth in this chapter and as otherwise determined by the director to be appropriate to protect the city's sewer system. (Ord. No. 2186, § 2, 2009.)

#### 30.24 FOG wastewater discharge permit conditions.

The issuance of a FOG wastewater discharge permit may contain any of the following conditions or limits as determined by the director:

- (a) Limits on discharge of FOG and other priority pollutants.
- (b) Requirements for proper O&M of grease interceptors and other grease control devices.
- (c) Grease interceptor maintenance frequency and schedule.
- (d) Requirements for implementation of best management practices and installation of adequate grease interceptor and/or grease control device.
- (e) Requirements for maintaining and reporting status of best management practices.
- (f) Requirements for maintaining and submitting logs and records, including waste hauling records and waste manifests.
- (g) Requirements to self-monitor.
- (h) Requirements for the FSE to construct, operate and maintain, at its own expense, FOG control device and sampling facilities.
- (i) Consent by the operator of the FSE for the city and other regulatory agencies to inspect the FSE to confirm compliance with this chapter, the NPDES permit and other applicable laws, rules and regulations, including any NPDES permit applicable to the city.
- (j) Additional requirements as otherwise determined to be reasonably appropriate by the director to protect the city's system or as specified by other regulatory agencies.
- (k) Other terms and conditions, which may be reasonably applicable to ensure compliance with this chapter as determined by the director. (Ord. No. 2186, § 2, 2009.)

#### 30.25 FOG wastewater discharge permit fee.

The FOG wastewater discharge permit fee shall be paid by the applicant in an amount adopted by resolution of the city council. Payment of permit fees must be received by the city prior to issuance of either a new permit or a renewed permit. A permittee shall also pay any delinquent invoices in full prior to permit renewal. (Ord. No. 2186, § 2, 2009.)

#### 30.26 FOG wastewater discharge permit modifications of terms and conditions.

- (a) The terms and conditions of an issued permit may be subject to modification and change by the sole determination of the director during the life of the permit based on:
  - (1) The discharger's current or anticipated operating data.
  - (2) The city's current or anticipated operating data.

- (3) Changes in the requirements of regulatory agencies which affect the city, or
  - (4) A determination by the director that such modification is appropriate to further the objectives of this chapter.
- (b) The permittee may request a modification to the terms and conditions of an issued permit. The request shall be in writing stating the requested change, and the reasons for the change. The director shall review the request, make a determination on the request, and respond in writing.
- (c) The permittee shall be informed of any change in the permit limits, conditions, or requirements at least forty-five days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance. (Ord. No. 2186, § 2, 2009.)

#### 30.27 FOG wastewater discharge permit duration and renewal.

FOG wastewater discharge permits shall be issued for a period not to exceed five years. Upon expiration of the permit, the discharger shall apply for renewal of the permit in accordance with the provisions of this chapter. (Ord. No. 2186, § 2, 2009.)

#### 30.28 Exemption from FOG wastewater discharge permit.

A limited food preparation establishment is not considered a FSE for the purposes of this chapter and is exempt from obtaining a FOG wastewater discharge permit. Exempted establishment shall be engaged only in reheating, hot holding or assembly of ready to eat food products and as a result, there is no wastewater discharge containing significant amount of FOG. A limited food preparation establishment does not include any operation that changes the form, flavor, or consistency of food. (Ord. No. 2186, § 2, 2009.)

#### 30.29 Nontransferability of permits.

- (a) FOG wastewater discharge permits issued under this chapter are for a specific FSE, for a specific operation and create no vested rights.
- (b) No permit holder shall assign, transfer or sell any FOG wastewater discharge permit issued under this chapter nor use any such permit for or on any premises or for facilities or operations or discharges not expressly encompassed within the underlying permit.
- (c) Any permit, which is transferred to a new owner or operator or to a new facility, is void. (Ord. No. 2186, § 2, 2009.)

### 30.30 Best management practices required.

All FSEs shall implement best management practices in its operation to minimize the discharge of FOG to the sewer system.

- (a) Installation of Drain Screens. Drain screens shall be installed on all draining pipes in food preparation areas. Clean drain screens frequently by placing the collected material in the garbage.
- (b) Disposal of Food Waste. All food waste shall be disposed of directly into the trash or garbage and not in sinks.
- (c) Segregation and Collection of Waste Cooking Oil. Licensed waste haulers or an approved recycling facility must be used to dispose of waste cooking oil.
- (d) Maintenance of Kitchen Exhaust Filters. Filters shall be cleaned as frequently as necessary to be maintained in good operating condition. The wastewater generated from cleaning the exhaust filters shall be disposed properly.
- (e) Kitchen Signage. Best management and waste minimization practices shall be posted conspicuously in the food preparation and dishwashing areas at all times.
- (f) Employee Training. Employees of the food service establishment shall be trained by ownership within one hundred eighty days of notification, and twice each calendar year thereafter, on the following subjects:
  - (1) How to “dry wipe” pots, pans, dishware, and work area before washing to remove grease.
  - (2) How to properly dispose of food waste and solids in enclosed plastic bags prior to disposal in trash bins or containers to prevent leaking and odors.
  - (3) The location and use of absorption products to clean under fryer baskets and other locations where grease may be spilled or dripped.
  - (4) How to properly dispose of grease or oils from cooking equipment into a grease receptacle such as a barrel or drum without spilling.

Training shall be documented, and employee signatures retained indicating each employee’s attendance and understanding of the practices reviewed. Training records shall be available for review at any reasonable time by or other authorized inspector. (Ord. No. 2186, § 2, 2009.)

### 30.31 FSEs FOG pretreatment required.

FSEs shall install an approved grease control device and regularly maintain it so as to prevent excessive discharges of grease and oil into the public sewer. Exceptions to the installation of a grease and oil interceptor shall be determined on a case-by-case basis by the director. (Ord. No. 2186, § 2, 2009.)

### 30.32 FOG pretreatment required for new construction of food service establishments.

All new construction of food service establishments and those undergoing a significant remodel shall install a grease interceptor prior to commencing discharge of wastewater to sewer system. (Ord. No. 2186, § 2, 2009.)

### 30.33 Variance and waiver of grease interceptor requirement.

(a) Variance from Grease Interceptor Requirements. A variance or a conditional waiver from the grease interceptor requirements on such terms and conditions as may be established by the director, consistent with the requirements of the sewer WDRs, the city's FOG control program, and best construction, engineering, environmental and health and safety practices, to: (1) allow alternative pretreatment technology that is, at least, equally effective in controlling the FOG discharge in lieu of a grease interceptor, may be granted by the director to FSEs demonstrating to the director's satisfaction that it is impossible to install, operate or maintain a grease interceptor. or (2) where the FSE demonstrates to the director's satisfaction that any FOG discharge from the FSE is negligible and will have an insignificant impact to the sewer system.

(b) Waiver from Grease Interceptor Installation with a Grease Disposal Mitigation Fee. For FSEs where the installation of grease interceptor is not feasible and no equivalent alternative pretreatment can be installed, a waiver from the grease interceptor requirement may be granted with the imposition of a grease disposal mitigation fee as described in section 30.34. The director's determination to grant the waiver with a grease disposal mitigation fee will be based upon such considerations that the director determines to be appropriate and consistent with the sewer WDRs, the city's FOG control program, and best construction, engineering, environmental and health and safety practices. Provided, however, that a grease interceptor will be installed when the FSE undergoes a significant remodel. No discretionary permit, including but not limited to a conditional use permit, shall be issued to a FSE unless the applicant can demonstrate that a grease interceptor has been or will be installed at the FSE.

(c) Application for Waiver or Variance of Requirement for Grease Interceptor. A FSE may submit an application for waiver or variance from the grease interceptor requirement to the director. Terms and conditions for issuance of a variance to a FSE shall be set forth in the permit. A waiver or variance may be revoked at any time when any of the terms and conditions for its issuance is not satisfied or if the conditions upon which the waiver was based change so that the justification for the waiver no longer exists. (Ord. No. 2186, § 2, 2009.)

### 30.34 Grease disposal mitigation fee.

(a) FSEs that operate without a grease control interceptor may be required to pay an annual grease disposal mitigation fee to equitably cover the costs of increased maintenance and administration of the sewer system as a result of the FSEs' inability to adequately remove FOG from its wastewater discharge. This section shall not be interpreted to allow a new FSE, or existing FSEs undergoing remodeling or change in operations, to operate without an approved grease interceptor unless the director has

determined that it is impossible to install or operate a grease control interceptor for the FSE under the provisions of this chapter.

(b) The grease disposal mitigation fee shall be established by resolution of the city council, and shall be based on the estimated annual increased cost of maintaining the sewer system for inspection and removal of FOG and other viscous or solidifying agents attributable to the FSE resulting from the lack of a grease interceptor or grease control device and such other costs that the city council considers appropriate.

(c) The grease disposal mitigation fee may not be waived or reduced when the FSE does not comply with the minimum requirements of this chapter. (Ord. No. 2186, § 2, 2009.)

### 30.35 Grease interceptor maintenance requirements.

(a) Grease interceptors shall be maintained in efficient operating condition by periodic removal of the full content of the interceptor which includes wastewater, accumulated FOG, floating materials, sludge and solids.

(b) Wastewater, accumulated FOG, floating material, sludge/solids, and other materials removed from the grease interceptor shall be disposed off site properly by waste haulers in accordance with federal, state and/or local laws.

(c) Grease interceptors shall be fully pumped out and cleaned on a quarterly basis. The agency may change the maintenance frequency at any time to reflect changes in actual operating conditions in accordance with the FOG control program. Based on the actual generation of FOG from the food service establishment, the maintenance frequency may increase or decrease.

(d) The permittee shall be required to keep all documents identified by the director relating to its compliance with this chapter, including manifests, receipts and invoices of all cleaning, maintenance, grease removal of/from the grease control device, disposal carrier and disposal site location for no less than two years. The permittee shall, upon request, make the manifests, receipts and invoices available to any city representative, or inspector.

(e) If the grease interceptor, at any time, contains excess FOG and solids accumulation the FSE shall be required to have the grease interceptor serviced immediately such that all fats, oils, grease, sludge, and other materials are completely removed from the grease interceptor. If deemed necessary, the director may also increase the maintenance frequency of the grease interceptor from the current frequency. (Ord. No. 2186, § 2, 2009.)

### 30.36 FOG inspections.

The director, or representative, shall be authorized at any reasonable time to enter the premises of any discharger to determine compliance with the provisions of this chapter. Such inspection may include but not be limited to: inspection, sampling, monitoring, review, photograph, videotape and copy of any records, reports, test results or other data, wastes, chemicals, storage areas, storage containers, waste generating processes, treatment facilities and discharge locations. (Ord. No. 2186, § 2, 2009.)

30.37 FOG inspections fees.

The amount of FOG inspections fee shall be established by resolution of the city council as amended from time to time in accordance with provisions of this chapter.

(Ord. No. 2186, § 2, 2009.)"





## Chapter 9

# SYSTEM EVALUATION AND CAPACITY ASSURANCE PLAN

This chapter provides an evaluation of the City's sanitary sewer system facilities, identifies and proposes improvements for deficiencies, identifies design criteria, and provides a CIP and schedule for improvements.

### 9.1 Regulatory Requirement

Order No. 2006-0003 requires that the City prepare and implement a CIP that will provide hydraulic capacity for peak dry weather flows as well as the appropriate design storm or wet weather event. According to Order No. 2006-0003, the SSMP must address, at a minimum, the following:

- **Evaluation.** Actions needed to evaluate those portions of sanitary sewer system that are experiencing or contributing to a SSO discharge caused by hydraulic deficiency. The evaluation must provide estimates of peak flows (including flows from SSOs that escape from the system) associated with conditions similar to those causing overflow events, estimates of the capacity of key system components, hydraulic deficiencies (including components of the system with limiting capacity) and the major sources that contribute to the peak flows associated with overflow events.
- **Design Criteria.** Where design criteria do not exist or are deficient, undertake the evaluation identified above to establish appropriate design criteria.
- **Capacity Enhancement Measures.** The steps needed to establish a short- and long-term CIP to address identified hydraulic deficiencies, including prioritization, alternatives analysis, and schedules. The CIP may include increases in pipe size, I/I reduction programs, increases and redundancy in pumping capacity, and storage facilities. The CIP shall include an implementation schedule and shall identify sources of funding.
- **Schedule.** The Enrollee shall develop a schedule of completion dates for all portions of the CIP developed above. The schedule shall be reviewed and updated consistent with the SSMP review and update requirements as described in Section D.14 (of Order 2006-0003).

## 9.2 System Evaluation and Capacity Assurance Plan

The City contracted Carollo to complete a One Water 2050 Plan, which included update of this SSMP. The City's One Water 2050 Plan contains the following elements pertinent to the City's wastewater collection system:

- Chapter 1 - Introduction.
- Chapter 2 - Study Area Land Use, and Population.
- Chapter 3 – Water Demands and Wastewater Flow Forecasts.
- Chapter 4 – System Evaluation Criteria.
- Chapter 8 – Wastewater Collection System Analysis.
- Chapter 10 – Capital Improvement Plan.

The elements of the One Water 2050 Plan that are required through Order No. 2006-0003 have been summarized in the following subsections.

### 9.2.1 Analysis Method

The City's wastewater collection systems were analyzed as part of the One Water 2050 Plan with the aid of computer hydraulic modeling software. There is an abundance of sewer analysis software in the marketplace today, with a variety of features and capabilities. The selection of a particular model generally depends on user preferences, software costs, and the complexity of the sewer system. It was agreed that InfoSWMM, would be used to assemble the City's hydraulic model. InfoSWMM is a fully dynamic, wastewater and stormwater modeling software application. This program includes seamless integration with the City's GIS data.

### 9.2.2 Planning and Design Criteria

The One Water 2050 Plan established several criteria to model and evaluate the City's wastewater collection systems. This section summarizes the most important planning criteria that were used in the One Water 2050 Plan.

#### 9.2.2.1 Flow Assumptions

Chapter 3 of the One Water 2050 Plan provides the following wastewater flow summary:

- Current indoor residential water use is approximately 60 gallons per capita per day (gpcd) and all of this indoor water use is eventually converted into wastewater flows.
- 80 percent of commercial water use is carried through to the wastewater collection system.
- Park irrigation accounts for approximately 67 percent of government water use.

Applying the 60 gpcd indoor water use factor to the existing population of 26,297 results in a total residential wastewater flow of 1.58 million gallons per day (mgd). Applying the 80 percent indoor water use factor to the current commercial water demand of 377 acre-feet per year (afy) yields a total commercial wastewater flow of 0.27 mgd. Currently government demand is 73 afy. Assuming 67 percent of this water is used for parks, applying the 80 percent indoor water use factor to the remaining demand yields a total government wastewater flow of 0.02 mgd. The combined estimated average dry weather flow (ADWF) is 1.86 mgd.

The peak wet weather flow (PWWF) is the highest hourly flow that occurs during the wet weather season. The PWWF is typically used for designing the capacity of the sewer system. Without the ability to calculate PWWF from flow data, a wet weather peaking factor of 2.5 is recommended based on other wastewater systems in Southern California. Thus, the combined estimated PWWF is 4.66 mgd.

### 9.2.2.2 Gravity Sewers

The City's gravity sewers were analyzed in accordance with the criteria established in the following subsections.

#### 9.2.2.1.1 Pipe Capacities

Pipe capacities for gravity sewers were determined through the use of the Continuity Equation and Manning's Equation for steady-state flow. The Continuity and Manning's Equation are presented as follows:

Continuity Equation:

$$Q = VA$$

Where:

Q = peak flow, cfs

V = velocity, fps

A = cross sectional area of pipe, sq. ft.

Manning's Equation:

$$V = \frac{1.486R^{2/3}S^{1/2}}{n}$$

Where:

V = velocity, fps

n = Manning's coefficient of friction

R = hydraulic radius (area divided by wetted perimeter), ft

S = slope of pipe, feet per foot

#### 9.2.2.1.2 Manning Coefficient (n)

The Manning coefficient 'n' is a friction coefficient and varies with respect to pipe material, size of pipe, depth of flow, smoothness of joints, root intrusion, and other factors. A value of 0.013 was used for gravity sewers in the master planning effort.

#### 9.2.2.1.3 Flow Depth Criteria (d/D)

When designing sewer pipelines, it is common practice to adopt variable flow depth criteria for various pipe sizes. This criterion is expressed as a maximum depth of flow to pipe diameter ratio (d/D). Design d/D ratios typically range from 0.5 to 0.92, with the lower values typically used for smaller pipes, which may experience peak flows greater than the design flow or blockages from debris, paper, or rags. Table 9.1 summarizes the d/D ratios used for planning future trunk sizes.

According to Table 9.1, all new sewer trunks greater than 12 inches in diameter should be sized to carry the design flow at a maximum d/D ratio of 2/3. However, utilizing a d/D ratio of 2/3 for analyzing the existing wastewater collection system may lead to premature or unnecessary

replacement of existing pipelines. Therefore, a d/D ratio of 0.92 (pipe flowing full) was utilized to evaluate the City's existing sewer system.

Table 9.1 Master Plan Maximum d/D Ratio

Pipe Diameter (inches)	Maximum d/D Ratio (during peak flows)
12 and smaller (New Sewers)	1/2
Larger than 12 (New Sewers)	2/3
All Diameters (Existing Pipes)	0.92

#### 9.2.2.1.4 Changes in Pipe Size

For the master planning effort, and in the absence of field data, sewer crowns were matched at the manholes when a smaller sewer joined a larger sewer.

#### 9.2.2.1.5 Design Velocities and Minimum Slopes

According to the City's design requirements in the One Water 2050 Plan, sewers must be designed and constructed such that the mean velocity during design peak flow conditions is greater than 2 fps. The maximum allowable velocity for gravity sewers is 10 fps.

Table 9.2 lists the minimum slopes that were used for planning future improvements. These values are based on the City's One Water 2050 Plan.

Table 9.2 Minimum Slopes for New Circular Pipes

Sewer Size (inches)	Minimum Pipe Slope (foot/feet)
8	0.004
10	0.003
12	0.0024
15	0.0017
18	0.0014
21	0.0011
24	0.0010

#### 9.2.2.3 Lift Stations and Force Mains

As part of the master planning effort, the City's lift stations were evaluated and sized for peak flow with the largest pump serving as standby. For the sizing of force mains, the minimum and maximum recommended velocities are 2.0 and 6.5 fps, respectively. The Hazen-Williams formula is commonly used for the sizing of force mains. The Velocity Equation is:

$$V = 1.32 C R^{0.63} S^{0.54}$$

Where:

- V = mean velocity, fps
- C = roughness coefficient
- R = hydraulic radius, ft
- S = slope of the energy grade line, ft/ft

The value of the Hazen-Williams 'C' varies with the type of pipe material. This value is influenced by the type of construction and age of the pipe. A 'C' value of 130 was used as part of the master planning effort.

### **9.2.3 Capacity Evaluation**

To identify existing and future system deficiencies, the City's hydraulic model was developed using InfoSWMM. In order to accomplish this, the City's GIS data was imported into InfoSWMM.

Wastewater flow projections were then developed based on the water demand data available from the One Water 2050 Plan in five-year increments through the year 2050. Wastewater loads were then applied to the appropriate City manholes.

The existing wastewater collection systems were evaluated according to the planning and design criteria summarized in this chapter. No deficient facilities were identified, and therefore, there are no recommendations associated with capacity deficiencies.



## Chapter 10

# MONITORING, MEASUREMENT, AND PROGRAM MODIFICATIONS

This chapter presents a summary of the steps to be taken by the City to evaluate the effectiveness of this SSMP and update it should improvements be necessary or desirable.

### 10.1 Regulatory Requirement

Order No. 2006-0003 specifies that the City shall:

- Maintain relevant information that can be used to establish and prioritize appropriate SSMP activities.
- Monitor the implementation and, where appropriate, measure the effectiveness of each element of the SSMP.
- Assess the success of the preventative maintenance program.
- Update program elements, as appropriate, based on monitoring or performance evaluations.
- Identify and illustrate SSO trends, including frequency, location, and volume.

### 10.2 SSMP Information Maintenance Program

The City should maintain information that is appropriate to the SSMP in a way that is convenient and easily accessible to those individuals involved with the SSMP. This information should be recorded or stored in the appropriate format so that conclusions and trends related to SSOs and the performance of the SSMP can be easily tracked.

It is recommended that the City develop a database to store and analyze information related to the SSMP, which can be accomplished through simple Microsoft® Excel based spreadsheets, GIS techniques, or other means.

The recommended SSMP database would track a few key performance indicators that could be used to measure the progress of the SSMP implementation and the performance of the City's sanitary sewer collection system. Some key performance indicators that should be considered for tracking by the City are:

- Number of service calls, blockages, and SSOs over a one-year period.
- SSO events by cause.
- SSO events by category (i.e., Category 1, Category 2, or Private Lateral Sewage Discharge).
- Volume of SSOs and volume contained.
- Volume of sewage that reached surface waters.
- SSO events by location within the City.

### 10.3 SSMP Implementation Monitoring

To accurately gauge the progress of the SSMP and its successes or failures in preventing SSOs, this plan recommends that the City monitor the implementation and effectiveness of the SSMP elements. The City should maintain all records related to SSMP programs in a common location that is known to all City staff members that are involved in these programs. This should include all records related to the maintenance of the system, SSO field reports, CIWQS reports, and other relevant information.

This plan recommends that the City assign a key staff member, or a group of staff members, to perform interim evaluations of the effectiveness of the SSMP based on the key performance indicators established in Section 10.2 of this report. This evaluation should occur at some predetermined interval, such as bi-annually or annually, and more often as necessary. The purpose of these interim evaluations is to establish the overall trend of the key performance indicators. The conclusions of these evaluations should be kept on record and used for program updates and audits.

### 10.4 Preventative Maintenance Program Evaluation

This plan recommends that the City assess the success of the PM program periodically similar to the procedure outlined in Section 10.3 of this report. Appropriate staff members should be designated to perform an evaluation of the City's PM program at some predetermined interval. The City's designees should evaluate where the City's PM program can be improved in order to maximize the efficiency of the system. The conclusions of these evaluations should be kept on record and used for program updates and audits.

### 10.5 SSMP Program Update

Updates to the City's SSMP programs should be performed based on the results of the interim evaluations on these programs, as well as the two-year program audits discussed in Chapter 11 of this report. All program updates and modifications should be approved by the City's Authorized Representatives and incorporated into the SSMP report, when necessary. If there are major changes to the SSMP, it needs to be re-certified by City's Authorized Representative on CIWQS. At a minimum, the City shall update and re-certify the SSMP once every five years.

### 10.6 SSO Trends

To optimize the performance of the City's wastewater collection systems, it is necessary to identify any SSO trends that may exist. Through the identification of such trends, the City may find capacity deficiencies, areas of the system in need of increased maintenance, or SSO or FOG "Hot Spots." The City currently has mapped historical SSOs. This map should be expanded upon whenever a new spill occurs and used to identify SSO trends.

In addition, this plan recommends that the City keep copies of the CIWQS SSO reports on file for use by the City in the identification of SSO trends, as these reports contain very detailed information on specific spills that is not practical to maintain on other databases.



## Chapter 11

# SSMP PROGRAM AUDITS

This chapter presents a summary of the procedures to be used by the City to perform internal audits of the City's SSMP.

### 11.1 Regulatory Requirements

Order No. 2006-0003 specifies the following in relation to audits of the SSMP:

As part of the SSMP, the Enrollee shall conduct periodic internal audits, appropriate to the size of the system and the number of SSOs. At a minimum, these audits must occur every two years and a report must be kept on file. This audit shall focus on the effectiveness of the SSMP and the Enrollee's compliance with the SSMP requirements identified in this subsection, including identification of any deficiencies in the SSMP and steps to correct them.

### 11.2 City's SSMP Program Audits

In accordance with the requirements of Order No. 2006-0003, the City plans to perform periodic performance audits on its SSMP. The following subsections outline the major components of the City's future performance audits. The costs associated with these audits should be budgeted for by the City.

#### 11.2.1 Responsible Party for Program Audit

The City's Authorized Representatives will oversee the performance of the SSMP program audit. They will designate certain key City staff that are knowledgeable in the City's wastewater collection facilities to perform the audits based on the findings of the interim SSMP program evaluations. The City may also choose to contract with a consultant to perform such audits.

#### 11.2.2 Scope of SSMP Program Audits

The City's program audits will consist of a comprehensive analysis of all elements of the SSMP, including the following:

- Goals.
- Organization.
- Legal Authority (the City's sewer use ordinances).
- Design and Performance Provisions (the City's design and construction standards).
- Overflow Emergency Response Plan.
- FOG Control Plan.
- System Evaluation and Capacity Assurance Plan (the City's Wastewater Master Plan).
- Monitoring, Measurement, and Program Modifications.
- SSMP Program Audits.
- Communication Program.

### 11.2.3 SSMP Program Audit Report

An SSMP Program Audit report will be prepared and kept on file, which highlights the results of the SSMP Program Audit. This report should include supporting material, such as tables, figures and maps that support the conclusions of the report. It should also include the following elements, as well as other information that may be useful in the evaluation of the SSMP:

- An evaluation of each element of the SSMP report, including the City's sewer ordinances, design standards, O&M program, overflow emergency response plan, FOG control plan, system evaluation and capacity assurance plan, and communication program.
- Progress made on the development of SSMP elements. Justification should be provided if progress has not been made on the development of certain elements of this SSMP.
- A description of the new SSMP program elements since the last program audit.
- The effectiveness of implementing SSMP elements.
- A description of the additions and improvements to the sanitary sewer collection system facilities since the previous program audit.
- A description of the additions and improvements to the sanitary sewer collection system facilities planned for the next two years.

### 11.2.4 Schedule for Program Audits

At a minimum, the City's program audits must occur every two years. Therefore, The City's next program audit should take place within two years of the adoption of this updated SSMP report, and every two years subsequently. Should City staff determine, based on the results of the interim program evaluations described in Chapter 10, that more frequent audits are desirable, a shorter time interval, such as annually, may be chosen.

## Chapter 12

# COMMUNICATION PROGRAM AND FINAL CERTIFICATION

This chapter presents a summary of the steps to be taken by the City to communicate with the public on the development, implementation, and performance of the SSMP. In addition, steps taken for the final certification of the SSMP are summarized in this chapter.

### 12.1 Regulatory Requirements

Order No. 2006-0003 specifies the following for the City's communication program:

The Enrollee shall communicate on a regular basis with the public on the development, implementation, and performance of the SSMP. The communication system shall provide the public the opportunity to provide input to the Enrollee as the program is developed and implemented.

The Enrollee shall also create a plan of communication with systems that are tributary and/or satellite to the Enrollee's sanitary sewer system.

In order to certify the SSMP, Order No. 2006-0003 specifies that the City must complete the following:

Both the SSMP and the Enrollee's program to implement the SSMP must be certified by the Enrollee to be in compliance with the requirements set forth (in the previous sections) and must be presented to the Enrollee's governing board for approval at a public meeting. The Enrollee shall certify that the SSMP, and subparts thereof, are in compliance with the general WDRs within the time frames identified in the time schedule provided (in Chapter 1).

In order to complete the certification, the Enrollee's authorized representative must complete the certification portion in the Online SSO Database Questionnaire by checking the appropriate milestone box, printing and signing the automated form, and sending the form to:

State Water Resources Control Board  
Division of Water Quality  
Attn: SSO Program Manager  
P.O. Box 100  
Sacramento, CA 95812

The SSMP must be updated every five years and must include any significant program changes. Recertification by the governing board of the Enrollee is required (as specified above) when significant updates to the SSMP are made. To complete this recertification process, the Enrollee shall enter the data in the online SSO Database and mail the form to the State Water Board, as described above.

## 12.2 Communication Program and SSMP Adoption

In accordance with Order No. 2006-0003, the City's Board of Directors held a public hearing and adopted the updated SSMP on \_\_\_\_\_. A copy of the adopting resolution is included in Appendix G. A notice of the public hearing was published two successive weeks prior to adoption in the local newspaper, which notified interested parties that the draft SSMP was available for review (Appendix H).

In order to provide the City's residents with the chance to review and comment on the SSMP, it is recommended that a copy of this document be posted on the City's website. In addition, it is recommended that the City keeps its residents up to date on the implementation and performance of the SSMP. This could be accomplished through bill inserts, public workshops, brochures, or other means.

## 12.3 Final Certification

The City has certified that all sections of this report are in compliance with the applicable general WDRs and the requirements set forth in Order No. 2006-0003. The City's authorized representatives have completed the certification portion in the Online SSO Database Questionnaire and sent the appropriate signed form to the SWRCB. A copy of the SWRCB certification form, sent out on \_\_\_\_\_, is included in Appendix I of this report.

The City plans to update and recertify the SSMP when significant changes are made. At a minimum, the City plans to update and recertify this report every five years.

## Appendix A

# REFERENCES



## Appendix A

# REFERENCES

Carollo Engineers, Inc. *Integrated Water Wastewater Resources Master Plan*. Draft report. City of South Pasadena.

United States Environmental Protection Agency, Office of Water. 2004. *Report to Congress: Impacts and Control of CSOs and SSOs*. Washington, D.C.: United States Environmental Protection Agency. [https://www.epa.gov/sites/production/files/2015-10/documents/cso\\_ssortc2004\\_full.pdf](https://www.epa.gov/sites/production/files/2015-10/documents/cso_ssortc2004_full.pdf).





## Appendix B

# SWRCB ORDER WQ 2006-003-DWQ



**STATE WATER RESOURCES CONTROL BOARD  
ORDER NO. 2006-0003-DWQ**

**STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR SANITARY  
SEWER SYSTEMS**

The State Water Resources Control Board, hereinafter referred to as “State Water Board”, finds that:

1. All federal and state agencies, municipalities, counties, districts, and other public entities that own or operate sanitary sewer systems greater than one mile in length that collect and/or convey untreated or partially treated wastewater to a publicly owned treatment facility in the State of California are required to comply with the terms of this Order. Such entities are hereinafter referred to as “Enrollees”.
2. Sanitary sewer overflows (SSOs) are overflows from sanitary sewer systems of domestic wastewater, as well as industrial and commercial wastewater, depending on the pattern of land uses in the area served by the sanitary sewer system. SSOs often contain high levels of suspended solids, pathogenic organisms, toxic pollutants, nutrients, oxygen-demanding organic compounds, oil and grease and other pollutants. SSOs may cause a public nuisance, particularly when raw untreated wastewater is discharged to areas with high public exposure, such as streets or surface waters used for drinking, fishing, or body contact recreation. SSOs may pollute surface or ground waters, threaten public health, adversely affect aquatic life, and impair the recreational use and aesthetic enjoyment of surface waters.
3. Sanitary sewer systems experience periodic failures resulting in discharges that may affect waters of the state. There are many factors (including factors related to geology, design, construction methods and materials, age of the system, population growth, and system operation and maintenance), which affect the likelihood of an SSO. A proactive approach that requires Enrollees to ensure a system-wide operation, maintenance, and management plan is in place will reduce the number and frequency of SSOs within the state. This approach will in turn decrease the risk to human health and the environment caused by SSOs.
4. Major causes of SSOs include: grease blockages, root blockages, sewer line flood damage, manhole structure failures, vandalism, pump station mechanical failures, power outages, excessive storm or ground water inflow/infiltration, debris blockages, sanitary sewer system age and construction material failures, lack of proper operation and maintenance, insufficient capacity and contractor- caused damages. Many SSOs are preventable with adequate and appropriate facilities, source control measures and operation and maintenance of the sanitary sewer system.

## **SEWER SYSTEM MANAGEMENT PLANS**

5. To facilitate proper funding and management of sanitary sewer systems, each Enrollee must develop and implement a system-specific Sewer System Management Plan (SSMP). To be effective, SSMPs must include provisions to provide proper and efficient management, operation, and maintenance of sanitary sewer systems, while taking into consideration risk management and cost benefit analysis. Additionally, an SSMP must contain a spill response plan that establishes standard procedures for immediate response to an SSO in a manner designed to minimize water quality impacts and potential nuisance conditions.
6. Many local public agencies in California have already developed SSMPs and implemented measures to reduce SSOs. These entities can build upon their existing efforts to establish a comprehensive SSMP consistent with this Order. Others, however, still require technical assistance and, in some cases, funding to improve sanitary sewer system operation and maintenance in order to reduce SSOs.
7. SSMP certification by technically qualified and experienced persons can provide a useful and cost-effective means for ensuring that SSMPs are developed and implemented appropriately.
8. It is the State Water Board's intent to gather additional information on the causes and sources of SSOs to augment existing information and to determine the full extent of SSOs and consequent public health and/or environmental impacts occurring in the State.
9. Both uniform SSO reporting and a centralized statewide electronic database are needed to collect information to allow the State Water Board and Regional Water Quality Control Boards (Regional Water Boards) to effectively analyze the extent of SSOs statewide and their potential impacts on beneficial uses and public health. The monitoring and reporting program required by this Order and the attached Monitoring and Reporting Program No. 2006-0003-DWQ, are necessary to assure compliance with these waste discharge requirements (WDRs).
10. Information regarding SSOs must be provided to Regional Water Boards and other regulatory agencies in a timely manner and be made available to the public in a complete, concise, and timely fashion.
11. Some Regional Water Boards have issued WDRs or WDRs that serve as National Pollution Discharge Elimination System (NPDES) permits to sanitary sewer system owners/operators within their jurisdictions. This Order establishes minimum requirements to prevent SSOs. Although it is the State Water Board's intent that this Order be the primary regulatory mechanism for sanitary sewer systems statewide, Regional Water Boards may issue more stringent or more prescriptive WDRs for sanitary sewer systems. Upon issuance or reissuance of a Regional Water Board's WDRs for a system subject to this Order, the Regional

Water Board shall coordinate its requirements with stated requirements within this Order, to identify requirements that are more stringent, to remove requirements that are less stringent than this Order, and to provide consistency in reporting.

## **REGULATORY CONSIDERATIONS**

12. California Water Code section 13263 provides that the State Water Board may prescribe general WDRs for a category of discharges if the State Water Board finds or determines that:

- The discharges are produced by the same or similar operations;
- The discharges involve the same or similar types of waste;
- The discharges require the same or similar treatment standards; and
- The discharges are more appropriately regulated under general discharge requirements than individual discharge requirements.

This Order establishes requirements for a class of operations, facilities, and discharges that are similar throughout the state.

13. The issuance of general WDRs to the Enrollees will:

- a) Reduce the administrative burden of issuing individual WDRs to each Enrollee;
- b) Provide for a unified statewide approach for the reporting and database tracking of SSOs;
- c) Establish consistent and uniform requirements for SSMP development and implementation;
- d) Provide statewide consistency in reporting; and
- e) Facilitate consistent enforcement for violations.

14. The beneficial uses of surface waters that can be impaired by SSOs include, but are not limited to, aquatic life, drinking water supply, body contact and non-contact recreation, and aesthetics. The beneficial uses of ground water that can be impaired include, but are not limited to, drinking water and agricultural supply. Surface and ground waters throughout the state support these uses to varying degrees.

15. The implementation of requirements set forth in this Order will ensure the reasonable protection of past, present, and probable future beneficial uses of water and the prevention of nuisance. The requirements implement the water quality control plans (Basin Plans) for each region and take into account the environmental characteristics of hydrographic units within the state. Additionally, the State Water Board has considered water quality conditions that could reasonably be achieved through the coordinated control of all factors that affect

water quality in the area, costs associated with compliance with these

requirements, the need for developing housing within California, and the need to develop and use recycled water.

16. The Federal Clean Water Act largely prohibits any discharge of pollutants from a point source to waters of the United States except as authorized under an NPDES permit. In general, any point source discharge of sewage effluent to waters of the United States must comply with technology-based, secondary treatment standards, at a minimum, and any more stringent requirements necessary to meet applicable water quality standards and other requirements. Hence, the unpermitted discharge of wastewater from a sanitary sewer system to waters of the United States is illegal under the Clean Water Act. In addition, many Basin Plans adopted by the Regional Water Boards contain discharge prohibitions that apply to the discharge of untreated or partially treated wastewater. Finally, the California Water Code generally prohibits the discharge of waste to land prior to the filing of any required report of waste discharge and the subsequent issuance of either WDRs or a waiver of WDRs.
17. California Water Code section 13263 requires a water board to, after any necessary hearing, prescribe requirements as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge. The requirements shall, among other things, take into consideration the need to prevent nuisance.
18. California Water Code section 13050, subdivision (m), defines nuisance as anything which meets all of the following requirements:
  - a. Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property.
  - b. Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.
  - c. Occurs during, or as a result of, the treatment or disposal of wastes.
19. This Order is consistent with State Water Board Resolution No. 68-16 (Statement of Policy with Respect to Maintaining High Quality of Waters in California) in that the Order imposes conditions to prevent impacts to water quality, does not allow the degradation of water quality, will not unreasonably affect beneficial uses of water, and will not result in water quality less than prescribed in State Water Board or Regional Water Board plans and policies.
20. The action to adopt this General Order is exempt from the California Environmental Quality Act (Public Resources Code §21000 et seq.) because it is an action taken by a regulatory agency to assure the protection of the environment and the regulatory process involves procedures for protection of the environment. (Cal. Code Regs., tit. 14, §15308). In addition, the action to adopt this Order is

exempt from CEQA pursuant to Cal.Code Regs., title 14, §15301 to the extent that it applies to existing sanitary sewer collection systems that constitute “existing facilities” as that term is used in Section 15301, and §15302, to the extent that it results in the repair or replacement of existing systems involving negligible or no expansion of capacity.

21. The Fact Sheet, which is incorporated by reference in the Order, contains supplemental information that was also considered in establishing these requirements.
22. The State Water Board has notified all affected public agencies and all known interested persons of the intent to prescribe general WDRs that require Enrollees to develop SSMPs and to report all SSOs.
23. The State Water Board conducted a public hearing on February 8, 2006, to receive oral and written comments on the draft order. The State Water Board received and considered, at its May 2, 2006, meeting, additional public comments on substantial changes made to the proposed general WDRs following the February 8, 2006, public hearing. The State Water Board has considered all comments pertaining to the proposed general WDRs.

**IT IS HEREBY ORDERED**, that pursuant to California Water Code section 13263, the Enrollees, their agents, successors, and assigns, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted hereunder, shall comply with the following:

#### **A. DEFINITIONS**

1. **Sanitary sewer overflow (SSO)** - Any overflow, spill, release, discharge or diversion of untreated or partially treated wastewater from a sanitary sewer system. SSOs include:
  - (i) Overflows or releases of untreated or partially treated wastewater that reach waters of the United States;
  - (ii) Overflows or releases of untreated or partially treated wastewater that do not reach waters of the United States; and
  - (iii) Wastewater backups into buildings and on private property that are caused by blockages or flow conditions within the publicly owned portion of a sanitary sewer system.
2. **Sanitary sewer system** – Any system of pipes, pump stations, sewer lines, or other conveyances, upstream of a wastewater treatment plant headworks used to collect and convey wastewater to the publicly owned treatment facility. Temporary storage and conveyance facilities (such as vaults, temporary piping, construction trenches, wet wells, impoundments, tanks, etc.) are considered to be part of the sanitary sewer system, and discharges into these temporary storage facilities are not considered to be SSOs.

For purposes of this Order, sanitary sewer systems include only those systems owned by public agencies that are comprised of more than one mile of pipes or sewer lines.

3. **Enrollee** - A federal or state agency, municipality, county, district, and other public entity that owns or operates a sanitary sewer system, as defined in the general WDRs, and that has submitted a complete and approved application for coverage under this Order.
4. **SSO Reporting System** – Online spill reporting system that is hosted, controlled, and maintained by the State Water Board. The web address for this site is <http://ciwqs.waterboards.ca.gov>. This online database is maintained on a secure site and is controlled by unique usernames and passwords.
5. **Untreated or partially treated wastewater** – Any volume of waste discharged from the sanitary sewer system upstream of a wastewater treatment plant headworks.
6. **Satellite collection system** – The portion, if any, of a sanitary sewer system owned or operated by a different public agency than the agency that owns and operates the wastewater treatment facility to which the sanitary sewer system is tributary.
7. **Nuisance** - California Water Code section 13050, subdivision (m), defines nuisance as anything which meets all of the following requirements:
  - a. Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property.
  - b. Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.
  - c. Occurs during, or as a result of, the treatment or disposal of wastes.

## **B. APPLICATION REQUIREMENTS**

1. **Deadlines for Application** – All public agencies that currently own or operate sanitary sewer systems within the State of California must apply for coverage under the general WDRs within six (6) months of the date of adoption of the general WDRs. Additionally, public agencies that acquire or assume responsibility for operating sanitary sewer systems after the date of adoption of this Order must apply for coverage under the general WDRs at least three (3) months prior to operation of those facilities.
2. **Applications under the general WDRs** – In order to apply for coverage pursuant to the general WDRs, a legally authorized representative for each agency must submit a complete application package. Within sixty (60) days of adoption of the



general WDRs, State Water Board staff will send specific instructions on how to apply for coverage under the general WDRs to all known public agencies that own sanitary sewer systems. Agencies that do not receive notice may obtain applications and instructions online on the Water Board's website.

3. Coverage under the general WDRs – Permit coverage will be in effect once a complete application package has been submitted and approved by the State Water Board's Division of Water Quality.

### **C. PROHIBITIONS**

1. Any SSO that results in a discharge of untreated or partially treated wastewater to waters of the United States is prohibited.
2. Any SSO that results in a discharge of untreated or partially treated wastewater that creates a nuisance as defined in California Water Code Section 13050(m) is prohibited.

### **D. PROVISIONS**

1. The Enrollee must comply with all conditions of this Order. Any noncompliance with this Order constitutes a violation of the California Water Code and is grounds for enforcement action.
2. It is the intent of the State Water Board that sanitary sewer systems be regulated in a manner consistent with the general WDRs. Nothing in the general WDRs shall be:
  - (i) Interpreted or applied in a manner inconsistent with the Federal Clean Water Act, or supersede a more specific or more stringent state or federal requirement in an existing permit, regulation, or administrative/judicial order or Consent Decree;
  - (ii) Interpreted or applied to authorize an SSO that is illegal under either the Clean Water Act, an applicable Basin Plan prohibition or water quality standard, or the California Water Code;
  - (iii) Interpreted or applied to prohibit a Regional Water Board from issuing an individual NPDES permit or WDR, superseding this general WDR, for a sanitary sewer system, authorized under the Clean Water Act or California Water Code; or
  - (iv) Interpreted or applied to supersede any more specific or more stringent WDRs or enforcement order issued by a Regional Water Board.
3. The Enrollee shall take all feasible steps to eliminate SSOs. In the event that an SSO does occur, the Enrollee shall take all feasible steps to contain and mitigate the impacts of an SSO.

4. In the event of an SSO, the Enrollee shall take all feasible steps to prevent untreated or partially treated wastewater from discharging from storm drains into flood control channels or waters of the United States by blocking the storm drainage system and by removing the wastewater from the storm drains.
5. All SSOs must be reported in accordance with Section G of the general WDRs.
6. In any enforcement action, the State and/or Regional Water Boards will consider the appropriate factors under the duly adopted State Water Board Enforcement Policy. And, consistent with the Enforcement Policy, the State and/or Regional Water Boards must consider the Enrollee's efforts to contain, control, and mitigate SSOs when considering the California Water Code Section 13327 factors. In assessing these factors, the State and/or Regional Water Boards will also consider whether:
  - (i) The Enrollee has complied with the requirements of this Order, including requirements for reporting and developing and implementing a SSMP;
  - (ii) The Enrollee can identify the cause or likely cause of the discharge event;
  - (iii) There were no feasible alternatives to the discharge, such as temporary storage or retention of untreated wastewater, reduction of inflow and infiltration, use of adequate backup equipment, collecting and hauling of untreated wastewater to a treatment facility, or an increase in the capacity of the system as necessary to contain the design storm event identified in the SSMP. It is inappropriate to consider the lack of feasible alternatives, if the Enrollee does not implement a periodic or continuing process to identify and correct problems.
  - (iv) The discharge was exceptional, unintentional, temporary, and caused by factors beyond the reasonable control of the Enrollee;
  - (v) The discharge could have been prevented by the exercise of reasonable control described in a certified SSMP for:
    - Proper management, operation and maintenance;
    - Adequate treatment facilities, sanitary sewer system facilities, and/or components with an appropriate design capacity, to reasonably prevent SSOs (e.g., adequately enlarging treatment or collection facilities to accommodate growth, infiltration and inflow (I/I), etc.);
    - Preventive maintenance (including cleaning and fats, oils, and grease (FOG) control);
    - Installation of adequate backup equipment; and
    - Inflow and infiltration prevention and control to the extent practicable.
  - (vi) The sanitary sewer system design capacity is appropriate to reasonably prevent SSOs.

(vii) The Enrollee took all reasonable steps to stop and mitigate the impact of the discharge as soon as possible.

7. When a sanitary sewer overflow occurs, the Enrollee shall take all feasible steps and necessary remedial actions to 1) control or limit the volume of untreated or partially treated wastewater discharged, 2) terminate the discharge, and 3) recover as much of the wastewater discharged as possible for proper disposal, including any wash down water.

The Enrollee shall implement all remedial actions to the extent they may be applicable to the discharge and not inconsistent with an emergency response plan, including the following:

- (i) Interception and rerouting of untreated or partially treated wastewater flows around the wastewater line failure;
  - (ii) Vacuum truck recovery of sanitary sewer overflows and wash down water;
  - (iii) Cleanup of debris at the overflow site;
  - (iv) System modifications to prevent another SSO at the same location;
  - (v) Adequate sampling to determine the nature and impact of the release; and
  - (vi) Adequate public notification to protect the public from exposure to the SSO.
8. The Enrollee shall properly, manage, operate, and maintain all parts of the sanitary sewer system owned or operated by the Enrollee, and shall ensure that the system operators (including employees, contractors, or other agents) are adequately trained and possess adequate knowledge, skills, and abilities.
  9. The Enrollee shall allocate adequate resources for the operation, maintenance, and repair of its sanitary sewer system, by establishing a proper rate structure, accounting mechanisms, and auditing procedures to ensure an adequate measure of revenues and expenditures. These procedures must be in compliance with applicable laws and regulations and comply with generally acceptable accounting practices.
  10. The Enrollee shall provide adequate capacity to convey base flows and peak flows, including flows related to wet weather events. Capacity shall meet or exceed the design criteria as defined in the Enrollee's System Evaluation and Capacity Assurance Plan for all parts of the sanitary sewer system owned or operated by the Enrollee.
  11. The Enrollee shall develop and implement a written Sewer System Management Plan (SSMP) and make it available to the State and/or Regional Water Board upon request. A copy of this document must be publicly available at the Enrollee's office and/or available on the Internet. This SSMP must be approved by the Enrollee's governing board at a public meeting.

12. In accordance with the California Business and Professions Code sections 6735, 7835, and 7835.1, all engineering and geologic evaluations and judgments shall be performed by or under the direction of registered professionals competent and proficient in the fields pertinent to the required activities. Specific elements of the SSMP that require professional evaluation and judgments shall be prepared by or under the direction of appropriately qualified professionals, and shall bear the professional(s)' signature and stamp.
13. The mandatory elements of the SSMP are specified below. However, if the Enrollee believes that any element of this section is not appropriate or applicable to the Enrollee's sanitary sewer system, the SSMP program does not need to address that element. The Enrollee must justify why that element is not applicable. The SSMP must be approved by the deadlines listed in the SSMP Time Schedule below.

### **Sewer System Management Plan (SSMP)**

- (i)**Goal:** The goal of the SSMP is to provide a plan and schedule to properly manage, operate, and maintain all parts of the sanitary sewer system. This will help reduce and prevent SSOs, as well as mitigate any SSOs that do occur.
- (ii)**Organization:** The SSMP must identify:
  - (a) The name of the responsible or authorized representative as described in Section J of this Order.
  - (b) The names and telephone numbers for management, administrative, and maintenance positions responsible for implementing specific measures in the SSMP program. The SSMP must identify lines of authority through an organization chart or similar document with a narrative explanation; and
  - (c) The chain of communication for reporting SSOs, from receipt of a complaint or other information, including the person responsible for reporting SSOs to the State and Regional Water Board and other agencies if applicable (such as County Health Officer, County Environmental Health Agency, Regional Water Board, and/or State Office of Emergency Services (OES)).
- (iii)**Legal Authority:** Each Enrollee must demonstrate, through sanitary sewer system use ordinances, service agreements, or other legally binding procedures, that it possesses the necessary legal authority to:
  - (a) Prevent illicit discharges into its sanitary sewer system (examples may include I/I, stormwater, chemical dumping, unauthorized debris and cut roots, etc.);
  - (b) Require that sewers and connections be properly designed and

constructed;

- (c) Ensure access for maintenance, inspection, or repairs for portions of the lateral owned or maintained by the Public Agency;
- (d) Limit the discharge of fats, oils, and grease and other debris that may cause blockages, and
- (e) Enforce any violation of its sewer ordinances.

(iv) **Operation and Maintenance Program.** The SSMP must include those elements listed below that are appropriate and applicable to the Enrollee's system:

- (a) Maintain an up-to-date map of the sanitary sewer system, showing all gravity line segments and manholes, pumping facilities, pressure pipes and valves, and applicable stormwater conveyance facilities;
- (b) Describe routine preventive operation and maintenance activities by staff and contractors, including a system for scheduling regular maintenance and cleaning of the sanitary sewer system with more frequent cleaning and maintenance targeted at known problem areas. The Preventative Maintenance (PM) program should have a system to document scheduled and conducted activities, such as work orders;
- (c) Develop a rehabilitation and replacement plan to identify and prioritize system deficiencies and implement short-term and long-term rehabilitation actions to address each deficiency. The program should include regular visual and TV inspections of manholes and sewer pipes, and a system for ranking the condition of sewer pipes and scheduling rehabilitation. Rehabilitation and replacement should focus on sewer pipes that are at risk of collapse or prone to more frequent blockages due to pipe defects. Finally, the rehabilitation and replacement plan should include a capital improvement plan that addresses proper management and protection of the infrastructure assets. The plan shall include a time schedule for implementing the short- and long-term plans plus a schedule for developing the funds needed for the capital improvement plan;
- (d) Provide training on a regular basis for staff in sanitary sewer system operations and maintenance, and require contractors to be appropriately trained; and
- (e) Provide equipment and replacement part inventories, including identification of critical replacement parts.

**(v) Design and Performance Provisions:**

- (a) Design and construction standards and specifications for the installation of new sanitary sewer systems, pump stations and other appurtenances; and for the rehabilitation and repair of existing sanitary sewer systems; and
- (b) Procedures and standards for inspecting and testing the installation of new sewers, pumps, and other appurtenances and for rehabilitation and repair projects.

**(vi) Overflow Emergency Response Plan** - Each Enrollee shall develop and implement an overflow emergency response plan that identifies measures to protect public health and the environment. At a minimum, this plan must include the following:

- (a) Proper notification procedures so that the primary responders and regulatory agencies are informed of all SSOs in a timely manner;
- (b) A program to ensure an appropriate response to all overflows;
- (c) Procedures to ensure prompt notification to appropriate regulatory agencies and other potentially affected entities (e.g. health agencies, Regional Water Boards, water suppliers, etc.) of all SSOs that potentially affect public health or reach the waters of the State in accordance with the MRP. All SSOs shall be reported in accordance with this MRP, the California Water Code, other State Law, and other applicable Regional Water Board WDRs or NPDES permit requirements. The SSMP should identify the officials who will receive immediate notification;
- (d) Procedures to ensure that appropriate staff and contractor personnel are aware of and follow the Emergency Response Plan and are appropriately trained;
- (e) Procedures to address emergency operations, such as traffic and crowd control and other necessary response activities; and
- (f) A program to ensure that all reasonable steps are taken to contain and prevent the discharge of untreated and partially treated wastewater to waters of the United States and to minimize or correct any adverse impact on the environment resulting from the SSOs, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the discharge.

- (vii) **FOG Control Program:** Each Enrollee shall evaluate its service area to determine whether a FOG control program is needed. If an Enrollee determines that a FOG program is not needed, the Enrollee must provide justification for why it is not needed. If FOG is found to be a problem, the Enrollee must prepare and implement a FOG source control program to reduce the amount of these substances discharged to the sanitary sewer system. This plan shall include the following as appropriate:
- (a) An implementation plan and schedule for a public education outreach program that promotes proper disposal of FOG;
  - (b) A plan and schedule for the disposal of FOG generated within the sanitary sewer system service area. This may include a list of acceptable disposal facilities and/or additional facilities needed to adequately dispose of FOG generated within a sanitary sewer system service area;
  - (c) The legal authority to prohibit discharges to the system and identify measures to prevent SSOs and blockages caused by FOG;
  - (d) Requirements to install grease removal devices (such as traps or interceptors), design standards for the removal devices, maintenance requirements, BMP requirements, record keeping and reporting requirements;
  - (e) Authority to inspect grease producing facilities, enforcement authorities, and whether the Enrollee has sufficient staff to inspect and enforce the FOG ordinance;
  - (f) An identification of sanitary sewer system sections subject to FOG blockages and establishment of a cleaning maintenance schedule for each section; and
  - (g) Development and implementation of source control measures for all sources of FOG discharged to the sanitary sewer system for each section identified in (f) above.
- (viii) **System Evaluation and Capacity Assurance Plan:** The Enrollee shall prepare and implement a capital improvement plan (CIP) that will provide hydraulic capacity of key sanitary sewer system elements for dry weather peak flow conditions, as well as the appropriate design storm or wet weather event. At a minimum, the plan must include:
- (a) **Evaluation:** Actions needed to evaluate those portions of the sanitary sewer system that are experiencing or contributing to an SSO discharge caused by hydraulic deficiency. The evaluation must provide estimates of peak flows (including flows from SSOs that escape from the system) associated with conditions similar to those causing overflow events, estimates of the capacity of key system components, hydraulic deficiencies (including components of the system with limiting capacity) and the major sources that contribute to the peak flows associated with overflow events;

- (b) **Design Criteria:** Where design criteria do not exist or are deficient, undertake the evaluation identified in (a) above to establish appropriate design criteria; and
  - (c) **Capacity Enhancement Measures:** The steps needed to establish a short- and long-term CIP to address identified hydraulic deficiencies, including prioritization, alternatives analysis, and schedules. The CIP may include increases in pipe size, I/I reduction programs, increases and redundancy in pumping capacity, and storage facilities. The CIP shall include an implementation schedule and shall identify sources of funding.
  - (d) **Schedule:** The Enrollee shall develop a schedule of completion dates for all portions of the capital improvement program developed in (a)-(c) above. This schedule shall be reviewed and updated consistent with the SSMP review and update requirements as described in Section D. 14.
- (ix) **Monitoring, Measurement, and Program Modifications:** The Enrollee shall:
- (a) Maintain relevant information that can be used to establish and prioritize appropriate SSMP activities;
  - (b) Monitor the implementation and, where appropriate, measure the effectiveness of each element of the SSMP;
  - (c) Assess the success of the preventative maintenance program;
  - (d) Update program elements, as appropriate, based on monitoring or performance evaluations; and
  - (e) Identify and illustrate SSO trends, including: frequency, location, and volume.
- (x) **SSMP Program Audits** - As part of the SSMP, the Enrollee shall conduct periodic internal audits, appropriate to the size of the system and the number of SSOs. At a minimum, these audits must occur every two years and a report must be prepared and kept on file. This audit shall focus on evaluating the effectiveness of the SSMP and the Enrollee's compliance with the SSMP requirements identified in this subsection (D.13), including identification of any deficiencies in the SSMP and steps to correct them.



(xi) **Communication Program** – The Enrollee shall communicate on a regular basis with the public on the development, implementation, and performance of its SSMP. The communication system shall provide the public the opportunity to provide input to the Enrollee as the program is developed and implemented.

The Enrollee shall also create a plan of communication with systems that are tributary and/or satellite to the Enrollee's sanitary sewer system.

14. Both the SSMP and the Enrollee's program to implement the SSMP must be certified by the Enrollee to be in compliance with the requirements set forth above and must be presented to the Enrollee's governing board for approval at a public meeting. The Enrollee shall certify that the SSMP, and subparts thereof, are in compliance with the general WDRs within the time frames identified in the time schedule provided in subsection D.15, below.

In order to complete this certification, the Enrollee's authorized representative must complete the certification portion in the Online SSO Database Questionnaire by checking the appropriate milestone box, printing and signing the automated form, and sending the form to:

State Water Resources Control Board  
Division of Water Quality  
Attn: SSO Program Manager  
P.O. Box 100 Sacramento, CA 95812

The SSMP must be updated every five (5) years, and must include any significant program changes. Re-certification by the governing board of the Enrollee is required in accordance with D.14 when significant updates to the SSMP are made. To complete the re-certification process, the Enrollee shall enter the data in the Online SSO Database and mail the form to the State Water Board, as described above.

15. The Enrollee shall comply with these requirements according to the following schedule. This time schedule does not supersede existing requirements or time schedules associated with other permits or regulatory requirements.

## Sewer System Management Plan Time Schedule

Task and Associated Section	Completion Date			
	Population > 100,000	Population between 100,000 and 10,000	Population between 10,000 and 2,500	Population < 2,500
Application for Permit Coverage <b>Section C</b>	6 months after WDRs Adoption	6 months after WDRs Adoption	6 months after WDRs Adoption	6 months after WDRs Adoption
Reporting Program <b>Section G</b>	6 months after WDRs Adoption <sup>1</sup>	6 months after WDRs Adoption <sup>1</sup>	6 months after WDRs Adoption <sup>1</sup>	6 months after WDRs Adoption <sup>1</sup>
SSMP Development Plan and Schedule <b>No specific Section</b>	9 months after WDRs Adoption <sup>2</sup>	12 months after WDRs Adoption <sup>2</sup>	15 months after WDRs Adoption <sup>2</sup>	18 months after WDRs Adoption <sup>2</sup>
Goals and Organization Structure <b>Section D 13 (i) &amp; (ii)</b>	12 months after WDRs Adoption <sup>2</sup>	12 months after WDRs Adoption <sup>2</sup>	18 months after WDRs Adoption <sup>2</sup>	18 months after WDRs Adoption <sup>2</sup>
Overflow Emergency Response Program <b>Section D 13 (vi)</b>	24 months after WDRs Adoption <sup>2</sup>	30 months after WDRs Adoption <sup>2</sup>	36 months after WDRs Adoption <sup>2</sup>	39 months after WDRs Adoption <sup>2</sup>
Legal Authority <b>Section D 13 (iii)</b>	24 months after WDRs Adoption <sup>2</sup>	30 months after WDRs Adoption <sup>2</sup>	36 months after WDRs Adoption <sup>2</sup>	39 months after WDRs Adoption <sup>2</sup>
Operation and Maintenance Program <b>Section D 13 (iv)</b>	24 months after WDRs Adoption <sup>2</sup>	30 months after WDRs Adoption <sup>2</sup>	36 months after WDRs Adoption <sup>2</sup>	39 months after WDRs Adoption <sup>2</sup>
Grease Control Program <b>Section D 13 (vii)</b>	24 months after WDRs Adoption <sup>2</sup>	30 months after WDRs Adoption <sup>2</sup>	36 months after WDRs Adoption <sup>2</sup>	39 months after WDRs Adoption <sup>2</sup>
Design and Performance <b>Section D 13 (v)</b>	36 months after WDRs Adoption	39 months after WDRs Adoption	48 months after WDRs Adoption	51 months after WDRs Adoption
System Evaluation and Capacity Assurance Plan <b>Section D 13 (viii)</b>	36 months after WDRs Adoption	39 months after WDRs Adoption	48 months after WDRs Adoption	51 months after WDRs Adoption
Final SSMP, incorporating all of the SSMP requirements <b>Section D 13</b>	36 months after WDRs Adoption	39 months after WDRs Adoption	48 months after WDRs Adoption	51 months after WDRs Adoption

1. In the event that by July 1, 2006 the Executive Director is able to execute a memorandum of agreement (MOA) with the California Water Environment Association (CWEA) or discharger representatives outlining a strategy and time schedule for CWEA or another entity to provide statewide training on the adopted monitoring program, SSO database electronic reporting, and SSMP development, consistent with this Order, then the schedule of Reporting Program Section G shall be replaced with the following schedule:

Reporting Program <b>Section G</b>	
Regional Boards 4, 8, and 9	8 months after WDRs Adoption
Regional Boards 1, 2, and 3	12 months after WDRs Adoption
Regional Boards 5, 6, and 7	16 months after WDRs Adoption

If this MOU is not executed by July 1, 2006, the reporting program time schedule will remain six (6) months for all regions and agency size categories.

2. In the event that the Executive Director executes the MOA identified in note 1 by July 1, 2006, then the deadline for this task shall be extended by six (6) months. The time schedule identified in the MOA must be consistent with the extended time schedule provided by this note. If the MOA is not executed by July 1, 2006, the six (6) month time extension will not be granted.

**E. WDRs and SSMP AVAILABILITY**

1. A copy of the general WDRs and the certified SSMP shall be maintained at appropriate locations (such as the Enrollee’s offices, facilities, and/or Internet homepage) and shall be available to sanitary sewer system operating and maintenance personnel at all times.

**F. ENTRY AND INSPECTION**

1. The Enrollee shall allow the State or Regional Water Boards or their authorized representative, upon presentation of credentials and other documents as may be required by law, to:
  - a. Enter upon the Enrollee’s premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order;
  - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;

- c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and
- d. Sample or monitor at reasonable times, for the purposes of assuring compliance with this Order or as otherwise authorized by the California Water Code, any substances or parameters at any location.

## **G. GENERAL MONITORING AND REPORTING REQUIREMENTS**

1. The Enrollee shall furnish to the State or Regional Water Board, within a reasonable time, any information that the State or Regional Water Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this Order. The Enrollee shall also furnish to the Executive Director of the State Water Board or Executive Officer of the applicable Regional Water Board, upon request, copies of records required to be kept by this Order.
2. The Enrollee shall comply with the attached Monitoring and Reporting Program No. 2006-0003 and future revisions thereto, as specified by the Executive Director. Monitoring results shall be reported at the intervals specified in Monitoring and Reporting Program No. 2006-0003. Unless superseded by a specific enforcement Order for a specific Enrollee, these reporting requirements are intended to replace other mandatory routine written reports associated with SSOs.
3. All Enrollees must obtain SSO Database accounts and receive a "Username" and "Password" by registering through the California Integrated Water Quality System (CIWQS). These accounts will allow controlled and secure entry into the SSO Database. Additionally, within 30 days of receiving an account and prior to recording spills into the SSO Database, all Enrollees must complete the "Collection System Questionnaire", which collects pertinent information regarding a Enrollee's collection system. The "Collection System Questionnaire" must be updated at least every 12 months.
4. Pursuant to Health and Safety Code section 5411.5, any person who, without regard to intent or negligence, causes or permits any untreated wastewater or other waste to be discharged in or on any waters of the State, or discharged in or deposited where it is, or probably will be, discharged in or on any surface waters of the State, as soon as that person has knowledge of the discharge, shall immediately notify the local health officer of the discharge. Discharges of untreated or partially treated wastewater to storm drains and drainage channels, whether man-made or natural or concrete-lined, shall be reported as required above.

Any SSO greater than 1,000 gallons discharged in or on any waters of the State, or discharged in or deposited where it is, or probably will be, discharged in or on any surface waters of the State shall also be reported to the Office of Emergency Services pursuant to California Water Code section 13271.

## **H. CHANGE IN OWNERSHIP**

- 1 This Order is not transferable to any person or party, except after notice to the Executive Director. The Enrollee shall submit this notice in writing at least 30 days in advance of any proposed transfer. The notice must include a written agreement between the existing and new Enrollee containing a specific date for the transfer of this Order's responsibility and coverage between the existing Enrollee and the new Enrollee. This agreement shall include an acknowledgement that the existing Enrollee is liable for violations up to the transfer date and that the new Enrollee is liable from the transfer date forward.

## **I. INCOMPLETE REPORTS**

1. If an Enrollee becomes aware that it failed to submit any relevant facts in any report required under this Order, the Enrollee shall promptly submit such facts or information by formally amending the report in the Online SSO Database.

## **J. REPORT DECLARATION**

1. All applications, reports, or information shall be signed and certified as follows:
  - (i) All reports required by this Order and other information required by the State or Regional Water Board shall be signed and certified by a person designated, for a municipality, state, federal or other public agency, as either a principal executive officer or ranking elected official, or by a duly authorized representative of that person, as described in paragraph (ii) of this provision. (For purposes of electronic reporting, an electronic signature and accompanying certification, which is in compliance with the Online SSO database procedures, meet this certification requirement.)
  - (ii) An individual is a duly authorized representative only if:
    - (a) The authorization is made in writing by a person described in paragraph (i) of this provision; and
    - (b) The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity.

## **K. CIVIL MONETARY REMEDIES FOR DISCHARGE VIOLATIONS**

1. The California Water Code provides various enforcement options, including civil monetary remedies, for violations of this Order.
2. The California Water Code also provides that any person failing or refusing to furnish technical or monitoring program reports, as required under this Order, or

falsifying any information provided in the technical or monitoring reports is subject to civil monetary penalties.

#### **L. SEVERABILITY**

1. The provisions of this Order are severable, and if any provision of this Order, or the application of any provision of this Order to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this Order, shall not be affected thereby.
2. This order does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, nor protect the Enrollee from liability under federal, state or local laws, nor create a vested right for the Enrollee to continue the waste discharge.

#### **CERTIFICATION**

The undersigned Clerk to the State Water Board does hereby certify that the foregoing is a full, true, and correct copy of general WDRs duly and regularly adopted at a meeting of the State Water Resources Control Board held on May 2, 2006.

AYE: Tam M. Doduc Gerald D. Secundy

NO: Arthur G. Baggett

ABSENT: None

ABSTAIN: None



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Song Her  
Clerk to the Board

Appendix C  
SWRCB ORDER WQ 2013-0058-EXEC





STATE OF CALIFORNIA  
WATER RESOURCES CONTROL BOARD  
**ORDER NO. WQ 2013-0058-EXEC**

AMENDING MONITORING AND REPORTING PROGRAM  
FOR  
STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR  
SANITARY SEWER SYSTEMS

The State of California, Water Resources Control Board (hereafter State Water Board) finds:

1. The State Water Board is authorized to prescribe statewide general Waste Discharge Requirements (WDRs) for categories of discharges that involve the same or similar operations and the same or similar types of waste pursuant to Water Code section 13263(i).
2. Water Code section 13193 et seq. requires the Regional Water Quality Control Boards (Regional Water Boards) and the State Water Board (collectively, the Water Boards) to gather Sanitary Sewer Overflow (SSO) information and make this information available to the public, including but not limited to, SSO cause, estimated volume, location, date, time, duration, whether or not the SSO reached or may have reached waters of the state, response and corrective action taken, and an enrollee's contact information for each SSO event. An enrollee is defined as the public entity having legal authority over the operation and maintenance of, or capital improvements to, a sanitary sewer system greater than one mile in length.
3. Water Code section 13271, *et seq.* requires notification to the California Office of Emergency Services (Cal OES), formerly the California Emergency Management Agency, for certain unauthorized discharges, including SSOs.
4. On May 2, 2006, the State Water Board adopted Order 2006-0003-DWQ, "Statewide Waste Discharge Requirements for Sanitary Sewer Systems"<sup>1</sup> (hereafter SSS WDRs) to comply with Water Code section 13193 and to establish the framework for the statewide SSO Reduction Program.
5. Subsection G.2 of the SSS WDRs and the Monitoring and Reporting Program (MRP) provide that the Executive Director may modify the terms of the MRP at any time.
6. On February 20, 2008, the State Water Board Executive Director adopted a revised MRP for the SSS WDRs to rectify early notification deficiencies and ensure that first responders are notified in a timely manner of SSOs discharged into waters of the state.
7. When notified of an SSO that reaches a drainage channel or surface water of the state, Cal OES, pursuant to Water Code section 13271(a)(3), forwards the SSO notification information<sup>2</sup> to local government agencies and first responders including local public health officials and the applicable Regional Water Board. Receipt of notifications for a single SSO event from both the SSO reporter and Cal OES is duplicative. To address this, the SSO notification requirements added by the February 20, 2008 MRP revision are being removed in this MRP revision.

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<sup>1</sup> Available for download at:

[http://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2006/wgo/wgo20060003.pdf](http://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2006/wgo/wgo20060003.pdf)

<sup>2</sup> Cal OES Hazardous Materials Spill Reports available Online at:

[http://w3.calema.ca.gov/operational/malhaz.nsf/\\$defaultview](http://w3.calema.ca.gov/operational/malhaz.nsf/$defaultview) and

<http://w3.calema.ca.gov/operational/malhaz.nsf> 5 - 105

8. In the February 28, 2008 Memorandum of Agreement between the State Water Board and the California Water and Environment Association (CWEA), the State Water Board committed to re- designing the CIWQS<sup>3</sup> Online SSO Database to allow "event" based SSO reporting versus the original "location" based reporting. Revisions to this MRP and accompanying changes to the CIWQS Online SSO Database will implement this change by allowing for multiple SSO appearance points to be associated with each SSO event caused by a single asset failure.
9. Based on stakeholder input and Water Board staff experience implementing the SSO Reduction Program, SSO categories have been revised in this MRP. In the prior version of the MRP, SSOs have been categorized as Category 1 or Category 2. This MRP implements changes to SSO categories by adding a Category 3 SSO type. This change will improve data management to further assist Water Board staff with evaluation of high threat and low threat SSOs by placing them in unique categories (i.e., Category 1 and Category 3, respectively). This change will also assist enrollees in identifying SSOs that require Cal OES notification.
10. Based on over six years of implementation of the SSS WDRs, the State Water Board concludes that the February 20, 2008 MRP must be updated to better advance the SSO Reduction Program<sup>4</sup> objectives, assess compliance, and enforce the requirements of the SSS WDRs.

**IT IS HEREBY ORDERED THAT:**

Pursuant to the authority delegated by Water Code section 13267(f), Resolution 2002-0104, and Order 2006-0003-DWQ, the MRP for the SSS WDRs (Order 2006-0003-DWQ) is hereby amended as shown in Attachment A and shall be effective on September 9, 2013.

8/6/13

Date

  
Thomas Howard  
Executive Director

<sup>3</sup> California Integrated Water Quality System (CIWQS) publicly available at <http://www.waterboards.ca.gov/ciwqs/publicreports.shtml>

<sup>4</sup> Statewide Sanitary Sewer Overflow Reduction Program information is available at: [http://www.waterboards.ca.gov/water\\_issues/programs/ssor/](http://www.waterboards.ca.gov/water_issues/programs/ssor/)

## ATTACHMENT A

### STATE WATER RESOURCES CONTROL BOARD ORDER NO. WQ 2013-0058-EXEC

#### AMENDING MONITORING AND REPORTING PROGRAM FOR STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS FOR SANITARY SEWER SYSTEMS

This Monitoring and Reporting Program (MRP) establishes monitoring, record keeping, reporting and public notification requirements for Order 2006-0003-DWQ, "Statewide General Waste Discharge Requirements for Sanitary Sewer Systems" (SSS WDRs). This MRP shall be effective from September 9, 2013 until it is rescinded. The Executive Director may make revisions to this MRP at any time. These revisions may include a reduction or increase in the monitoring and reporting requirements. All site specific records and data developed pursuant to the SSS WDRs and this MRP shall be complete, accurate, and justified by evidence maintained by the enrollee. Failure to comply with this MRP may subject an enrollee to civil liabilities of up to \$5,000 a day per violation pursuant to Water Code section 13350; up to \$1,000 a day per violation pursuant to Water Code section 13268; or referral to the Attorney General for judicial civil enforcement. The State Water Resources Control Board (State Water Board) reserves the right to take any further enforcement action authorized by law.

#### A. SUMMARY OF MRP REQUIREMENTS

**Table 1 – Spill Categories and Definitions**

<b>CATEGORIES</b>	<b>DEFINITIONS</b> [see Section A on page 5 of Order 2006-0003-DWQ, for Sewer Overflow (SSO) definition]
<b>CATEGORY 1</b>	Discharges of untreated or partially treated wastewater of <b><u>any volume</u></b> resulting from an enrollee's sanitary sewer system failure or flow condition that: <ul style="list-style-type: none"><li>• Reach surface water and/or reach a drainage channel tributary to a surface water; or</li><li>• Reach a Municipal Separate Storm Sewer System (MS4) and are not fully captured and returned to the sanitary sewer system or not otherwise captured and disposed of properly. Any volume of wastewater not recovered from the MS4 is considered to have reached surface water unless the storm drain system discharges to a dedicated storm water or groundwater infiltration basin (e.g., infiltration pit, percolation pond).</li></ul>
<b>CATEGORY 2</b>	Discharges of untreated or partially treated wastewater of <b><u>1,000 gallons or greater</u></b> resulting from an enrollee's sanitary sewer system failure or flow condition that <b><u>do not</u></b> reach surface water, a drainage channel, or a MS4 unless the entire SSO discharged to the storm drain system is fully recovered and disposed of properly.
<b>CATEGORY 3</b>	All other discharges of untreated or partially treated wastewater resulting from an enrollee's sanitary sewer system failure or flow condition.

<b>CATEGORIES</b>	<b>DEFINITIONS</b> [see Section A on page 5 of Order 2006-0003-DWQ, for Sewer Overflow (SSO) definition]
<b>PRIVATE LATERAL SEWAGE DISCHARGE (PLSD)</b>	Discharges of untreated or partially treated wastewater resulting from blockages or other problems <b><u>within a privately owned sewer lateral</u></b> connected to the enrollee’s sanitary sewer system or from other private sewer assets. PLSDs that the enrollee becomes aware of may be <u>voluntarily</u> reported to the California Integrated Water Quality System (CIWQS) Online SSO Database.

**Table 2 – Notification, Reporting, Monitoring, and Record Keeping Requirements**

<b>ELEMENT</b>	<b>REQUIREMENT</b>	<b>METHOD</b>
<b>NOTIFICATION</b> (see section B of MRP)	<ul style="list-style-type: none"> <li>• Within two hours of becoming aware of any Category 1 SSO <b><u>greater than or equal to 1,000 gallons discharged to surface water or spilled in a location where it probably will be discharged to surface water</u></b>, notify the California Office of Emergency Services (Cal OES) and obtain a notification control number.</li> </ul>	Call Cal OES at: <b>(800) 852-7550</b>
<b>REPORTING</b> (see section C of MRP)	<ul style="list-style-type: none"> <li>• Category 1 SSO: Submit draft report within three business days of becoming aware of the SSO and certify within 15 calendar days of SSO end date.</li> <li>• Category 2 SSO: Submit draft report within 3 business days of becoming aware of the SSO and certify within 15 calendar days of the SSO end date.</li> <li>• Category 3 SSO: Submit certified report within 30 calendar days of the end of month in which SSO the occurred.</li> <li>• SSO Technical Report: Submit within 45 calendar days after the end date of any Category 1 SSO in which 50,000 gallons or greater are spilled to surface waters.</li> <li>• “No Spill” Certification: Certify that no SSOs occurred within 30 calendar days of the end of the month or, if reporting quarterly, the quarter in which no SSOs occurred.</li> <li>• Collection System Questionnaire: Update and certify every 12 months.</li> </ul>	Enter data into the CIWQS Online SSO Database ( <a href="http://ciwqs.waterboards.ca.gov/">http://ciwqs.waterboards.ca.gov/</a> ), certified by enrollee’s Legally Responsible Official(s).
<b>WATER QUALITY MONITORING</b> (see section D of MRP)	<ul style="list-style-type: none"> <li>• Conduct water quality sampling <b><u>within 48 hours</u></b> after initial SSO notification for Category 1 SSOs in which 50,000 gallons or greater are spilled to surface waters.</li> </ul>	Water quality results are required to be uploaded into CIWQS for Category 1 SSOs in which 50,000 gallons or greater are spilled to surface waters.

<p><b>RECORD KEEPING</b> (see section E of MRP)</p>	<ul style="list-style-type: none"> <li>• SSO event records.</li> <li>• Records documenting Sanitary Sewer Management Plan (SSMP) implementation and changes/updates to the SSMP.</li> <li>• Records to document Water Quality Monitoring for SSOs of 50,000 gallons or greater spilled to surface waters.</li> <li>• Collection system telemetry records if relied upon to document and/or estimate SSO Volume.</li> </ul>	<p>Self-maintained records shall be available during inspections or upon request.</p>
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## **B. NOTIFICATION REQUIREMENTS**

Although Regional Water Quality Control Boards (Regional Water Boards) and the State Water Board (collectively, the Water Boards) staff do not have duties as first responders, this MRP is an appropriate mechanism to ensure that the agencies that have first responder duties are notified in a timely manner in order to protect public health and beneficial uses.

1. For any Category 1 SSO greater than or equal to 1,000 gallons that results in a discharge to a surface water or spilled in a location where it probably will be discharged to surface water, either directly or by way of a drainage channel or MS4, the enrollee shall, as soon as possible, but not later than two (2) hours after (A) the enrollee has knowledge of the discharge, (B) notification is possible, and (C) notification can be provided without substantially impeding cleanup or other emergency measures, notify the Cal OES and obtain a notification control number.
2. To satisfy notification requirements for each applicable SSO, the enrollee shall provide the information requested by Cal OES before receiving a control number. Spill information requested by Cal OES may include:
  - i. Name of person notifying Cal OES and direct return phone number.
  - ii. Estimated SSO volume discharged (gallons).
  - iii. If ongoing, estimated SSO discharge rate (gallons per minute).
  - iv. SSO Incident Description:
    - a. Brief narrative.
    - b. On-scene point of contact for additional information (name and cell phone number).
    - c. Date and time enrollee became aware of the SSO.
    - d. Name of sanitary sewer system agency causing the SSO.
    - e. SSO cause (if known).
  - v. Indication of whether the SSO has been contained.
  - vi. Indication of whether surface water is impacted.
  - vii. Name of surface water impacted by the SSO, if applicable.
  - viii. Indication of whether a drinking water supply is or may be impacted by the SSO.
  - ix. Any other known SSO impacts.
  - x. SSO incident location (address, city, state, and zip code).
3. Following the initial notification to Cal OES and until such time that an enrollee certifies the SSO report in the CIWQS Online SSO Database, the enrollee shall provide updates to Cal OES regarding substantial changes to the estimated volume of untreated or partially treated sewage discharged and any substantial change(s) to known impact(s).

4. PLSDs: The enrollee is strongly encouraged to notify Cal OES of discharges greater than or equal to 1,000 gallons of untreated or partially treated wastewater that result or may result in a discharge to surface water resulting from failures or flow conditions within a privately owned sewer lateral or from other private sewer asset(s) if the enrollee becomes aware of the PLSD.

### **C. REPORTING REQUIREMENTS**

1. **CIWQS Online SSO Database Account:** All enrollees shall obtain a CIWQS Online SSO Database account and receive a “Username” and “Password” by registering through CIWQS. These accounts allow controlled and secure entry into the CIWQS Online SSO Database.
2. **SSO Mandatory Reporting Information:** For reporting purposes, if one SSO event results in multiple appearance points in a sewer system asset, the enrollee shall complete one SSO report in the CIWQS Online SSO Database which includes the GPS coordinates for the location of the SSO appearance point closest to the failure point, blockage or location of the flow condition that caused the SSO, and provide descriptions of the locations of all other discharge points associated with the SSO event.
3. **SSO Categories**
  - i. **Category 1** – Discharges of untreated or partially treated wastewater of any volume resulting from an enrollee’s sanitary sewer system failure or flow condition that:
    - a. Reach surface water and/or reach a drainage channel tributary to a surface water; or
    - b. Reach a MS4 and are not fully captured and returned to the sanitary sewer system or not otherwise captured and disposed of properly. Any volume of wastewater not recovered from the MS4 is considered to have reached surface water unless the storm drain system discharges to a dedicated storm water or groundwater infiltration basin (e.g., infiltration pit, percolation pond).
  - ii. **Category 2** – Discharges of untreated or partially treated wastewater greater than or equal to 1,000 gallons resulting from an enrollee’s sanitary sewer system failure or flow condition that does not reach a surface water, a drainage channel, or the MS4 unless the entire SSO volume discharged to the storm drain system is fully recovered and disposed of properly.
  - iii. **Category 3** – All other discharges of untreated or partially treated wastewater resulting from an enrollee’s sanitary sewer system failure or flow condition.
4. **Sanitary Sewer Overflow Reporting to CIWQS - Timeframes**
  - i. **Category 1 and Category 2 SSOs** – All SSOs that meet the above criteria for Category 1 or Category 2 SSOs shall be reported to the CIWQS Online SSO Database:
    - a. Draft reports for Category 1 and Category 2 SSOs shall be submitted to the CIWQS Online SSO Database within three (3) business days of the enrollee becoming aware of the SSO. Minimum information that shall be reported in a draft Category 1 SSO report shall include all information identified in section 8.i.a. below. Minimum information that shall be reported in a Category 2 SSO draft report shall include all information identified in section 8.i.c below.

- b. A final Category 1 or Category 2 SSO report shall be certified through the CIWQS Online SSO Database within 15 calendar days of the end date of the SSO. Minimum information that shall be certified in the final Category 1 SSO report shall include all information identified in section 8.i.b below. Minimum information that shall be certified in a final Category 2 SSO report shall include all information identified in section 8.i.d below.
- ii. **Category 3 SSOs** – All SSOs that meet the above criteria for Category 3 SSOs shall be reported to the CIWQS Online SSO Database and certified within 30 calendar days after the end of the calendar month in which the SSO occurs (e.g., all Category 3 SSOs occurring in the month of February shall be entered into the database and certified by March 30). Minimum information that shall be certified in a final Category 3 SSO report shall include all information identified in section 8.i.e below.
- iii. **“No Spill” Certification** – If there are no SSOs during the calendar month, the enrollee shall either 1) certify, within 30 calendar days after the end of each calendar month, a “No Spill” certification statement in the CIWQS Online SSO Database certifying that there were no SSOs for the designated month, or 2) certify, quarterly within 30 calendar days after the end of each quarter, “No Spill” certification statements in the CIWQS Online SSO Database certifying that there were no SSOs for each month in the quarter being reported on. For quarterly reporting, the quarters are Q1 - January/ February/ March, Q2 - April/May/June, Q3 - July/August/September, and Q4 - October/November/December.

If there are no SSOs during a calendar month but the enrollee reported a PLSD, the enrollee shall still certify a “No Spill” certification statement for that month.

- iv. **Amended SSO Reports** – The enrollee may update or add additional information to a certified SSO report within 120 calendar days after the SSO end date by amending the report or by adding an attachment to the SSO report in the CIWQS Online SSO Database. SSO reports certified in the CIWQS Online SSO Database prior to the adoption date of this MRP may only be amended up to 120 days after the effective date of this MRP. After 120 days, the enrollee may contact the SSO Program Manager to request to amend an SSO report if the enrollee also submits justification for why the additional information was not available prior to the end of the 120 days.

## 5. **SSO Technical Report**

The enrollee shall submit an SSO Technical Report in the CIWQS Online SSO Database within 45 calendar days of the SSO end date for any SSO in which 50,000 gallons or greater are spilled to surface waters. This report, which does not preclude the Water Boards from requiring more detailed analyses if requested, shall include at a minimum, the following:

- i. **Causes and Circumstances of the SSO:**
  - a. Complete and detailed explanation of how and when the SSO was discovered.
  - b. Diagram showing the SSO failure point, appearance point(s), and final destination(s).
  - c. Detailed description of the methodology employed and available data used to calculate the volume of the SSO and, if applicable, the SSO volume recovered.
  - d. Detailed description of the cause(s) of the SSO.



- e. Copies of original field crew records used to document the SSO.
- f. Historical maintenance records for the failure location.

ii. **Enrollee's Response to SSO:**

- a. Chronological narrative description of all actions taken by enrollee to terminate the spill.
- b. Explanation of how the SSMP Overflow Emergency Response plan was implemented to respond to and mitigate the SSO.
- c. Final corrective action(s) completed and/or planned to be completed, including a schedule for actions not yet completed.

iii. **Water Quality Monitoring:**

- a. Description of all water quality sampling activities conducted including analytical results and evaluation of the results.
- b. Detailed location map illustrating all water quality sampling points.

6. **PLSDs**

Discharges of untreated or partially treated wastewater resulting from blockages or other problems within a privately owned sewer lateral connected to the enrollee's sanitary sewer system or from other private sanitary sewer system assets may be voluntarily reported to the CIWQS Online SSO Database.

- i. The enrollee is also encouraged to provide notification to Cal OES per section B above when a PLSD greater than or equal to 1,000 gallons has or may result in a discharge to surface water. For any PLSD greater than or equal to 1,000 gallons regardless of the spill destination, the enrollee is also encouraged to file a spill report as required by Health and Safety Code section 5410 et. seq. and Water Code section 13271, or notify the responsible party that notification and reporting should be completed as specified above and required by State law.
- ii. If a PLSD is recorded in the CIWQS Online SSO Database, the enrollee must identify the sewage discharge as occurring and caused by a private sanitary sewer system asset and should identify a responsible party (other than the enrollee), if known. Certification of PLSD reports by enrollees is not required.

7. **CIWQS Online SSO Database Unavailability**

In the event that the CIWQS Online SSO Database is not available, the enrollee must fax or e-mail all required information to the appropriate Regional Water Board office in accordance with the time schedules identified herein. In such event, the enrollee must also enter all required information into the CIWQS Online SSO Database when the database becomes available.

## 8. **Mandatory Information to be Included in CIWQS Online SSO Reporting**

All enrollees shall obtain a CIWQS Online SSO Database account and receive a "Username" and "Password" by registering through CIWQS which can be reached at [CIWQS@waterboards.ca.gov](mailto:CIWQS@waterboards.ca.gov) or by calling (866) 792-4977, M-F, 8 A.M. to 5 P.M. These accounts will allow controlled and secure entry into the CIWQS Online SSO Database. Additionally, within thirty (30) days of initial enrollment and prior to recording SSOs into the CIWQS Online SSO Database, all enrollees must complete a Collection System Questionnaire (Questionnaire). The Questionnaire shall be updated at least once every 12 months.

### i. **SSO Reports**

At a minimum, the following mandatory information shall be reported prior to finalizing and certifying an SSO report for each category of SSO:

- a. **Draft Category 1 SSOs**: At a minimum, the following mandatory information shall be reported for a draft Category 1 SSO report:
  1. SSO Contact Information: Name and telephone number of enrollee contact person who can answer specific questions about the SSO being reported.
  2. SSO Location Name.
  3. Location of the overflow event (SSO) by entering GPS coordinates. If a single overflow event results in multiple appearance points, provide GPS coordinates for the appearance point closest to the failure point and describe each additional appearance point in the SSO appearance point explanation field.
  4. Whether or not the SSO reached surface water, a drainage channel, or entered and was discharged from a drainage structure.
  5. Whether or not the SSO reached a municipal separate storm drain system.
  6. Whether or not the total SSO volume that reached a municipal separate storm drain system was fully recovered.
  7. Estimate of the SSO volume, inclusive of all discharge point(s).
  8. Estimate of the SSO volume that reached surface water, a drainage channel, or was not recovered from a storm drain.
  9. Estimate of the SSO volume recovered (if applicable).
  10. Number of SSO appearance point(s).
  11. Description and location of SSO appearance point(s). If a single sanitary sewer system failure results in multiple SSO appearance points, each appearance point must be described.
  12. SSO start date and time.
  13. Date and time the enrollee was notified of, or self-discovered, the SSO.
  14. Estimated operator arrival time.
  15. For spills greater than or equal to 1,000 gallons, the date and time Cal OES was called.

16. For spills greater than or equal to 1,000 gallons, the Cal OES control number.
- b. **Certified Category 1 SSOs:** At a minimum, the following mandatory information shall be reported for a certified Category 1 SSO report, in addition to all fields in section 8.i.a:
1. Description of SSO destination(s).
  2. SSO end date and time.
  3. SSO causes (mainline blockage, roots, etc.).
  4. SSO failure point (main, lateral, etc.).
  5. Whether or not the spill was associated with a storm event.
  6. Description of spill corrective action, including steps planned or taken to reduce, eliminate, and prevent reoccurrence of the overflow; and a schedule of major milestones for those steps.
  7. Description of spill response activities.
  8. Spill response completion date.
  9. Whether or not there is an ongoing investigation, the reasons for the investigation and the expected date of completion.
  10. Whether or not a beach closure occurred or may have occurred as a result of the SSO.
  11. Whether or not health warnings were posted as a result of the SSO.
  12. Name of beach(es) closed and/or impacted. If no beach was impacted, NA shall be selected.
  13. Name of surface water(s) impacted.
  14. If water quality samples were collected, identify parameters the water quality samples were analyzed for. If no samples were taken, NA shall be selected.
  15. If water quality samples were taken, identify which regulatory agencies received sample results (if applicable). If no samples were taken, NA shall be selected.
  16. Description of methodology(ies) and type of data relied upon for estimations of the SSO volume discharged and recovered.
  17. SSO Certification: Upon SSO Certification, the CIWQS Online SSO Database will issue a final SSO identification (ID) number.
- c. **Draft Category 2 SSOs:** At a minimum, the following mandatory information shall be reported for a draft Category 2 SSO report:
1. Items 1-14 in section 8.i.a above for Draft Category 1 SSO.

- d. **Certified Category 2 SSOs:** At a minimum, the following mandatory information shall be reported for a certified Category 2 SSO report:
  - 1. Items 1-14 in section 8.i.a above for Draft Category 1 SSO and Items 1-9, and 17 in section 8.i.b above for Certified Category 1 SSO.
- e. **Certified Category 3 SSOs:** At a minimum, the following mandatory information shall be reported for a certified Category 3 SSO report:
  - 1. Items 1-14 in section 8.i.a above for Draft Category 1 SSO and Items 1-5, and 17 in section 8.i.b above for Certified Category 1 SSO.

ii. **Reporting SSOs to Other Regulatory Agencies**

These reporting requirements do not preclude an enrollee from reporting SSOs to other regulatory agencies pursuant to state law. In addition, these reporting requirements do not replace other Regional Water Board notification and reporting requirements for SSOs.

iii. **Collection System Questionnaire**

The required Questionnaire (see subsection G of the SSS WDRs) provides the Water Boards with site-specific information related to the enrollee's sanitary sewer system. The enrollee shall complete and certify the Questionnaire at least every 12 months to facilitate program implementation, compliance assessment, and enforcement response.

iv. **SSMP Availability**

The enrollee shall provide the publicly available internet web site address to the CIWQS Online SSO Database where a downloadable copy of the enrollee's approved SSMP, critical supporting documents referenced in the SSMP, and proof of local governing board approval of the SSMP is posted. If all of the SSMP documentation listed in this subsection is not publicly available on the Internet, the enrollee shall comply with the following procedure:

- a. Submit an **electronic** copy of the enrollee's approved SSMP, critical supporting documents referenced in the SSMP, and proof of local governing board approval of the SSMP to the State Water Board, within 30 days of that approval and within 30 days of any subsequent SSMP re-certifications, to the following mailing address:

State Water Resources Control Board  
Division of Water Quality  
Attn: SSO Program Manager  
1001 I Street, 15<sup>th</sup> Floor, Sacramento, CA 95814

**D. WATER QUALITY MONITORING REQUIREMENTS:**

To comply with subsection D.7(v) of the SSS WDRs, the enrollee shall develop and implement an SSO Water Quality Monitoring Program to assess impacts from SSOs to surface waters in which 50,000 gallons or greater are spilled to surface waters. The SSO Water Quality Monitoring Program, shall, at a minimum:

1. Contain protocols for water quality monitoring.
2. Account for spill travel time in the surface water and scenarios where monitoring may not be possible (e.g. safety, access restrictions, etc.).
3. Require water quality analyses for ammonia and bacterial indicators to be performed by an accredited or certified laboratory.
4. Require monitoring instruments and devices used to implement the SSO Water Quality Monitoring Program to be properly maintained and calibrated, including any records to document maintenance and calibration, as necessary, to ensure their continued accuracy.
5. Within 48 hours of the enrollee becoming aware of the SSO, require water quality sampling for, at a minimum, the following constituents:
  - i. Ammonia
  - ii. Appropriate Bacterial indicator(s) per the applicable Basin Plan water quality objective or Regional Board direction which may include total and fecal coliform, enterococcus, and e-coli.

**E. RECORD KEEPING REQUIREMENTS:**

The following records shall be maintained by the enrollee for a minimum of five (5) years and shall be made available for review by the Water Boards during an onsite inspection or through an information request:

1. General Records: The enrollee shall maintain records to document compliance with all provisions of the SSS WDRs and this MRP for each sanitary sewer system owned including any required records generated by an enrollee's sanitary sewer system contractor(s).
2. SSO Records: The enrollee shall maintain records for each SSO event, including but not limited to:
  - i. Complaint records documenting how the enrollee responded to all notifications of possible or actual SSOs, both during and after business hours, including complaints that do not result in SSOs. Each complaint record shall, at a minimum, include the following information:
    - a. Date, time, and method of notification.
    - b. Date and time the complainant or informant first noticed the SSO.
    - c. Narrative description of the complaint, including any information the caller can provide regarding whether or not the complainant or informant reporting the potential SSO knows if the SSO has reached surface waters, drainage channels or storm drains.
    - d. Follow-up return contact information for complainant or informant for each complaint received, if not reported anonymously.
    - e. Final resolution of the complaint.

- ii. Records documenting steps and/or remedial actions undertaken by enrollee, using all available information, to comply with section D.7 of the SSS WDRs.
  - iii. Records documenting how all estimate(s) of volume(s) discharged and, if applicable, volume(s) recovered were calculated.
3. Records documenting all changes made to the SSMP since its last certification indicating when a subsection(s) of the SSMP was changed and/or updated and who authorized the change or update. These records shall be attached to the SSMP.
  4. Electronic monitoring records relied upon for documenting SSO events and/or estimating the SSO volume discharged, including, but not limited to records from:
    - i. Supervisory Control and Data Acquisition (SCADA) systems
    - ii. Alarm system(s)
    - iii. Flow monitoring device(s) or other instrument(s) used to estimate wastewater levels, flow rates and/or volumes.

**F. CERTIFICATION**

1. All information required to be reported into the CIWQS Online SSO Database shall be certified by a person designated as described in subsection J of the SSS WDRs. This designated person is also known as a Legally Responsible Official (LRO). An enrollee may have more than one LRO.
2. Any designated person (i.e. an LRO) shall be registered with the State Water Board to certify reports in accordance with the CIWQS protocols for reporting.
3. Data Submitter (DS): Any enrollee employee or contractor may enter draft data into the CIWQS Online SSO Database on behalf of the enrollee if authorized by the LRO and registered with the State Water Board. However, only LROs may certify reports in CIWQS.
4. The enrollee shall maintain continuous coverage by an LRO. Any change of a registered LRO or DS (e.g., retired staff), including deactivation or a change to the LRO's or DS's contact information, shall be submitted by the enrollee to the State Water Board within 30 days of the change by calling (866) 792-4977 or e-mailing help@ciwqs.waterboards.ca.gov.
5. A registered designated person (i.e., an LRO) shall certify all required reports under penalty of perjury laws of the state as stated in the CIWQS Online SSO Database at the time of certification.

**CERTIFICATION**

The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of an order amended by the Executive Director of the State Water Resources Control Board.

7/30/13  
Date

  
Jeanine Townsend  
Clerk to the Board

## Appendix D

# SSO PROCEDURES





## Appendix D

# SEWAGE SPILL RESPONSE PROCEDURES

### D.1 General Response Procedures

The four fundamental phases of all responses to a sanitary sewer spill are: CONTAIN, REPORT, CONTROL, and CLEANUP.

The first personnel on scene are to contain the spill to keep it from entering the storm drainage system or other receiving waters. This may be done in any number of ways including the use of sand or soil dikes, sandbags, or by plugging the outlet pipe of a catch basin.

After the spill is contained or if the spill enters the storm drainage system or receiving waters, appropriate regulatory agencies must be notified as soon as possible but not delay the containment.

Once the spill is contained and the appropriate agencies have been notified, it needs to be brought under control. That is, the impacted line must be relieved (the blockage removed) or bypassed (pumped to the next flowing manhole) if the line has failed.

The fourth and final step of the response is the cleanup. All surfaces touched by the spill must be washed down, disinfected, and the runoff contained and removed for proper disposal.

Spill Response forms and procedure flow charts are located at the end of this appendix.

### D.2 Dispatch Procedures

1. **During business hours:** All calls from the public or from internal departments shall be routed to the Public Works Dispatcher at (626) 403-7370. The Public Works Dispatcher shall then call the Sewer Supervisor by radio or at (626) 372-3374 and/or the Sewer Crew by radio at (626) 419-6701 to immediately respond to the incident.
2. **After business hours:** All calls from the public or from internal departments are routed to Police Dispatch at (626) 403-7297. The Police Dispatcher shall then call the Sewer Crew at (626) 419-6701 to immediately respond to the incident.

### D.3 Initial Spill Response Procedures

1. The Maintenance Superintendent or designee thereof shall be immediately dispatched to the site to take control of the scene as the Incident Commander. Desired response time is 45 minutes or less. Field crews will be immediately prepared to respond with all available equipment including diking materials, vacuum truck, and traffic control equipment.
2. The Incident Commander (the most high-ranking, appropriate, City employee or designee) shall assess the magnitude of the spill by estimating the gallons per minute of the flow or by the accumulation of spillage AND whether the spill has been contained or not.

For any sewage spill that results in a discharge into a drainage channel or a surface water, the discharger shall, as soon as possible but not later than two hours after becoming aware of the discharge, notify the State Office of Emergency Services (OES), the local health officer or directors of environmental health with jurisdiction over affected water bodies, and the appropriate Regional Water Quality Control Board (RWQCB).

3. Based on his/her assessment of the situation, the Incident Commander shall declare the spill either a Category I or Category II spill in accordance with the following parameters:
  - a. Category I - Blockage or restriction causing an overflow of 1,000 gallons or more, OR entering an environmentally sensitive area, OR entering the storm drain system and not captured.
    - i. Notification Requirements:
      - 1) OES - (800) 852-7550 (Call Immediately).
      - 2) Los Angeles County Health Department - (213) 974-1234 (24 hours) (Call within 15 minutes of spill).
      - 3) Los Angeles County Public Works - (888) 253-2652.
      - 4) RWQCB - (213) 576-6657 or (213) 305-2253 (Call within 2 hours of spill).
      - 5) State Water Resources Control Board (SWRCB) (<https://ciwqs.waterboards.ca.gov/>).
  - b. Category II - Blockage or restrictions causing a flow which is contained prior to entering the storm drain system AND has a cumulative overflow of less than 1,000 gallons.
    - i. Notification Requirements:
      - 1) Los Angeles County Health Departmental - (213) 974-1234.

There is a potential Private Lateral Sewage Discharge scenario, which would be the result of an overflow on private property NOT caused by a blockage in the public sewer system. In this event, it is the property owner/operator's responsibility to mitigate the spill; however, City crews may wish to consider assisting the property owner/operator within the bounds of resource availability and public service limitations. In this event, the Health Department should be notified, and the SWRCB may be notified at the option of the City.

#### D.4 Category I Spill Response Procedures

1. Berm the sewage flow, block all drainage inlets, and set up to start pumping to the closest clear manhole as soon as possible.
2. Request assistance of other agencies and/or contract firms for additional pumps to stabilize the situation.
3. Make all notifications as specified (within two hours of the spill).
  - a. OES.
  - b. Los Angeles County Health Department.
  - c. Los Angeles County Public Works (Flood Control).
  - d. RWQCB.
4. Determine the generation point of the spill (City line, County Sanitation Trunk line, or private property). If City generated, clear the restriction and proceed to Step 7. If County generated, contact County Sanitation Districts at (562) 437-6520 and proceed to Step 5. If generated from private property, contact the property's occupant of their responsibility to control the discharge and proceed to Step 6. If the occupant refuses to

comply, contact Code Enforcement at (626) 403-7360 and the County Health Department at (213) 974-1234.

5. Sanitation District Spills - City staff should continue to maintain containment of the spill until County crews arrive. Once County crews are on scene, the County is responsible for clearing the blockage and for cleanup, but the Incident Commander maintains responsibility for ensuring that the area is returned to its natural state. At the discretion of the City's Incident Commander, City crews may be required to assist in these operations. Proceed to Step 7.
6. Private Property Spills - City staff should continue to monitor the spill, how the spill is contained, and how materials are disposed of. Ensure proper containment and cleanup. At the discretion of the Incident Commander, City crews may be required to assist in containment and cleanup of a spill on private property, with all costs being back-charged to the responsible party(ies). If the spill should reach the public right-of-way, it is then the City's responsibility to ensure that the spill is contained, and that proper cleanup measures are completed. Proceed to Step 7.
7. Take photographs of the spill and include them for review by the National Pollutant Discharge Elimination Program (NPDES) Coordinator and Department Head. If the spill did not generate from private property but has entered private property, a copy of the report and photos must be forwarded to Risk Management. Request permission of the occupant of the private property before taking any pictures on private property. Confine pictures to only the areas affected by the spill.
8. Determine the cause of the spill. Describe what caused the problem and what actions were taken to correct the situation. This information is required for Department records. If the spill occurs in a business area, or if it is suspected to have been the result of a commercial or business activity, request that the Department Head contact the City's Storm Water consultant at (562) 802-7880 to assist with the investigation.
9. Clean up the spill area and remove containment. Leave the area as clean as practicable. Emphasis should be placed on removing all materials that are in or around the contaminated area. Wash down, disinfect, and remove all runoff from all surfaces that were in contact with the spill.  
Under no circumstance is disinfectant-contaminated water allowed to enter a catch basin. All such water must be removed from the site (i.e., vacuumed up) and properly disposed of. It is acceptable procedure to rinse a spill as long as a vacuum truck is downstream to collect all wastewater. Be extremely cautious with the use of chlorine, as any residual chlorine on surfaces could be washed by landscape or other water sources into receiving waters long after the cleanup effort has concluded.
10. Check and clear downstream manholes. It is possible that debris may accumulate at the next downstream manhole following a backup. Always check the lower manhole to ensure that the line is flowing properly.
11. The Incident Commander must fill out a Sewer Spill Report form (located at end of this appendix).
12. Contact Police Dispatch at (626) 403-7297 and request assistance with traffic control, if needed.

## D.5 Category II Spill Response

- Contain the spillage immediately. If appropriate, sandbag catch basin inlets. If necessary, set up the bypass pump.
- Notify Health Department at (213) 974-1234 and SWRCB (<https://ciwqs.waterboards.ca.gov/>).
- Complete Steps 4 through 12 of Category I Response.

### D.5.1 Spill Response Follow-Up

1. File completed Spill Report Form (located at the end of this appendix) and photographs with the NPDES Coordinator.
2. Prepare the attached spill response form which includes, but not limited to, the following information:
  - a. Estimated volume of spill and amount that was discharged to surface waters, i.e., into storm drains and/or channels.
  - b. A discussion of the circumstances that caused the spill.
  - c. A discussion on the impacts to public health or environment resulting from the spill and corrective actions taken to mitigate the effects.
3. Determine cause of blockage and ascertain whether line(s) need to be placed on a higher maintenance schedule or if capital repairs are needed.

Category I and Category II Spill Response Flow Chart is provided on Figure 2a.

## D.6 Timeframes for SSO Online Reporting

### D.6.1 Category I

- The initial online sanitary sewer overflows (SSO) report should be reported as soon as possible but no later than three business days.
- Final certified report within 15 calendar days of SSO conclusion of response and remediation.

### D.6.2 Category II

- Final certified report due before end of the following month.

### D.6.3 Private Laterals

- Report, at enrollee's judgment, should follow same reporting procedure as Category II plus liable party contact information.

### D.6.4 No Spills During Month

- Report due before end of the following month.

## D.7 Outside Resources Contact List

- **Environmental Consultant:**
  - John L. Hunter & Associates  
6131 Orangethorpe Avenue, Suite 350  
Buena Park, CA 90620  
Phone: (562) 802-7880  
FAX: (562) 802-2297

- **Sewage Spill Response Companies:**

- Quality Jet Rooter  
Whittier, CA  
Contact: Tom Perez  
Mobile: (323) 707-0002  
Office: (800) 661-1287
- Easy Flow Pipe Cleaning LLC  
Rancho Cucamonga, CA  
Contact: Adam Wilson  
Mobile: (909) 563-8212  
Office: (909) 385-1017
- Plumber Depot  
Gardena, CA  
Contact: Mike Martin  
Mobile: (310) 259-5542  
Office: (310) 851-5715

## D.8 Outside Agency Notification Numbers

- **L.A. County Notification:**

- When sewage enters storm drain system:
  - L.A. County Department of Public Works  
Flood Maintenance Division  
Contact: Hansen Yard West  
Phone: (818) 896-0694 or 1 (800) 675-4357 (24 hours)
- If spill is originating from a Sanitation District Trunk Line:
  - Sanitation Districts of Los Angeles County  
Phone: (562) 437-6520  
After hours: (562) 437-6520
  - Los Angeles County Health Department:  
Phone: (213) 974-1234
  - Long Beach Department of Health  
Phone: (562) 570-4000

- **Adjacent City Notifications and Mutual Assistance:**

- City of Los Angeles  
Phone: (323) 342-6006  
After hours: (213) 485-5391
- City of Alhambra  
Phone: (626) 570-5061  
After hours: (626) 570-5168
- City of San Marino  
Phone: (626) 300-0793  
After hours: (626) 300-0720
- City of Pasadena  
Phone: (626) 744-4158  
After hours: (626) 744-4000

- Los Angeles County Department of Public Works  
Flood Maintenance Division  
Contact: East Yard  
Phone: (626) 446-5227  
After hours: (800) 675-4357
- **OES:**
  - Hazardous Spills Notification  
Phone: (800) 852-7550
- **RWQCB:**
  - Phone: (213) 576-6657 (only available 8 a.m. to 5 p.m. weekdays)

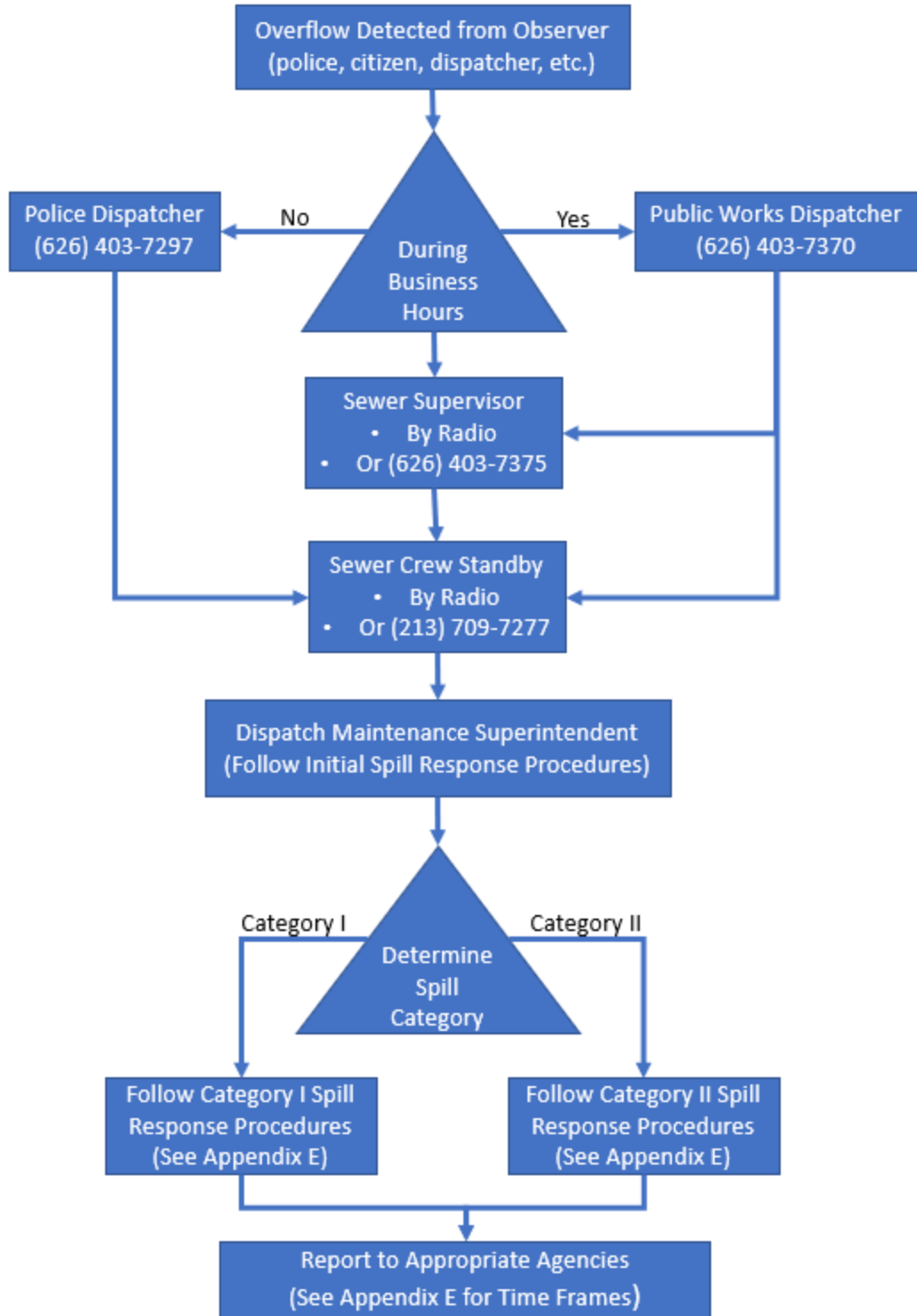
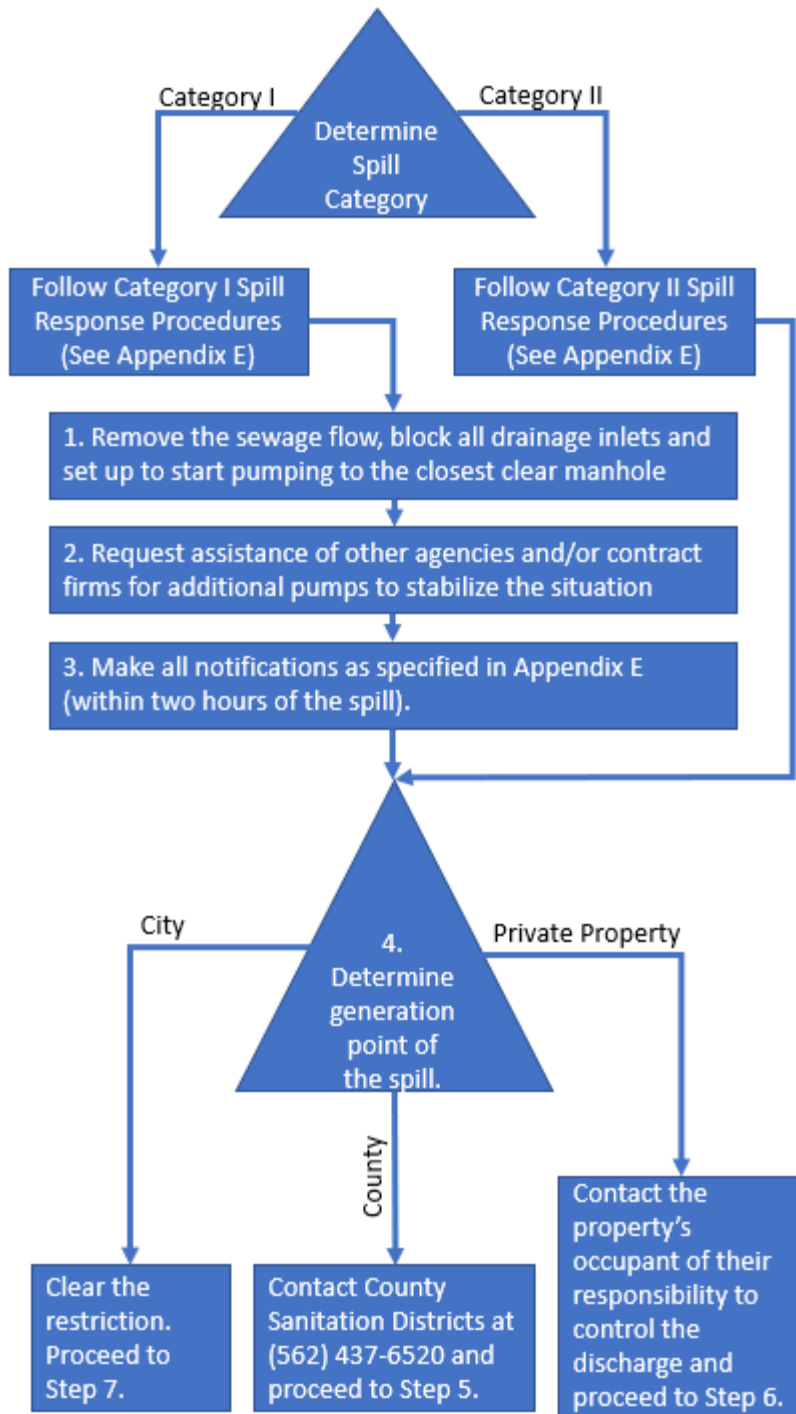


Figure 1 Sewage Spill Response Procedures (SSRP) Flow Chart



Flow Chart Continues on the Following Page

Figure 2a Sewage Spill Response Procedures (SSRP) Flow Chart



Flow Chart Continues from the Previous Page

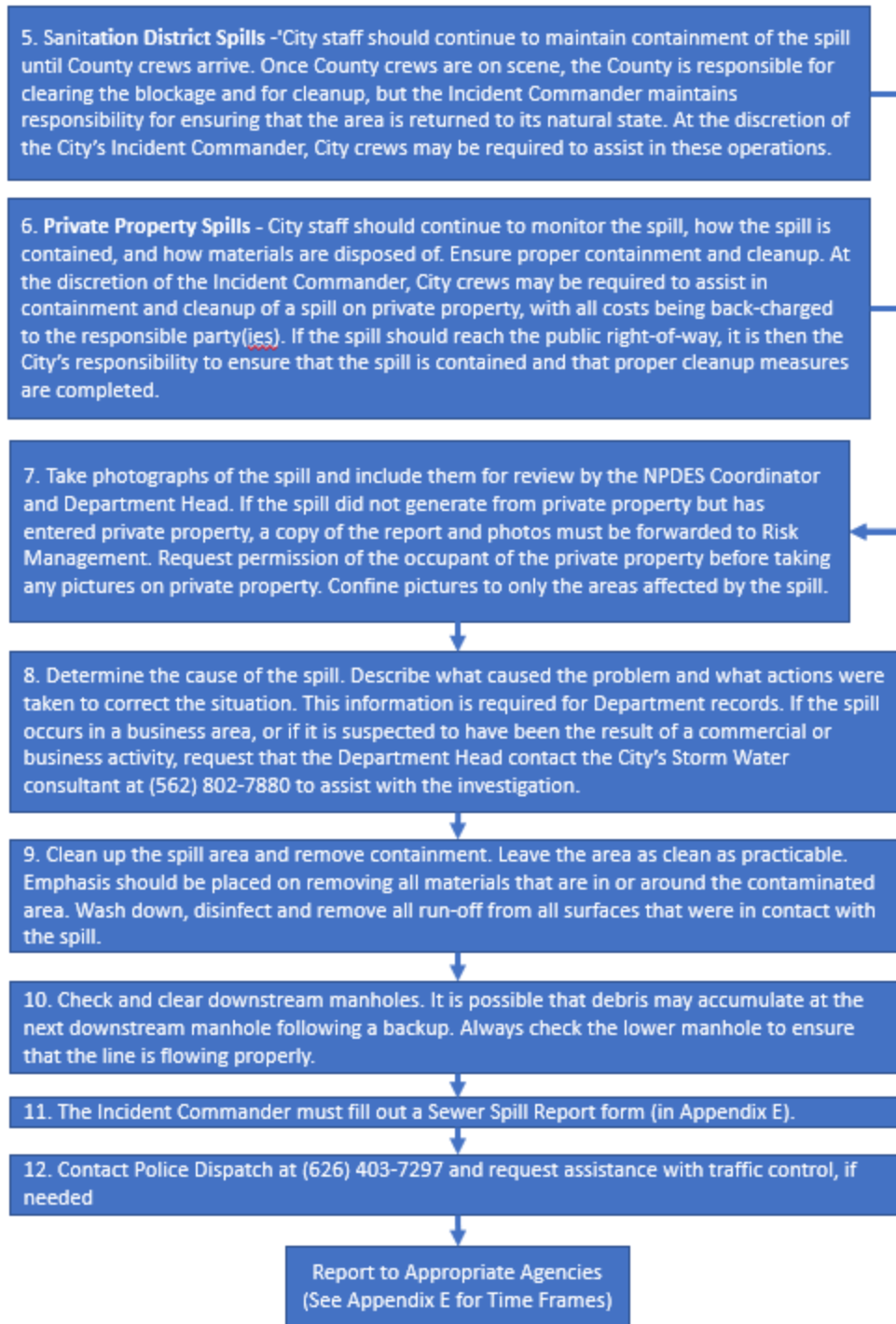


Figure 2b Sewage Spill Response Procedures (SSRP) Flow Chart



Appendix E  
CITY OF SOUTH PASADENA  
MUNICIPAL CODE SECTION 30



CHAPTER 30  
SEWERS\*

Sections:

ARTICLE I. DEFINITIONS, PROHIBITIONS AND GENERAL PROVISIONS

[30.1 Definitions.](#)

[30.2 General prohibitions.](#)

[30.3 Jurisdiction of building inspector and city engineer.](#)

[30.4 Connection permits generally.](#)

[30.5 Pipe with which connections are made.](#)

[30.6 Stormwater drains not to be connected with sewers.](#)

[30.7 Unauthorized removal of covering to manhole or flush tank.](#)

[30.8 Sewer connection fees.](#)

[30.9 Appeal.](#)

[30.10 Sewer fund.](#)

[30.11 Sewer service charges.](#)

ARTICLE II. FOG CONTROL PROGRAM

[30.20 FOG discharge requirement.](#)

[30.21 FOG prohibitions.](#)

[30.22 FOG wastewater discharge permit required.](#)

[30.23 FOG wastewater discharge permit application.](#)

[30.24 FOG wastewater discharge permit conditions.](#)

[30.25 FOG wastewater discharge permit fee.](#)

[30.26 FOG wastewater discharge permit modifications of terms and conditions.](#)

[30.27 FOG wastewater discharge permit duration and renewal.](#)

[30.28 Exemption from FOG wastewater discharge permit.](#)

[30.29 Nontransferability of permits.](#)

[30.30 Best management practices required.](#)

[30.31 FSEs FOG pretreatment required.](#)

[30.32 FOG pretreatment required for new construction of food service establishments.](#)

[30.33 Variance and waiver of grease interceptor requirement.](#)

[30.34 Grease disposal mitigation fee.](#)

[30.35 Grease interceptor maintenance requirements.](#)

[30.36 FOG inspections.](#)

[30.37 FOG inspections fees.](#)

#### ARTICLE III. ENFORCEMENT

[30.50 Notice of noncompliance.](#)

[30.51 Administrative compliance orders.](#)

[30.52 Recovery of cost.](#)

[30.53 Compliance schedule.](#)

[30.54 Cease and desist order.](#)

\* For state law as to authority of cities to construct, etc., sewers and drains, see Gov. C.A., § 38900. As to "Sewer Right-of-Way Law of 1921," see Gov. C.A., § 3900 to 39374. As to sanitation and sewerage systems, see H. & S.C.A., §§ 5470 to 5473.11.

As to connection of auto trailers in camps with sewer, see § 6.25 of this code.

#### ARTICLE I. DEFINITIONS, PROHIBITIONS AND GENERAL PROVISIONS

30.1 Definitions.

As used in this chapter, the following terms are defined in this section:

(a) "Best management practices" mean schedules of activities, prohibitions of practices, maintenance procedures and other management practice to prevent or

reduce the introduction of FOG to the sewer facilities.

(b) "Director" means the director of the department of public works.

(c) "Discharger" means any person who discharges or causes a discharge of wastewater directly or indirectly to a public sewer.

(d) "Fats, oils, and grease ("FOG")" mean any substance, such as a vegetable or animal product that is used in, or is a byproduct of, the cooking or food preparation process, and that turns or may turn viscous or solidifies with a change in temperature or other conditions.

(e) "FOG wastewater discharge permit" or "discharge permit" means a permit issued by the city subject to the requirements and conditions established by the city authorizing the permittee or discharger to discharge wastewater into the city's facilities or into sewer facilities which ultimately discharge into a facility.

(f) "Food grinder" means any device installed in the plumbing or sewage system for the purpose of grinding food waste or food preparation byproducts for the purpose of disposing it in the sewer system.

(g) "Food service establishment ("FSE")" means facilities defined in California Uniform Retail Food Facility Law (CURFFL) Health and Safety Code section 113785, and any commercial or public entity within the boundaries of the city, operating in a permanently constructed structure such as a room, building, or place, or portion thereof, maintained, used, or operated for the purpose of storing, preparing, serving, or manufacturing, packaging, or otherwise handling food for sale to other entities, or for consumption by the public, its members or employees, and which has any process or device that uses or produces FOG, or grease vapors, steam, fumes, smoke or odors that are required to be removed by a Type I or Type II hood, as defined in CURFFL. A limited food preparation establishment is not considered a FSE when engaged only in reheating, hot holding or assembly of ready to eat food products and as a result, there is no wastewater discharge containing a significant amount of FOG. A limited food preparation establishment does not include any operation that changes the form, flavor, or consistency of food.

(h) "Grease control device" means any grease interceptor, grease trap or other mechanism, device, or process, which attaches to, or is applied to, wastewater plumbing fixtures and lines, the purpose of which is to trap or collect or treat FOG prior to it being discharged into the sewer system. A grease control device may also include any other proven method to reduce FOG subject to the approval of

the director.

(i) "Grease disposal mitigation fee" means a fee charged to an owner/operator of a FSE, as provided in this chapter, when there are physical limitations to the property that make the installation of the usual and customary grease interceptor or grease control device for the FSE under consideration impossible.

(j) "Grease interceptor" means a multi-compartment device that is constructed in different sizes and is generally required to be located, according to the California Plumbing Code, underground between a FSE and the connection to the sewer system. These devices primarily use gravity to separate FOG from the wastewater as it moves from one compartment to the next.

(k) "Grease trap" means a grease control device that is used to serve individual fixtures and have limited effect and should only be used in those cases where the use of a grease interceptor or other grease control device is determined to be impossible.

(l) "Inspector" means a person authorized by the city to inspect any existing or proposed wastewater generation, conveyance, processing, and disposal facilities.

(m) "Local sewerage agency" means any public agency or private entity responsible for the collection and disposal of wastewater to the city's sewer facilities duly authorized under the laws of the state of California to construct and/or maintain public sewers.

(n) "Permittee" means a person who has received a permit to discharge wastewater into the city's sewer facilities subject to the requirements and conditions established by the city.

(o) "Public agency" means the state of California and/or any city, county, special district, other local governmental authority or public body of or within this state.

(p) "Public sewer" means a sewer owned and operated by the city, or other local public agency, which is tributary to the city's sewer facilities.

(q) "Regulatory agency" means those agencies having regulatory jurisdiction over the operations of the city, including, but not limited to:

- (1) United States Environmental Protection Agency, Region IX, San Francisco and Washington, DC (EPA);
- (2) California State Water Resources Control Board (SWRCB);



(3) California Regional Water Quality Control Board, Los Angeles Region (Los Angeles RWQCB);

(4) South Coast Air Quality Management District (SCAQMD);

(5) California Department of Health Services (DOHS).

(r) "Sewage" means wastewater.

(s) "Sewer facilities" or "system" means any and all facilities used for collecting, conveying, pumping, treating, and disposing of wastewater and sludge operated by the city.

(t) "Sewer lateral" means a building sewer as defined in the latest edition of the California Plumbing Code. It is the wastewater connection between the building's wastewater facilities and a public sewer system.

(u) "Significant remodel" means an FSE that conducts any remodeling to a FSE which involves construction valued at ten thousand dollars or more requiring a construction permit.

(v) "Sludge" means any solid, semi-solid or liquid decant, subnate or supernate from a manufacturing process, utility service, or pretreatment facility.

(w) "Waste" means sewage and any and all other waste substances, liquid, solid, gaseous or radioactive, associated with human habitation or of human or animal nature, including such wastes placed within containers of whatever nature prior to and for the purpose of disposal.

(x) "Wastewater" means the liquid and water-carried wastes of the community and all constituents thereof, whether treated or untreated, discharged into or permitted to enter a public sewer. (Ord. No. 2186, § 2, 2009.)

### 30.2 General prohibitions.

(a) No person shall act, or cause or permit any agent, employee, independent contractor or third party to act to construct, maintain, operate or utilize any wastewater system connection without a permit ("illicit connection"). The prohibition against illicit connection shall apply irrespective of whether the illicit connection may have been established prior to the date of enactment of the ordinance codified in this chapter, so long as the connection was illicit when established.

(b) No person shall act, or cause or permit any agent, employee, independent contractor or third party to act to cause, allow or facilitate any prohibited

discharge. Nor may any person act to impair the useful functioning of such drain, channel, or natural watercourse or act to cause a public nuisance, public hazard or detrimental pollution of natural surface or subsurface water. Any excessive sewer or sewerage maintenance expenses or any other expenses attributable thereto shall be paid by the responsible entity or person.

(c) It is unlawful for any person to discharge to the wastewater system any wastewater, waste, rainwater or other unpolluted water that is prohibited by CSDLA's wastewater ordinance or causes a violation of stormwater regulations or any requirements of the Regional Water Quality Control Board, Los Angeles Region. These prohibitions include, but are not limited to, prohibited rainwater, groundwater and other water discharges; prohibited industrial wastewater discharges; discharges which cause excessive sewer maintenance; prohibited and restricted waste discharges; medical and infectious wastes; and radioactive wastes.

(d) It is unlawful for any person to discharge or cause to be discharged any industrial wastewaters directly or indirectly to wastewater system owned by the city without first obtaining a permit for industrial wastewater discharge from the county sanitation districts of Los Angeles (CSDLA). When required by the CSDLA, this permit shall be obtained prior to commencement of any construction of new or modified facilities which will discharge industrial wastewater to the sewer.

A violation of these prohibitions shall occur irrespective of the intent of the violator to construct, maintain, operate or utilize an illicit connection or to cause, allow or facilitate any prohibited discharge. (Ord. No. 2186, § 2, 2009.)

### 30.3 Jurisdiction of building inspector and city engineer.

All pipes, drains and fixtures whatsoever within any building and to a point two feet outside thereof, as well as all septic tanks and cesspools and their connections to the house drains, shall be under the jurisdiction of the building inspector. The jurisdiction of the building inspector over sewer connections shall extend from a point two feet outside of the exterior wall served by such connection to the public right-of-way or easement. The city engineer shall have jurisdiction within the public right-of-way or easement. (Ord. No. 2186, § 2, 2009.)

### 30.4 Connection permits generally.

It is unlawful for any person to connect any drain or pipe with any city sewer, or discharge any drainage therein, without a permit to do so being first obtained from the city engineer, who shall charge and collect for each such permit the sum as set and adjusted by resolution of the city council. Each permit shall indicate the place at which the connection is to be made and the property to be

connected, and it shall be unlawful to make any such connection with any public sewer at any other place than that designated in the permit.

Every connection made with any public sewer of the city shall be made in accordance with the engineering and public works department's standard plans and specifications.

No sewer connection shall be covered or concealed in any way until it has been inspected and approved by the director or authorized representative.

The applicant shall have the required sewer installation performed by a contractor licensed by the state to perform this type of work. Complete engineering shall be by a registered civil engineer licensed in the state, and shall include the submission of a full set of detailed improvement plans of a scale acceptable to the director, along with appropriate plan check and inspection fees. The director reserves the right to require the contractor to televise the mains at the applicant's expense to determine acceptability. Any changes in installation shall have prior approval of the director, and the applicant shall furnish the director a complete set of as-built plans at the completion and acceptance of the installation.

The property owner shall be responsible for the construction, maintenance and repairs of all private property sewer connections to the public sewer. (Ord. No. 2186, § 2, 2009.)

#### 30.5 Pipe with which connections are made.

Pipe with which a sewer connection is made must be at least four feet below the established grade of the street at the property line. In all cases, the line of the pipe must be straight from the property line to the wye connection at the sewer main unless otherwise approved by the city engineer. Where a wye connection cannot be found, saddling may be permitted upon approval of the city engineer. (Ord. No. 2186, § 2, 2009.)

#### 30.6 Stormwater drains not to be connected with sewers.

It is unlawful for any person to connect any roof drain, cellar drain or any other drain carrying stormwater with any public sewer. (Ord. No. 2186, § 2, 2009.)

#### 30.7 Unauthorized removal of covering to manhole or flush tank.

It is unlawful for any person, except a properly authorized official or employee of the city, to remove any covering to any manhole or flush tank connected with any sewer in the city. (Ord. No. 2186, § 2, 2009.)

#### 30.8 Sewer connection fees.

Whenever the city engineer finds that a sewer connection permit has been requested by, or on behalf of, the owner of any real property within the city, which property has not borne its just share of the original cost of the installation and construction of the public sewer to which the sewer hook-up is desired, either by means of an assessment district proceeding contract, voluntary contribution, or otherwise, a fee shall be charged for such permit. Such fee shall be established by resolution. (Ord. No. 2186, § 2, 2009.)

### 30.9 Appeal.

Any person aggrieved by the decision of the city engineer relative to the amount of connection fee assessed to a particular property may appeal such determination to the city council by filing a written notice of appeal with the city clerk. At the time set for the hearing, the city council shall determine whether the proposed fee is just and reasonable under all of the circumstances applicable to the case. The decision of the city council shall be final and conclusive. (Ord. No. 2186, § 2, 2009.)

### 30.10 Sewer fund.

The moneys obtained from sewer connection fees shall be placed in a special fund known as the "sewer fund." Money from the sewer fund shall be appropriated only for the planning, acquisition, construction, reconstruction, maintenance and operation of sewerage facilities, to repay principal and interest on general obligation bonds issued for the construction or reconstruction of such sewerage facilities, and to pay federal or state loans or advances made for the construction or reconstruction of sewerage facilities; provided, however, that such revenue shall not be used for the acquisition or construction of new local street sewers or laterals, as distinguished from main trunk, interceptor and outfall sewers. (Ord. No. 2186, § 2, 2009.)

### 30.11 Sewer service charges.

- (a) Charges collected, as established by the ordinance codified in this section, will be used to reimburse the city for costs of regulating the construction of sewers, the interception of sewage and wastes, and to control wastewater to provide the maximum public benefit of the sewage disposal facilities of the city.
- (b) Service charges and fees shall be fixed from time to time by resolution of the city council.
- (c) Bills for sewer services are due and payable upon presentation with the water bill and shall become delinquent in the same manner and at the same time.

In the event any bill shall become delinquent, enforcement of payment shall be

made in the same manner as with water service delinquencies. Payment shall be made at the water department in person or by mail.

(d) There is established a sewerage fund to be administered by the director of finance. All taxes received pursuant to this part shall be used only for the acquisition, construction, reconstruction, maintenance and operation of city sewerage facilities. (Ord. No. 2186, § 2, 2009.)

## ARTICLE II. FOG CONTROL PROGRAM

### 30.20 FOG discharge requirement.

No FSE shall discharge or cause to be discharged into the sewer system FOG that exceeds a concentration level adopted by a regulatory agency or that may accumulate and/or cause or contribute to blockages in the sewer system or at the sewer system lateral which connects the FSE to the sewer system. (Ord. No. 2186, § 2, 2009.)

### 30.21 FOG prohibitions.

The following prohibitions shall apply to all FSEs:

(a) No person shall discharge, or cause to be discharged any wastewater from FSEs directly or indirectly into the sewer system without first obtaining a FOG wastewater discharge permit pursuant to this chapter.

(b) Discharge of any waste, including FOG and solid materials removed from the grease control device to the sewer system, is prohibited.

(c) The installation and use of food grinders shall be prohibited in all new food service establishments that are located in new or existing buildings, in all existing food service establishments undergoing remodeling, and in all existing food preparation and service establishments undergoing remodeling or a change in operations such that they would become a commercial kitchen.

(d) Introduction of any additives into a food service establishment's wastewater system for the purpose of emulsifying or biologically/chemically treating FOG for grease remediation or as a supplement to interceptor maintenance, unless a specific written authorization from the director is obtained.

(e) Disposal of waste cooking oil into drainage pipes.

(f) The discharge of wastewater from dishwashers to any grease traps or grease interceptor.

(g) Discharge of wastewater with temperature in excess of one hundred forty

degrees Fahrenheit to any grease control device, including grease traps and grease interceptors.

(h) Discharge of wastes from toilets, urinals, wash basins, and other fixtures containing fecal material to sewer lines intended for grease interceptor service, is prohibited.

(i) A grease removal device should not be considered properly maintained if for any reason it is not in good working condition, or if sand, oil, sludge, and grease accumulations total more than twenty-five percent of the operative fluid capacity.

(j) The discharge of any waste or FOG to the sewer system in a manner which either violates the California State Water Resources Control Board's Sewer WDRs or causes or contributes to condition which fails to comply with any of the provisions of the sewer WDRs is prohibited. (Ord. No. 2186, § 2, 2009.)

### 30.22 FOG wastewater discharge permit required.

(a) FSEs proposing to discharge or currently discharging wastewater containing FOG into the city's sewer system shall obtain a FOG wastewater discharge permit from the city within either (1) one hundred eighty days from the effective date of the ordinance codified in this chapter; or (2) at the time any FSE applies for or renews its annual business license from the city. Compliance with this chapter must be demonstrated at the time any business license is issued, provided that the director may extend the compliance date for no more than ninety days after the date of the issuance of the license.

(b) FOG wastewater discharge permits shall be expressly subject to all provisions of this chapter and all other regulations, charges for use, and fees established by the city. The conditions of FOG wastewater discharge permits shall be enforced by the city in accordance with this chapter and applicable state and federal regulations.

(c) The city shall not issue a certificate of occupancy for any new construction, or occupancy unless a FSE has fully complied with the provisions of this chapter. (Ord. No. 2186, § 2, 2009.)

### 30.23 FOG wastewater discharge permit application.

Any person required to obtain a FOG wastewater discharge permit shall complete and file with the city prior to commencing discharges, an application in a form prescribed by the director and shall provide the city such information and documents as the director determines is necessary and appropriate to properly

evaluate the application. The applicable fees shall accompany this application. After evaluation of the data furnished, the director may issue a FOG wastewater discharge permit, subject to terms and conditions set forth in this chapter and as otherwise determined by the director to be appropriate to protect the city's sewer system. (Ord. No. 2186, § 2, 2009.)

#### 30.24 FOG wastewater discharge permit conditions.

The issuance of a FOG wastewater discharge permit may contain any of the following conditions or limits as determined by the director:

- (a) Limits on discharge of FOG and other priority pollutants;
- (b) Requirements for proper operation and maintenance of grease interceptors and other grease control devices;
- (c) Grease interceptor maintenance frequency and schedule;
- (d) Requirements for implementation of best management practices and installation of adequate grease interceptor and/or grease control device;
- (e) Requirements for maintaining and reporting status of best management practices;
- (f) Requirements for maintaining and submitting logs and records, including waste hauling records and waste manifests;
- (g) Requirements to self-monitor;
- (h) Requirements for the FSE to construct, operate and maintain, at its own expense, FOG control device and sampling facilities;
- (i) Consent by the operator of the FSE for the city and other regulatory agencies to inspect the FSE to confirm compliance with this chapter, the NPDES permit and other applicable laws, rules and regulations, including any NPDES permit applicable to the city;
- (j) Additional requirements as otherwise determined to be reasonably appropriate by the director to protect the city's system or as specified by other regulatory agencies;
- (k) Other terms and conditions, which may be reasonably applicable to ensure compliance with this chapter as determined by the director. (Ord. No. 2186, § 2, 2009.)

#### 30.25 FOG wastewater discharge permit fee.

The FOG wastewater discharge permit fee shall be paid by the applicant in an amount adopted by resolution of the city council. Payment of permit fees must be received by the city prior to issuance of either a new permit or a renewed permit. A permittee shall also pay any delinquent invoices in full prior to permit renewal. (Ord. No. 2186, § 2, 2009.)

**30.26 FOG wastewater discharge permit modifications of terms and conditions.**

(a) The terms and conditions of an issued permit may be subject to modification and change by the sole determination of the director during the life of the permit based on:

- (1) The discharger's current or anticipated operating data;
- (2) The city's current or anticipated operating data;
- (3) Changes in the requirements of regulatory agencies which affect the city; or
- (4) A determination by the director that such modification is appropriate to further the objectives of this chapter.

(b) The permittee may request a modification to the terms and conditions of an issued permit. The request shall be in writing stating the requested change, and the reasons for the change. The director shall review the request, make a determination on the request, and respond in writing.

(c) The permittee shall be informed of any change in the permit limits, conditions, or requirements at least forty-five days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance. (Ord. No. 2186, § 2, 2009.)

**30.27 FOG wastewater discharge permit duration and renewal.**

FOG wastewater discharge permits shall be issued for a period not to exceed five years. Upon expiration of the permit, the discharger shall apply for renewal of the permit in accordance with the provisions of this chapter. (Ord. No. 2186, § 2, 2009.)

**30.28 Exemption from FOG wastewater discharge permit.**

A limited food preparation establishment is not considered a FSE for the purposes of this chapter and is exempt from obtaining a FOG wastewater discharge permit. Exempted establishment shall be engaged only in reheating, hot holding or assembly of ready to eat food products and as a result, there is no wastewater discharge containing significant amount of FOG. A limited food



preparation establishment does not include any operation that changes the form, flavor, or consistency of food. (Ord. No. 2186, § 2, 2009.)

### 30.29 Nontransferability of permits.

- (a) FOG wastewater discharge permits issued under this chapter are for a specific FSE, for a specific operation and create no vested rights.
- (b) No permit holder shall assign, transfer or sell any FOG wastewater discharge permit issued under this chapter nor use any such permit for or on any premises or for facilities or operations or discharges not expressly encompassed within the underlying permit.
- (c) Any permit, which is transferred to a new owner or operator or to a new facility, is void. (Ord. No. 2186, § 2, 2009.)

### 30.30 Best management practices required.

All FSEs shall implement best management practices in its operation to minimize the discharge of FOG to the sewer system.

- (a) Installation of Drain Screens. Drain screens shall be installed on all draining pipes in food preparation areas. Clean drain screens frequently by placing the collected material in the garbage.
- (b) Disposal of Food Waste. All food waste shall be disposed of directly into the trash or garbage and not in sinks.
- (c) Segregation and Collection of Waste Cooking Oil. Licensed waste haulers or an approved recycling facility must be used to dispose of waste cooking oil.
- (d) Maintenance of Kitchen Exhaust Filters. Filters shall be cleaned as frequently as necessary to be maintained in good operating condition. The wastewater generated from cleaning the exhaust filters shall be disposed properly.
- (e) Kitchen Signage. Best management and waste minimization practices shall be posted conspicuously in the food preparation and dishwashing areas at all times.
- (f) Employee Training. Employees of the food service establishment shall be trained by ownership within one hundred eighty days of notification, and twice each calendar year thereafter, on the following subjects:
  - (1) How to “dry wipe” pots, pans, dishware, and work area before washing to remove grease;

- (2) How to properly dispose of food waste and solids in enclosed plastic bags prior to disposal in trash bins or containers to prevent leaking and odors;
- (3) The location and use of absorption products to clean under fryer baskets and other locations where grease may be spilled or dripped;
- (4) How to properly dispose of grease or oils from cooking equipment into a grease receptacle such as a barrel or drum without spilling.

Training shall be documented and employee signatures retained indicating each employee's attendance and understanding of the practices reviewed. Training records shall be available for review at any reasonable time by or other authorized inspector. (Ord. No. 2186, § 2, 2009.)

### **30.31 FSEs FOG pretreatment required.**

FSEs shall install an approved grease control device and regularly maintain it so as to prevent excessive discharges of grease and oil into the public sewer. Exceptions to the installation of a grease and oil interceptor shall be determined on a case-by-case basis by the director. (Ord. No. 2186, § 2, 2009.)

### **30.32 FOG pretreatment required for new construction of food service establishments.**

All new construction of food service establishments and those undergoing a significant remodel shall install a grease interceptor prior to commencing discharge of wastewater to sewer system. (Ord. No. 2186, § 2, 2009.)

### **30.33 Variance and waiver of grease interceptor requirement.**

(a) **Variance from Grease Interceptor Requirements.** A variance or a conditional waiver from the grease interceptor requirements on such terms and conditions as may be established by the director, consistent with the requirements of the sewer WDRs, the city's FOG control program, and best construction, engineering, environmental and health and safety practices, to: (1) allow alternative pretreatment technology that is, at least, equally effective in controlling the FOG discharge in lieu of a grease interceptor, may be granted by the director to FSEs demonstrating to the director's satisfaction that it is impossible to install, operate or maintain a grease interceptor; or (2) where the FSE demonstrates to the director's satisfaction that any FOG discharge from the FSE is negligible and will have an insignificant impact to the sewer system.

(b) **Waiver from Grease Interceptor Installation with a Grease Disposal Mitigation Fee.** For FSEs where the installation of grease interceptor is not

feasible and no equivalent alternative pretreatment can be installed, a waiver from the grease interceptor requirement may be granted with the imposition of a grease disposal mitigation fee as described in section 30.34. The director's determination to grant the waiver with a grease disposal mitigation fee will be based upon such considerations that the director determines to be appropriate and consistent with the sewer WDRs, the city's FOG control program, and best construction, engineering, environmental and health and safety practices. Provided, however, that a grease interceptor will be installed when the FSE undergoes a significant remodel. No discretionary permit, including but not limited to a conditional use permit, shall be issued to a FSE unless the applicant can demonstrate that a grease interceptor has been or will be installed at the FSE.

(c) Application for Waiver or Variance of Requirement for Grease Interceptor. A FSE may submit an application for waiver or variance from the grease interceptor requirement to the director. Terms and conditions for issuance of a variance to a FSE shall be set forth in the permit. A waiver or variance may be revoked at any time when any of the terms and conditions for its issuance is not satisfied or if the conditions upon which the waiver was based change so that the justification for the waiver no longer exists. (Ord. No. 2186, § 2, 2009.)

#### 30.34 Grease disposal mitigation fee.

(a) FSEs that operate without a grease control interceptor may be required to pay an annual grease disposal mitigation fee to equitably cover the costs of increased maintenance and administration of the sewer system as a result of the FSEs' inability to adequately remove FOG from its wastewater discharge. This section shall not be interpreted to allow a new FSE, or existing FSEs undergoing remodeling or change in operations, to operate without an approved grease interceptor unless the director has determined that it is impossible to install or operate a grease control interceptor for the FSE under the provisions of this chapter.

(b) The grease disposal mitigation fee shall be established by resolution of the city council, and shall be based on the estimated annual increased cost of maintaining the sewer system for inspection and removal of FOG and other viscous or solidifying agents attributable to the FSE resulting from the lack of a grease interceptor or grease control device and such other costs that the city council considers appropriate.

(c) The grease disposal mitigation fee may not be waived or reduced when the FSE does not comply with the minimum requirements of this chapter. (Ord. No.

2186, § 2, 2009.)

**30.35 Grease interceptor maintenance requirements.**

(a) Grease interceptors shall be maintained in efficient operating condition by periodic removal of the full content of the interceptor which includes wastewater, accumulated FOG, floating materials, sludge and solids.

(b) Wastewater, accumulated FOG, floating material, sludge/solids, and other materials removed from the grease interceptor shall be disposed off site properly by waste haulers in accordance with federal, state and/or local laws.

(c) Grease interceptors shall be fully pumped out and cleaned on a quarterly basis. The agency may change the maintenance frequency at any time to reflect changes in actual operating conditions in accordance with the FOG control program. Based on the actual generation of FOG from the food service establishment, the maintenance frequency may increase or decrease.

(d) The permittee shall be required to keep all documents identified by the director relating to its compliance with this chapter, including manifests, receipts and invoices of all cleaning, maintenance, grease removal of/from the grease control device, disposal carrier and disposal site location for no less than two years. The permittee shall, upon request, make the manifests, receipts and invoices available to any city representative, or inspector.

(e) If the grease interceptor, at any time, contains excess FOG and solids accumulation the FSE shall be required to have the grease interceptor serviced immediately such that all fats, oils, grease, sludge, and other materials are completely removed from the grease interceptor. If deemed necessary, the director may also increase the maintenance frequency of the grease interceptor from the current frequency. (Ord. No. 2186, § 2, 2009.)

**30.36 FOG inspections.**

The director, or representative, shall be authorized at any reasonable time to enter the premises of any discharger to determine compliance with the provisions of this chapter; such inspection may include but not be limited to: inspection, sampling, monitoring, review, photograph, videotape and copy of any records, reports, test results or other data, wastes, chemicals, storage areas, storage containers, waste generating processes, treatment facilities and discharge locations. (Ord. No. 2186, § 2, 2009.)

**30.37 FOG inspections fees.**

The amount of FOG inspections fee shall be established by resolution of the city

council as amended from time to time in accordance with provisions of this chapter. (Ord. No. 2186, § 2, 2009.)

### ARTICLE III. ENFORCEMENT

#### 30.50 Notice of noncompliance.

The director may deliver to the owner or occupant of any private property, any permittee or any responsible party a notice of noncompliance listing the steps necessary to correct the conditions on the property causing noncompliance with the provisions of this chapter.

The director shall prepare each notice of noncompliance listing the applicable chapter provision(s), permit requirements violated, the selected compliance deadline, not to exceed ninety days, and stating that continued noncompliance may result in additional enforcement actions against the owner or occupant. The director may extend the compliance deadline an additional ninety days where good cause exists for the extension. (Ord. No. 2186, § 2, 2009.)

#### 30.51 Administrative compliance orders.

(a) The director may issue an administrative compliance order to:

- (1) The owner or occupant of any private property requiring abatement of conditions on the property that cause or may cause discharges in violation of this chapter;
- (2) The permittee subject to the requirements of any permit issued pursuant to this chapter to ensure compliance with the terms, conditions and requirements of the permit.

(b) The administrative compliance order may include the installation of approved grease control devices. (Ord. No. 2186, § 2, 2009.)

#### 30.52 Recovery of cost.

The director may issue to the owner or occupant of any private property, any permittee or any responsible party, who becomes subject to a notice of noncompliance or administrative order, an invoice for costs, which shall be immediately due and payable to the city for the actual costs incurred by the city in issuing and enforcing any notice or order.

If any owner or occupant, permittee or responsible party, fails to pay the invoice for costs within thirty days of the authorized inspector's deposit of the invoice for costs in the regular mail, postage prepaid, the enforcing attorney may institute collection proceedings or elect to place a lien on the property in the amount of

the invoice of costs. (Ord. No. 2186, § 2, 2009.)

### 30.53 Compliance schedule.

Upon determination that a discharger is in noncompliance with any provisions of this chapter, the director may require the discharger to submit for review and approval a compliance schedule. If, following the compliance schedule expiration date, the discharger fails to comply with the terms, conditions, or limitations specified in the compliance schedule, the discharger's permit, or with any provisions of this chapter, then the discharger may be subject to noncompliance fees, a probation order, a cease and desist order, and/or legal actions. (Ord. No. 2186, § 2, 2009.)

### 30.54 Cease and desist order.

(a) The director may order the owner or occupant of any private property, permittee or any responsible party to: (1) immediately discontinue any process water, wastewater or pollutant discharge to the wastewater system or the stormwater drainage system; (2) immediately block or divert any flow of water from the property, where the flow is occurring in violation of any provision of this chapter; and (3) immediately discontinue any other violation of this chapter. The cease and desist order may contain terms and conditions including, but not limited to, limits on rate and time of discharge, or other provisions to ensure compliance with this chapter.

(b) Notice/Hearing. When the director has reason to believe that grounds exist to issue a cease and desist order, he or she shall give written notice thereof either by personal delivery or by certified mail to the discharger setting forth the grounds for such an order, together with the time and place where the charges shall be heard.

(c) After the conclusion of the hearing, the director shall make a determination and issue a decision and order within thirty calendar days of the hearing. The written decision and order of the director shall be sent by personal delivery or by certified mail to the discharger. The order of the director shall be final in all aspects fourteen days after it is mailed to the discharger unless a request for hearing is filed with the city council.

Failure of the discharger to comply with the conditions of the cease and desist order may result in permit suspension, permit revocation, termination of service and/or legal actions. (Ord. No. 2186, § 2, 2009.)

### 30.1 Definitions.

As used in this chapter, the following terms are defined in this section:

- (a) “Best management practices” mean schedules of activities, prohibitions of practices, maintenance procedures and other management practice to prevent or reduce the introduction of FOG to the sewer facilities.
- (b) “Director” means the director of the department of public works.
- (c) “Discharger” means any person who discharges or causes a discharge of wastewater directly or indirectly to a public sewer.
- (d) “Fats, oils, and grease (“FOG”)” mean any substance, such as a vegetable or animal product that is used in, or is a byproduct of, the cooking or food preparation process, and that turns or may turn viscous or solidifies with a change in temperature or other conditions.
- (e) “FOG wastewater discharge permit” or “discharge permit” means a permit issued by the city subject to the requirements and conditions established by the city authorizing the permittee or discharger to discharge wastewater into the city’s facilities or into sewer facilities which ultimately discharge into a facility.
- (f) “Food grinder” means any device installed in the plumbing or sewage system for the purpose of grinding food waste or food preparation byproducts for the purpose of disposing it in the sewer system.
- (g) “Food service establishment (“FSE”)” means facilities defined in California Uniform Retail Food Facility Law (CURFFL) Health and Safety Code section 113785, and any commercial or public entity within the boundaries of the city, operating in a permanently constructed structure such as a room, building, or place, or portion thereof, maintained, used, or operated for the purpose of storing, preparing, serving, or manufacturing, packaging, or otherwise handling food for sale to other entities, or for consumption by the public, its members or employees, and which has any process or device that uses or produces FOG, or grease vapors, steam, fumes, smoke or odors that are required to be removed by a Type I or Type II hood, as defined in CURFFL. A limited food preparation establishment is not considered a FSE when engaged only in reheating, hot holding or assembly of ready to eat food products and as a result, there is no wastewater discharge containing a significant amount of FOG. A limited food preparation establishment does not include any operation that changes the form, flavor, or consistency of food.
- (h) “Grease control device” means any grease interceptor, grease trap or other mechanism, device, or process, which attaches to, or is applied to, wastewater plumbing fixtures and lines, the purpose of which is to trap or collect or treat FOG

prior to it being discharged into the sewer system. A grease control device may also include any other proven method to reduce FOG subject to the approval of the director.

(i) "Grease disposal mitigation fee" means a fee charged to an owner/operator of a FSE, as provided in this chapter, when there are physical limitations to the property that make the installation of the usual and customary grease interceptor or grease control device for the FSE under consideration impossible.

(j) "Grease interceptor" means a multi-compartment device that is constructed in different sizes and is generally required to be located, according to the California Plumbing Code, underground between a FSE and the connection to the sewer system. These devices primarily use gravity to separate FOG from the wastewater as it moves from one compartment to the next.

(k) "Grease trap" means a grease control device that is used to serve individual fixtures and have limited effect and should only be used in those cases where the use of a grease interceptor or other grease control device is determined to be impossible.

(l) "Inspector" means a person authorized by the city to inspect any existing or proposed wastewater generation, conveyance, processing, and disposal facilities.

(m) "Local sewerage agency" means any public agency or private entity responsible for the collection and disposal of wastewater to the city's sewer facilities duly authorized under the laws of the state of California to construct and/or maintain public sewers.

(n) "Permittee" means a person who has received a permit to discharge wastewater into the city's sewer facilities subject to the requirements and conditions established by the city.

(o) "Public agency" means the state of California and/or any city, county, special district, other local governmental authority or public body of or within this state.

(p) "Public sewer" means a sewer owned and operated by the city, or other local public agency, which is tributary to the city's sewer facilities.

(q) "Regulatory agency" means those agencies having regulatory jurisdiction over the operations of the city, including, but not limited to:

- (1) United States Environmental Protection Agency, Region IX, San Francisco and Washington, DC (EPA);



- (2) California State Water Resources Control Board (SWRCB);
  - (3) California Regional Water Quality Control Board, Los Angeles Region (Los Angeles RWQCB);
  - (4) South Coast Air Quality Management District (SCAQMD);
  - (5) California Department of Health Services (DOHS).
- (r) "Sewage" means wastewater.
- (s) "Sewer facilities" or "system" means any and all facilities used for collecting, conveying, pumping, treating, and disposing of wastewater and sludge operated by the city.
- (t) "Sewer lateral" means a building sewer as defined in the latest edition of the California Plumbing Code. It is the wastewater connection between the building's wastewater facilities and a public sewer system.
- (u) "Significant remodel" means an FSE that conducts any remodeling to a FSE which involves construction valued at ten thousand dollars or more requiring a construction permit.
- (v) "Sludge" means any solid, semi-solid or liquid decant, subnate or supernate from a manufacturing process, utility service, or pretreatment facility.
- (w) "Waste" means sewage and any and all other waste substances, liquid, solid, gaseous or radioactive, associated with human habitation or of human or animal nature, including such wastes placed within containers of whatever nature prior to and for the purpose of disposal.
- (x) "Wastewater" means the liquid and water-carried wastes of the community and all constituents thereof, whether treated or untreated, discharged into or permitted to enter a public sewer. (Ord. No. 2186, § 2, 2009.)

### 30.2 General prohibitions.

- (a) No person shall act, or cause or permit any agent, employee, independent contractor or third party to act to construct, maintain, operate or utilize any wastewater system connection without a permit ("illicit connection"). The prohibition against illicit connection shall apply irrespective of whether the illicit connection may have been established prior to the date of enactment of the ordinance codified in this chapter, so long as the connection was illicit when established.

(b) No person shall act, or cause or permit any agent, employee, independent contractor or third party to act to cause, allow or facilitate any prohibited discharge. Nor may any person act to impair the useful functioning of such drain, channel, or natural watercourse or act to cause a public nuisance, public hazard or detrimental pollution of natural surface or subsurface water. Any excessive sewer or sewerage maintenance expenses or any other expenses attributable thereto shall be paid by the responsible entity or person.

(c) It is unlawful for any person to discharge to the wastewater system any wastewater, waste, rainwater or other unpolluted water that is prohibited by CSDLA's wastewater ordinance or causes a violation of stormwater regulations or any requirements of the Regional Water Quality Control Board, Los Angeles Region. These prohibitions include, but are not limited to, prohibited rainwater, groundwater and other water discharges; prohibited industrial wastewater discharges; discharges which cause excessive sewer maintenance; prohibited and restricted waste discharges; medical and infectious wastes; and radioactive wastes.

(d) It is unlawful for any person to discharge or cause to be discharged any industrial wastewaters directly or indirectly to wastewater system owned by the city without first obtaining a permit for industrial wastewater discharge from the county sanitation districts of Los Angeles (CSDLA). When required by the CSDLA, this permit shall be obtained prior to commencement of any construction of new or modified facilities which will discharge industrial wastewater to the sewer.

A violation of these prohibitions shall occur irrespective of the intent of the violator to construct, maintain, operate or utilize an illicit connection or to cause, allow or facilitate any prohibited discharge. (Ord. No. 2186, § 2, 2009.)

### 30.3 Jurisdiction of building inspector and city engineer.

All pipes, drains and fixtures whatsoever within any building and to a point two feet outside thereof, as well as all septic tanks and cesspools and their connections to the house drains, shall be under the jurisdiction of the building inspector. The jurisdiction of the building inspector over sewer connections shall extend from a point two feet outside of the exterior wall served by such connection to the public right-of-way or easement. The city engineer shall have jurisdiction within the public right-of-way or easement. (Ord. No. 2186, § 2, 2009.)

### 30.4 Connection permits generally.

It is unlawful for any person to connect any drain or pipe with any city sewer, or discharge any drainage therein, without a permit to do so being first obtained from the city engineer, who shall charge and collect for each such permit the sum

as set and adjusted by resolution of the city council. Each permit shall indicate the place at which the connection is to be made and the property to be connected, and it shall be unlawful to make any such connection with any public sewer at any other place than that designated in the permit.

Every connection made with any public sewer of the city shall be made in accordance with the engineering and public works department's standard plans and specifications.

No sewer connection shall be covered or concealed in any way until it has been inspected and approved by the director or authorized representative.

The applicant shall have the required sewer installation performed by a contractor licensed by the state to perform this type of work. Complete engineering shall be by a registered civil engineer licensed in the state, and shall include the submission of a full set of detailed improvement plans of a scale acceptable to the director, along with appropriate plan check and inspection fees. The director reserves the right to require the contractor to televise the mains at the applicant's expense to determine acceptability. Any changes in installation shall have prior approval of the director, and the applicant shall furnish the director a complete set of as-built plans at the completion and acceptance of the installation.

The property owner shall be responsible for the construction, maintenance and repairs of all private property sewer connections to the public sewer. (Ord. No. 2186, § 2, 2009.)

### 30.5 Pipe with which connections are made.

Pipe with which a sewer connection is made must be at least four feet below the established grade of the street at the property line. In all cases, the line of the pipe must be straight from the property line to the wye connection at the sewer main unless otherwise approved by the city engineer. Where a wye connection cannot be found, saddling may be permitted upon approval of the city engineer. (Ord. No. 2186, § 2, 2009.)

### 30.6 Stormwater drains not to be connected with sewers.

It is unlawful for any person to connect any roof drain, cellar drain or any other drain carrying stormwater with any public sewer. (Ord. No. 2186, § 2, 2009.)

### 30.7 Unauthorized removal of covering to manhole or flush tank.

It is unlawful for any person, except a properly authorized official or employee of the city, to remove any covering to any manhole or flush tank connected with any

sewer in the city. (Ord. No. 2186, § 2, 2009.)

### 30.8 Sewer connection fees.

Whenever the city engineer finds that a sewer connection permit has been requested by, or on behalf of, the owner of any real property within the city, which property has not borne its just share of the original cost of the installation and construction of the public sewer to which the sewer hook-up is desired, either by means of an assessment district proceeding contract, voluntary contribution, or otherwise, a fee shall be charged for such permit. Such fee shall be established by resolution. (Ord. No. 2186, § 2, 2009.)

### 30.9 Appeal.

Any person aggrieved by the decision of the city engineer relative to the amount of connection fee assessed to a particular property may appeal such determination to the city council by filing a written notice of appeal with the city clerk. At the time set for the hearing, the city council shall determine whether the proposed fee is just and reasonable under all of the circumstances applicable to the case. The decision of the city council shall be final and conclusive. (Ord. No. 2186, § 2, 2009.)

### 30.10 Sewer fund.

The moneys obtained from sewer connection fees shall be placed in a special fund known as the "sewer fund." Money from the sewer fund shall be appropriated only for the planning, acquisition, construction, reconstruction, maintenance and operation of sewerage facilities, to repay principal and interest on general obligation bonds issued for the construction or reconstruction of such sewerage facilities, and to pay federal or state loans or advances made for the construction or reconstruction of sewerage facilities; provided, however, that such revenue shall not be used for the acquisition or construction of new local street sewers or laterals, as distinguished from main trunk, interceptor and outfall sewers. (Ord. No. 2186, § 2, 2009.)

### 30.11 Sewer service charges.

- (a) Charges collected, as established by the ordinance codified in this section, will be used to reimburse the city for costs of regulating the construction of sewers, the interception of sewage and wastes, and to control wastewater to provide the maximum public benefit of the sewage disposal facilities of the city.
- (b) Service charges and fees shall be fixed from time to time by resolution of the city council.
- (c) Bills for sewer services are due and payable upon presentation with the

water bill and shall become delinquent in the same manner and at the same time.

In the event any bill shall become delinquent, enforcement of payment shall be made in the same manner as with water service delinquencies. Payment shall be made at the water department in person or by mail.

(d) There is established a sewerage fund to be administered by the director of finance. All taxes received pursuant to this part shall be used only for the acquisition, construction, reconstruction, maintenance and operation of city sewerage facilities. (Ord. No. 2186, § 2, 2009.)

## ARTICLE II. FOG CONTROL PROGRAM

### 30.20 FOG discharge requirement.

No FSE shall discharge or cause to be discharged into the sewer system FOG that exceeds a concentration level adopted by a regulatory agency or that may accumulate and/or cause or contribute to blockages in the sewer system or at the sewer system lateral which connects the FSE to the sewer system. (Ord. No. 2186, § 2, 2009.)

### 30.21 FOG prohibitions.

The following prohibitions shall apply to all FSEs:

(a) No person shall discharge, or cause to be discharged any wastewater from FSEs directly or indirectly into the sewer system without first obtaining a FOG wastewater discharge permit pursuant to this chapter.

(b) Discharge of any waste, including FOG and solid materials removed from the grease control device to the sewer system, is prohibited.

(c) The installation and use of food grinders shall be prohibited in all new food service establishments that are located in new or existing buildings, in all existing food service establishments undergoing remodeling, and in all existing food preparation and service establishments undergoing remodeling or a change in operations such that they would become a commercial kitchen.

(d) Introduction of any additives into a food service establishment's wastewater system for the purpose of emulsifying or biologically/chemically treating FOG for grease remediation or as a supplement to interceptor maintenance, unless a specific written authorization from the director is obtained.

(e) Disposal of waste cooking oil into drainage pipes.

(f) The discharge of wastewater from dishwashers to any grease traps or grease

interceptor.

(g) Discharge of wastewater with temperature in excess of one hundred forty degrees Fahrenheit to any grease control device, including grease traps and grease interceptors.

(h) Discharge of wastes from toilets, urinals, wash basins, and other fixtures containing fecal material to sewer lines intended for grease interceptor service, is prohibited.

(i) A grease removal device should not be considered properly maintained if for any reason it is not in good working condition, or if sand, oil, sludge, and grease accumulations total more than twenty-five percent of the operative fluid capacity.

(j) The discharge of any waste or FOG to the sewer system in a manner which either violates the California State Water Resources Control Board's Sewer WDRs or causes or contributes to condition which fails to comply with any of the provisions of the sewer WDRs is prohibited. (Ord. No. 2186, § 2, 2009.)

### 30.22 FOG wastewater discharge permit required.

(a) FSEs proposing to discharge or currently discharging wastewater containing FOG into the city's sewer system shall obtain a FOG wastewater discharge permit from the city within either (1) one hundred eighty days from the effective date of the ordinance codified in this chapter; or (2) at the time any FSE applies for or renews its annual business license from the city. Compliance with this chapter must be demonstrated at the time any business license is issued, provided that the director may extend the compliance date for no more than ninety days after the date of the issuance of the license.

(b) FOG wastewater discharge permits shall be expressly subject to all provisions of this chapter and all other regulations, charges for use, and fees established by the city. The conditions of FOG wastewater discharge permits shall be enforced by the city in accordance with this chapter and applicable state and federal regulations.

(c) The city shall not issue a certificate of occupancy for any new construction, or occupancy unless a FSE has fully complied with the provisions of this chapter. (Ord. No. 2186, § 2, 2009.)

### 30.23 FOG wastewater discharge permit application.

Any person required to obtain a FOG wastewater discharge permit shall complete and file with the city prior to commencing discharges, an application in a form

prescribed by the director and shall provide the city such information and documents as the director determines is necessary and appropriate to properly evaluate the application. The applicable fees shall accompany this application. After evaluation of the data furnished, the director may issue a FOG wastewater discharge permit, subject to terms and conditions set forth in this chapter and as otherwise determined by the director to be appropriate to protect the city's sewer system. (Ord. No. 2186, § 2, 2009.)

#### 30.24 FOG wastewater discharge permit conditions.

The issuance of a FOG wastewater discharge permit may contain any of the following conditions or limits as determined by the director:

- (a) Limits on discharge of FOG and other priority pollutants;
- (b) Requirements for proper operation and maintenance of grease interceptors and other grease control devices;
- (c) Grease interceptor maintenance frequency and schedule;
- (d) Requirements for implementation of best management practices and installation of adequate grease interceptor and/or grease control device;
- (e) Requirements for maintaining and reporting status of best management practices;
- (f) Requirements for maintaining and submitting logs and records, including waste hauling records and waste manifests;
- (g) Requirements to self-monitor;
- (h) Requirements for the FSE to construct, operate and maintain, at its own expense, FOG control device and sampling facilities;
- (i) Consent by the operator of the FSE for the city and other regulatory agencies to inspect the FSE to confirm compliance with this chapter, the NPDES permit and other applicable laws, rules and regulations, including any NPDES permit applicable to the city;
- (j) Additional requirements as otherwise determined to be reasonably appropriate by the director to protect the city's system or as specified by other regulatory agencies;
- (k) Other terms and conditions, which may be reasonably applicable to ensure compliance with this chapter as determined by the director. (Ord. No. 2186, § 2,

2009.)

**30.25 FOG wastewater discharge permit fee.**

The FOG wastewater discharge permit fee shall be paid by the applicant in an amount adopted by resolution of the city council. Payment of permit fees must be received by the city prior to issuance of either a new permit or a renewed permit. A permittee shall also pay any delinquent invoices in full prior to permit renewal. (Ord. No. 2186, § 2, 2009.)

**30.26 FOG wastewater discharge permit modifications of terms and conditions.**

(a) The terms and conditions of an issued permit may be subject to modification and change by the sole determination of the director during the life of the permit based on:

- (1) The discharger's current or anticipated operating data;
- (2) The city's current or anticipated operating data;
- (3) Changes in the requirements of regulatory agencies which affect the city; or
- (4) A determination by the director that such modification is appropriate to further the objectives of this chapter.

(b) The permittee may request a modification to the terms and conditions of an issued permit. The request shall be in writing stating the requested change, and the reasons for the change. The director shall review the request, make a determination on the request, and respond in writing.

(c) The permittee shall be informed of any change in the permit limits, conditions, or requirements at least forty-five days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance. (Ord. No. 2186, § 2, 2009.)

**30.27 FOG wastewater discharge permit duration and renewal.**

FOG wastewater discharge permits shall be issued for a period not to exceed five years. Upon expiration of the permit, the discharger shall apply for renewal of the permit in accordance with the provisions of this chapter. (Ord. No. 2186, § 2, 2009.)

**30.28 Exemption from FOG wastewater discharge permit.**

A limited food preparation establishment is not considered a FSE for the purposes of this chapter and is exempt from obtaining a FOG wastewater



discharge permit. Exempted establishment shall be engaged only in reheating, hot holding or assembly of ready to eat food products and as a result, there is no wastewater discharge containing significant amount of FOG. A limited food preparation establishment does not include any operation that changes the form, flavor, or consistency of food. (Ord. No. 2186, § 2, 2009.)

### 30.29 Nontransferability of permits.

- (a) FOG wastewater discharge permits issued under this chapter are for a specific FSE, for a specific operation and create no vested rights.
- (b) No permit holder shall assign, transfer or sell any FOG wastewater discharge permit issued under this chapter nor use any such permit for or on any premises or for facilities or operations or discharges not expressly encompassed within the underlying permit.
- (c) Any permit, which is transferred to a new owner or operator or to a new facility, is void. (Ord. No. 2186, § 2, 2009.)

### 30.30 Best management practices required.

All FSEs shall implement best management practices in its operation to minimize the discharge of FOG to the sewer system.

- (a) Installation of Drain Screens. Drain screens shall be installed on all draining pipes in food preparation areas. Clean drain screens frequently by placing the collected material in the garbage.
- (b) Disposal of Food Waste. All food waste shall be disposed of directly into the trash or garbage and not in sinks.
- (c) Segregation and Collection of Waste Cooking Oil. Licensed waste haulers or an approved recycling facility must be used to dispose of waste cooking oil.
- (d) Maintenance of Kitchen Exhaust Filters. Filters shall be cleaned as frequently as necessary to be maintained in good operating condition. The wastewater generated from cleaning the exhaust filters shall be disposed properly.
- (e) Kitchen Signage. Best management and waste minimization practices shall be posted conspicuously in the food preparation and dishwashing areas at all times.
- (f) Employee Training. Employees of the food service establishment shall be trained by ownership within one hundred eighty days of notification, and twice

each calendar year thereafter, on the following subjects:

- (1) How to “dry wipe” pots, pans, dishware, and work area before washing to remove grease;
- (2) How to properly dispose of food waste and solids in enclosed plastic bags prior to disposal in trash bins or containers to prevent leaking and odors;
- (3) The location and use of absorption products to clean under fryer baskets and other locations where grease may be spilled or dripped;
- (4) How to properly dispose of grease or oils from cooking equipment into a grease receptacle such as a barrel or drum without spilling.

Training shall be documented and employee signatures retained indicating each employee’s attendance and understanding of the practices reviewed. Training records shall be available for review at any reasonable time by or other authorized inspector. (Ord. No. 2186, § 2, 2009.)

### **30.31 FSEs FOG pretreatment required.**

FSEs shall install an approved grease control device and regularly maintain it so as to prevent excessive discharges of grease and oil into the public sewer. Exceptions to the installation of a grease and oil interceptor shall be determined on a case-by-case basis by the director. (Ord. No. 2186, § 2, 2009.)

### **30.32 FOG pretreatment required for new construction of food service establishments.**

All new construction of food service establishments and those undergoing a significant remodel shall install a grease interceptor prior to commencing discharge of wastewater to sewer system. (Ord. No. 2186, § 2, 2009.)

### **30.33 Variance and waiver of grease interceptor requirement.**

(a) Variance from Grease Interceptor Requirements. A variance or a conditional waiver from the grease interceptor requirements on such terms and conditions as may be established by the director, consistent with the requirements of the sewer WDRs, the city’s FOG control program, and best construction, engineering, environmental and health and safety practices, to: (1) allow alternative pretreatment technology that is, at least, equally effective in controlling the FOG discharge in lieu of a grease interceptor, may be granted by the director to FSEs demonstrating to the director’s satisfaction that it is impossible to install, operate or maintain a grease interceptor; or (2) where the FSE demonstrates to the director’s satisfaction that any FOG discharge from the FSE is negligible and

will have an insignificant impact to the sewer system.

(b) Waiver from Grease Interceptor Installation with a Grease Disposal Mitigation Fee. For FSEs where the installation of grease interceptor is not feasible and no equivalent alternative pretreatment can be installed, a waiver from the grease interceptor requirement may be granted with the imposition of a grease disposal mitigation fee as described in section 30.34. The director's determination to grant the waiver with a grease disposal mitigation fee will be based upon such considerations that the director determines to be appropriate and consistent with the sewer WDRs, the city's FOG control program, and best construction, engineering, environmental and health and safety practices. Provided, however, that a grease interceptor will be installed when the FSE undergoes a significant remodel. No discretionary permit, including but not limited to a conditional use permit, shall be issued to a FSE unless the applicant can demonstrate that a grease interceptor has been or will be installed at the FSE.

(c) Application for Waiver or Variance of Requirement for Grease Interceptor. A FSE may submit an application for waiver or variance from the grease interceptor requirement to the director. Terms and conditions for issuance of a variance to a FSE shall be set forth in the permit. A waiver or variance may be revoked at any time when any of the terms and conditions for its issuance is not satisfied or if the conditions upon which the waiver was based change so that the justification for the waiver no longer exists. (Ord. No. 2186, § 2, 2009.)

#### **30.34 Grease disposal mitigation fee.**

(a) FSEs that operate without a grease control interceptor may be required to pay an annual grease disposal mitigation fee to equitably cover the costs of increased maintenance and administration of the sewer system as a result of the FSEs' inability to adequately remove FOG from its wastewater discharge. This section shall not be interpreted to allow a new FSE, or existing FSEs undergoing remodeling or change in operations, to operate without an approved grease interceptor unless the director has determined that it is impossible to install or operate a grease control interceptor for the FSE under the provisions of this chapter.

(b) The grease disposal mitigation fee shall be established by resolution of the city council, and shall be based on the estimated annual increased cost of maintaining the sewer system for inspection and removal of FOG and other viscous or solidifying agents attributable to the FSE resulting from the lack of a grease interceptor or grease control device and such other costs that the city

council considers appropriate.

(c) The grease disposal mitigation fee may not be waived or reduced when the FSE does not comply with the minimum requirements of this chapter. (Ord. No. 2186, § 2, 2009.)

### 30.35 Grease interceptor maintenance requirements.

(a) Grease interceptors shall be maintained in efficient operating condition by periodic removal of the full content of the interceptor which includes wastewater, accumulated FOG, floating materials, sludge and solids.

(b) Wastewater, accumulated FOG, floating material, sludge/solids, and other materials removed from the grease interceptor shall be disposed off site properly by waste haulers in accordance with federal, state and/or local laws.

(c) Grease interceptors shall be fully pumped out and cleaned on a quarterly basis. The agency may change the maintenance frequency at any time to reflect changes in actual operating conditions in accordance with the FOG control program. Based on the actual generation of FOG from the food service establishment, the maintenance frequency may increase or decrease.

(d) The permittee shall be required to keep all documents identified by the director relating to its compliance with this chapter, including manifests, receipts and invoices of all cleaning, maintenance, grease removal of/from the grease control device, disposal carrier and disposal site location for no less than two years. The permittee shall, upon request, make the manifests, receipts and invoices available to any city representative, or inspector.

(e) If the grease interceptor, at any time, contains excess FOG and solids accumulation the FSE shall be required to have the grease interceptor serviced immediately such that all fats, oils, grease, sludge, and other materials are completely removed from the grease interceptor. If deemed necessary, the director may also increase the maintenance frequency of the grease interceptor from the current frequency. (Ord. No. 2186, § 2, 2009.)

### 30.36 FOG inspections.

The director, or representative, shall be authorized at any reasonable time to enter the premises of any discharger to determine compliance with the provisions of this chapter; such inspection may include but not be limited to: inspection, sampling, monitoring, review, photograph, videotape and copy of any records, reports, test results or other data, wastes, chemicals, storage areas, storage containers, waste generating processes, treatment facilities and

discharge locations. (Ord. No. 2186, § 2, 2009.)

### 30.37 FOG inspections fees.

The amount of FOG inspections fee shall be established by resolution of the city council as amended from time to time in accordance with provisions of this chapter. (Ord. No. 2186, § 2, 2009.)

## ARTICLE III. ENFORCEMENT

### 30.50 Notice of noncompliance.

The director may deliver to the owner or occupant of any private property, any permittee or any responsible party a notice of noncompliance listing the steps necessary to correct the conditions on the property causing noncompliance with the provisions of this chapter.

The director shall prepare each notice of noncompliance listing the applicable chapter provision(s), permit requirements violated, the selected compliance deadline, not to exceed ninety days, and stating that continued noncompliance may result in additional enforcement actions against the owner or occupant. The director may extend the compliance deadline an additional ninety days where good cause exists for the extension. (Ord. No. 2186, § 2, 2009.)

### 30.51 Administrative compliance orders.

(a) The director may issue an administrative compliance order to:

- (1) The owner or occupant of any private property requiring abatement of conditions on the property that cause or may cause discharges in violation of this chapter;
- (2) The permittee subject to the requirements of any permit issued pursuant to this chapter to ensure compliance with the terms, conditions and requirements of the permit.

(b) The administrative compliance order may include the installation of approved grease control devices. (Ord. No. 2186, § 2, 2009.)

### 30.52 Recovery of cost.

The director may issue to the owner or occupant of any private property, any permittee or any responsible party, who becomes subject to a notice of noncompliance or administrative order, an invoice for costs, which shall be immediately due and payable to the city for the actual costs incurred by the city in issuing and enforcing any notice or order.

If any owner or occupant, permittee or responsible party, fails to pay the invoice for costs within thirty days of the authorized inspector's deposit of the invoice for costs in the regular mail, postage prepaid, the enforcing attorney may institute collection proceedings or elect to place a lien on the property in the amount of the invoice of costs. (Ord. No. 2186, § 2, 2009.)

### 30.53 Compliance schedule.

Upon determination that a discharger is in noncompliance with any provisions of this chapter, the director may require the discharger to submit for review and approval a compliance schedule. If, following the compliance schedule expiration date, the discharger fails to comply with the terms, conditions, or limitations specified in the compliance schedule, the discharger's permit, or with any provisions of this chapter, then the discharger may be subject to noncompliance fees, a probation order, a cease and desist order, and/or legal actions. (Ord. No. 2186, § 2, 2009.)

### 30.54 Cease and desist order.

(a) The director may order the owner or occupant of any private property, permittee or any responsible party to: (1) immediately discontinue any process water, wastewater or pollutant discharge to the wastewater system or the stormwater drainage system; (2) immediately block or divert any flow of water from the property, where the flow is occurring in violation of any provision of this chapter; and (3) immediately discontinue any other violation of this chapter. The cease and desist order may contain terms and conditions including, but not limited to, limits on rate and time of discharge, or other provisions to ensure compliance with this chapter.

(b) Notice/Hearing. When the director has reason to believe that grounds exist to issue a cease and desist order, he or she shall give written notice thereof either by personal delivery or by certified mail to the discharger setting forth the grounds for such an order, together with the time and place where the charges shall be heard.

(c) After the conclusion of the hearing, the director shall make a determination and issue a decision and order within thirty calendar days of the hearing. The written decision and order of the director shall be sent by personal delivery or by certified mail to the discharger. The order of the director shall be final in all aspects fourteen days after it is mailed to the discharger unless a request for hearing is filed with the city council.

Failure of the discharger to comply with the conditions of the cease and desist order may result in permit suspension, permit revocation, termination of service

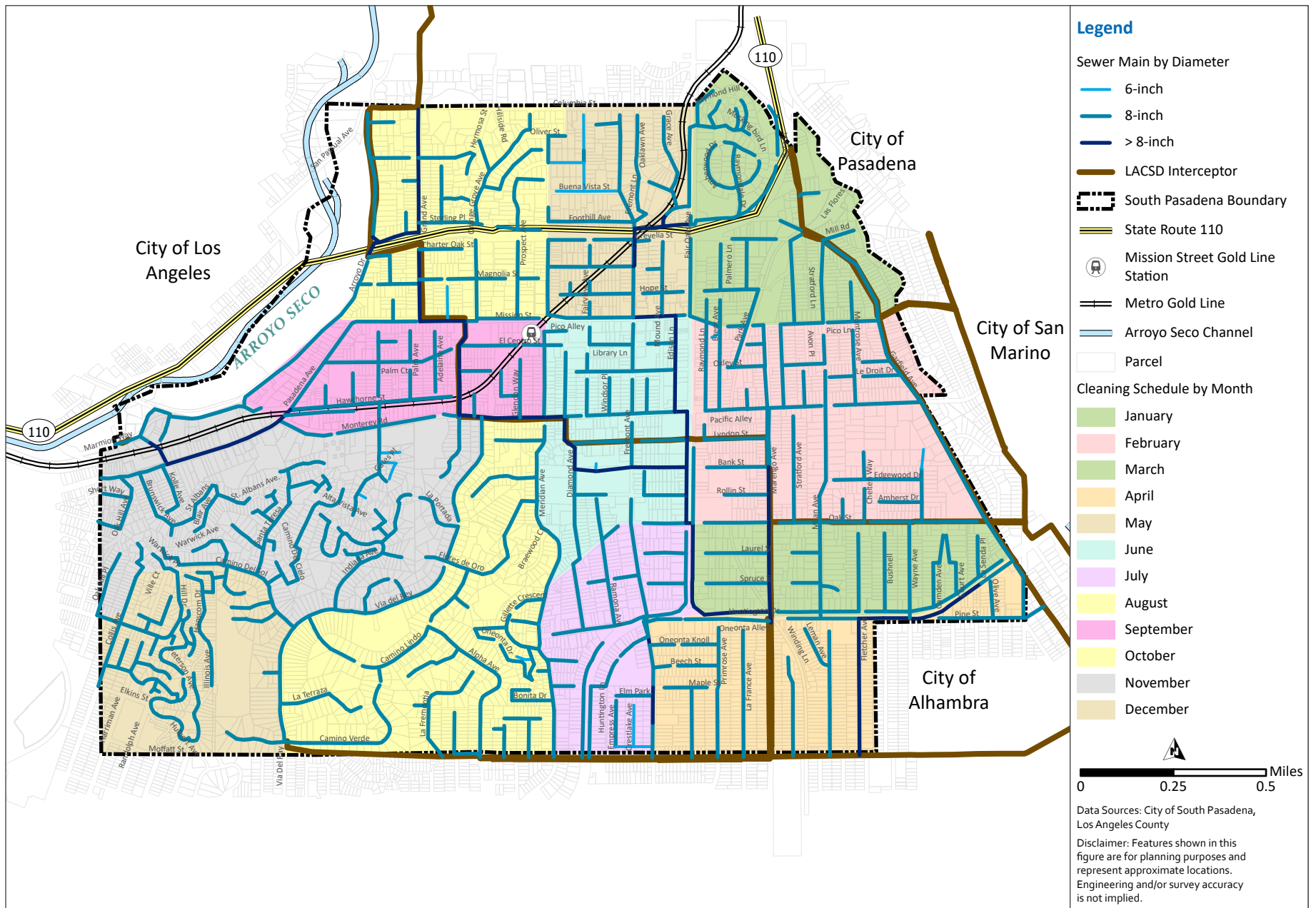
and/or legal actions. (Ord. No. 2186, § 2, 2009.)





Appendix F  
ANNUAL SEWER CLEANING SCHEDULE





Appendix F - Annual Sewer Cleaning Schedule



## Appendix G

# SSMP ADOPTION RESOLUTION

*To be included in future submittal*



Appendix H  
NOTICE OF PUBLIC HEARING REGARDING  
SSMP ADOPTION

*To be included in future submittal*





Appendix I  
**SWRCB CERTIFICATION FORM**

*To be included in future submittal*





# City Council Agenda Report

ITEM NO. 6

**DATE:** April 27, 2022

**FROM:** Arminé Chaparyan, City Manager *DKM for AC*

**PREPARED BY:** Ken Louie, Interim Finance Director  
Lucy Demirjian, Management Services Director  
Alma Medina, Sr. Management Analyst

**SUBJECT:** Discussion of Potential Uses for the Coronavirus State and Local Fiscal Recovery Funds (SLFRF), as Established Through the American Rescue Plan Act of 2021

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## Recommendation

It is recommended that the City Council provide direction on potential uses of the Coronavirus State and Local Fiscal Recovery Funds (SLFRF), as established through the American Rescue Plan Act (ARPA) of 2021.

## Background

The SLFRF program, previously known as the American Rescue Plan Act of 2021, delivers \$350 billion to state, local and Tribal governments across the Country to support response to and recovery from the COVID-19 public health emergency. The funds are intended to lead a strong, resilient, and equitable recovery from the financial impacts of the pandemic. The City of South Pasadena will receive \$6,059,235 in total in SLFRF funds. Funds must be allocated by 2024 and fully spent by 2026.

Initially, the program included a comprehensive list of eligible uses and requirements, referred to as the "Interim Final Rule", and these were previously presented to the City Council. The "Final Rule" which was released by the United States Department of Treasury on January 6, 2022, removed all restrictions for recipients receiving less than \$10 million, which includes the City of South Pasadena. This Final Rule took effect April 1, 2022 and recipients may now take advantage of its flexibilities and simplifications. The \$10 million threshold has been nicknamed the "standard deduction" as all agencies receiving less than \$10 million are no longer subject to any restrictions.

## Analysis

### Current Economic Climate

The ongoing pandemic continues to affect the local economy and impede on the City's ability to accurately forecast financial projections. Additionally, the current situation internationally and impacts to business has translated to potential supply-chain issues, rising fuel costs and general lack of availability of products. Although the General Fund is operationally healthy, it is not advisable to consider funding long-term or major

projects with this one-time funding. In preparation of the Fiscal Year 2022/2023 Budget, staff is seeking direction on the use of the recovery funds to bolster the General Fund, advance projects identified in the Capital Improvement Program (CIP) and focus on priorities set forth in the City's adopted Strategic Plan.

#### Pandemic Response and Recovery Expenditures

Since the beginning of the pandemic in March 2020, the City put forth mitigation efforts to continue services and respond to the health emergency. This included the purchase of supplies and equipment to prevent further spread of the disease, as well as adapting City buildings for social distancing and advancing technology to conduct public services and meetings remotely. Staff has kept record of all incurred and ongoing costs directly related to the City's COVID-19 response.

Expenditures included on the COVID-19 cost tracker include:

- Personal Protective Equipment (PPEs) such as face masks
- Plexi-glass for work stations and public counters
- Sanitization of City facilities and vehicles
- Space planning for social distancing compliance
- Improvements to the Heating Ventilation and Air Conditioning
- Technology improvements to allow for virtual meetings and electronic communications with the public
- Broadcasting services of public information and meetings
- Cybersecurity software for increased threats to the network
- Laptops and mobile devices for remote work capabilities
- Overtime for public safety personnel

The City approximates \$1 million in expenditures for ongoing protective measures. These unanticipated expenditures were not included in previous City budgets, and have directly impacted the General Fund. Prior to the SLFRF funding, the City received \$314,333 from the Coronavirus Relief Fund (CRF). These dollars will serve to offset a portion of the \$1 million spent in response to the pandemic, and staff recommends the balance be covered by a portion of SLFRF funding.

#### Recommended Uses for SLFRF

SLFRF is a unique, one-time resource for state and local governments to both facilitate emergency responses to the COVID-19 pandemic as well as to address strategic initiatives and goals, such as investment in infrastructure improvements, technology, affordable housing, employee retention and business assistance.

In alignment with the annual budget process, the City is developing a Capital Improvement Program (CIP), which identifies many unfunded projects requiring use of General Funds. Fully funding the CIP would put the overall General Fund in a negative status for the upcoming budget, and as such, staff is recommending that SLFRF funding be considered to implement projects that would otherwise be funded with the General Fund. CIP projects include the Voice over Internet Protocol phone system installation, electric vehicle charging stations for the Civic Center, City Hall and the Arroyo Park,

software for permitting management and digital record scanning and document management. In sum, the projected costs of these CIP projects total \$795,000.

A Strategic Plan goal includes planning for affordable housing in compliance with state mandates and in response to community interest and needs. Housing laws in California continue to evolve at a rapid speed, and in many respects limit local control, but the City remains committed to furthering affordable housing opportunities and availability, as evidenced by discussions to develop a new Housing Division in the Community Development Department. Once certified, implementing the Housing Element will be a top priority for the Housing Division. The City Council may consider using SLFRF funds to provide initial funding for affordable housing development, including potential purchase of unoccupied Caltrans surplus properties and/or to establish a Community Land Trust, among other housing opportunities.

Staff is developing a comprehensive Information Technology (IT) Master Plan to introduce or upgrade technologies citywide for operational efficiency and to enhance services to the community. Government agencies have made it a priority to future-proof organizations to sustain service levels, positively impact productivity and public experience through technology innovations. Implementing the IT Master Plan will require investment of funds for hardware and software needs, as well as safeguards to protect the network infrastructure from cyberattacks. Currently, the City only budgets for routine maintenance and equipment replacement, and SLFRF funds are an opportunity to enhance these efforts and to fund technology projects with a source other than the General Fund.

The employment crisis brought on by the pandemic has created a talent shortage and difficulties in attracting qualified candidates, and has challenged every sector of the labor market. In particular, the public sector is experiencing challenges with high turnover due to retirements and resignation for more competitive markets that offer higher pay, flexibility, remote work options and other incentives. Commonly referred to as the "Great Resignation," this ongoing trend in the labor market anticipates 55% of the workforce will change jobs within the next year. As part of recruitment and retention efforts, the City is looking at initiatives to develop the organization's employer brand and enhance the employee experience. The City is making concentrated efforts to attract and retain top qualified candidates, including reviewing compensation and benefits, training and career development opportunities, and promoting a positive workplace culture, with a focus on employee wellness and engagement. SLFRF funds could be used toward these efforts.

When the federal funding was first made available to agencies as the American Rescue Fund Act, eligible uses included business recovery efforts. Many municipalities utilized the funds to roll out various business assistance grants or funding mechanisms. The City of South Pasadena has not previously discussed business assistance grants or programming, and this is an opportunity for consideration.

In addition, staff recommends City Council consider SLFRF to fund immediate needs identified by Departments for the 2022/2023 Fiscal Year Budget.

<b>Potential Uses of SLFRF Funding in City FY 22/23 Budget</b>	
Golf Course LED Lighting	\$16,000
First Department Air Utility Apparatus	\$600,000
Rescue Ambulance	\$250,000
Self-Contained Breathing Apparatus (SCBA)	\$150,000
Public Works Utility Truck	\$300,000
<b>Total:</b>	<b>\$1,316,000</b>

Other Potential Funding Sources

Staff is exploring a variety of potential funding sources that may help offset the impact to the General Fund by the COVID-19 Pandemic. Among these funding sources are Federal Emergency Management Agency (FEMA) and the Infrastructure Investment and Jobs Act.

In November 2021, FEMA published a Press Release stating that all “COVID-19 work” would be eligible for 100% reimbursement. The deadline to submit a Request for Public Assistance (RPA) under FEMA is July 1, 2022, with a deadline of December 31, 2022 for actual project submissions for reimbursement. Reimbursable expenditures under FEMA include emergency operations center costs, disinfection of public facilities, purchase of Personal Protective Equipment (PPE), law enforcement and communications of general health and safety to the public.

In November 2021, Congress passed the \$1.2 trillion bipartisan Infrastructure Investment and Jobs Act. The federal spending package includes money for roads, bridges, and public transportation infrastructure, with a strong focus on climate change mitigation, resilience, and equity. For California, the bipartisan infrastructure bill will provide approximately \$50 billion over five years to assist local economic recovery and keep goods and services moving. The funds will allow cities to address infrastructure needs including transportation and water systems, ensure access to reliable broadband, invest in clean energy, create jobs and restore communities. Cal Cities along with the National League of Cities and state and federal partners is working on behalf of cities to ensure access to critical funding and maximize the benefits for local communities. Staff will continue to monitor these efforts to leverage funds as they become available to cities.

**Recommendation**

It is recommended that the City Council provide direction on potential uses of the Coronavirus State and Local Fiscal Recovery Funds (SLFRF), as established through the American Rescue Plan Act (ARPA) of 2021.

City Council may consider the following opportunities:

## COVID Federal Relief Funding Discussion

April 27, 2022

Page 5 of 5

- COVID-19 Expense Recovery
- Capital Improvement Program (CIP) Projects, such as:
  - Voice over Internal Protocol system
  - Electric Vehicle Charging stations
  - Software for permitting management and digital record scanning and document management
- Affordable Housing
- Information and Technology Master Plan
- Employee Retention
- Business Assistance

### **Fiscal Impact**

There will be no impact on the General Fund as this funding have been set aside for City Council discussion and direction. Once a decision is made as to how the funds will be spent, there is a possible positive impact to the General Fund, as it will reimburse the Fund for COVID-related expenditures and relieve the General Fund of CIP costs.



**City of South Pasadena  
Finance Department**

# Memo

**Date:** April 27, 2022

**To:** The Honorable City Council

**Via:** Arminé Chaparyan, City Manager *DKM for AC*

**From:** Ken Louie, Interim Finance Director

**Re:** April 27, 2022, City Council Special Meeting Item No. 7 – Budget Calendar

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Staff will provide an overview of the Budget Process and Budget Calendar.

Attachment: 2022-2023 Budget Calendar





# 2022 BUDGET CALENDAR

Jan 4	CIP planning meeting (continuous through adoption)
Feb 16	Mid-year Budget Report to Council
Feb 22	Budget Kickoff meeting for budget reps
Feb 22	Budget request forms distributed to departments
Feb 28	Revenue/Expenditure projections (21-22) to Finance
Mar 3	Budget request forms due in to Finance
Mar 15	Finance delivers dept. budget requests to CM
Mar 17	Narratives and Performance Indicators due in
Mar 21-31	Dept. review with CM and FD
Apr 1-21	Finance prepares Proposed Operating and CIP budgets
Apr 18-19	Citywide Budget Presentation for employees
Apr 25-28	Executive Team Budget Balancing (if necessary)
Apr 25-28	Individual Councilmember meetings with CM and FD
Apr 27	Budget Workshop Prep and ARPA Discussion
May 5	Preliminary Budget to Finance Commission
May 10	Planning Commission Approval
May 16	Notice of PH published for Budget, CIP, GANN
May 17	Gann Limit Calculated
May 25	Budget Workshop (overview budgets/no decisions)
Jun 1	Public Hearing/Adoption of Budget, CIP, Fees, GANN
Jun 15	Continuation of Budget Hearing (if nec.)/Adoption