



BOARD MEETING AGENDA
Tuesday, May 26, 2015
Regular Meeting - 7:00 P.M.

Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Boardroom
5072 Benson Road
Union City, CA 94587

Officers
Paul R. Eldredge
*General Manager/
District Engineer*

David M. O'Hara
Attorney

1. Call to Order.

2. Pledge of Allegiance.

3. Roll Call.

- Motion 4. Approve Minutes of the Meeting of May 11, 2015.

5. Monthly Operations Report for April 2015 *(to be reviewed by the Budget & Finance Committee)*.

6. Written Communications.

7. Oral Communications.

The public may provide oral comments at regular and special Board meetings; however, whenever possible, written statements are preferred (to be received at the Union Sanitary District office at least one working day prior to the meeting). This portion of the agenda is where a member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction that is not on the agenda. If the subject relates to an agenda item, the speaker should address the Board at the time the item is considered. Oral comments are limited to three minutes per individuals, with a maximum of 30 minutes per subject. Speaker's cards will be available in the Boardroom and are to be completed prior to discussion.

- Public Hearing 8. Public Hearing to Adopt Ordinance 36.03, Sewer Use Ordinance *(to be reviewed by the Legal/Community Affairs Committee)*.

- Motion 9. Resolution No. ____, Adopt Ordinance 36.03, Sewer Use Ordinance *(to be reviewed by the Legal/Community Affairs Committee)*.

- Motion 10. Schedule a Public Hearing to Adopt Ordinance No. 34.07, An Ordinance Providing for the General Regulation of Private and Public Sewers, Plan Review, Issuance of Construction Permits, Inspection of Sewer Installation, and the Collection of Fees for these Services, and to Repeal Ordinance No. 34.06 *(to be reviewed by the Legal/Community Affairs Committee)*.

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- Information 11. Information Items:
a. Check Register.
-
- Information 12. Committee Meeting Reports. *(No Board action is taken at Committee meetings):*
a. Budget & Finance Committee – scheduled for Thursday, May 21, 2015, at 4:30 p.m.
b. Legal/Community Affairs Committee – scheduled for Friday, May 22, 2015, at 2:00 p.m.
c. Construction Committee – will not meet
d. Personnel Committee – will not meet
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- Information 13. General Manager’s Report. *(Information on recent issues of interest to the Board).*
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- Information 14. Other Business:
a. Comments and questions. *Directors can share information relating to District business and are welcome to request information from staff.*
b. Scheduling matters for future consideration.
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15. Adjournment – The Board will adjourn to the next Regular Meeting in the Boardroom on Monday, June 8, 2015, at 7:00 p.m.
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The Public may provide oral comments at regular and special Board meetings; however, whenever possible, written statements are preferred (to be received at the Union Sanitary District at least one working day prior to the meeting).

If the subject relates to an agenda item, the speaker should address the Board at the time the item is considered. If the subject is within the Board’s jurisdiction but not on the agenda, the speaker will be heard at the time “Oral Communications” is calendared. Oral comments are limited to three minutes per individual, with a maximum of 30 minutes per subject. Speaker’s cards will be available in the Boardroom and are to be completed prior to discussion of the agenda item.

The facilities at the District Offices are wheelchair accessible. Any attendee requiring special accommodations at the meeting should contact the General Manager’s office at (510) 477-7503 at least 24 hours in advance of the meeting.

THE PUBLIC IS INVITED TO ATTEND

**NOTICE OF
COMMITTEE MEETING**

All meetings will be held in
the General Manager's Office



BOARD MEETING OF MAY 26, 2015

Committee Membership:

Budget and Finance	Directors Anjali Lathi and Tom Handley (Alt. – Pat Kite)
Construction Committee	Directors Pat Kite and Jennifer Toy (Alt. – Manny Fernandez)
Legal/Community Affairs	Directors Pat Kite and Tom Handley (Alt. –Anjali Lathi)
Legislative Committee	Directors Manny Fernandez and Jennifer Toy (Alt–Tom Handley)
Personnel Committee	Directors Manny Fernandez and Anjali Lathi (Alt. – Jennifer Toy)
Audit Committee	Directors Manny Fernandez and Tom Handley (Alt. Jennifer Toy)

Budget & Finance Committee, Thursday, May 21, 2015, at 4:30 p.m.

5. Monthly Operations Report for April 2015

Legal/Community Affairs Committee, Friday, May 22, 2015, at 2:00 p.m.

8. Public Hearing to Adopt Ordinance 36.03, Sewer Use Ordinance.
9. Resolution No. ____, Adopt Ordinance 36.03, Sewer Use Ordinance.
10. Schedule a Public Hearing to Adopt Ordinance No. 34.07, An Ordinance Providing for the General Regulation of Private and Public Sewers, Plan Review, Issuance of Construction Permits, Inspection of Sewer Installation, and the Collection of Fees for these Services, and to Repeal Ordinance No. 34.06.

Committee meetings may include teleconference participation by one or more Directors.

(Gov. Code Section 11123)

Committee Meetings are open to the public. Only written comments will be considered. No action will be taken.

**MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS OF
UNION SANITARY DISTRICT
May 11, 2015**

CALL TO ORDER

President Fernandez called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Manny Fernandez, President
Jennifer Toy, Vice President – arrived at 7:04 p.m.
Tom Handley, Secretary
Pat Kite, Director
Anjali Lathi, Director

STAFF: Paul Eldredge, General Manager
Dave O'Hara, District Counsel
Rich Cortés, Business Services Manager
Sami Ghossain, Technical Services Manager
James Schofield, Collection Services Manager
Armando Lopez, Treatment & Disposal Services Manager
Robert Simonich, Fabrication, Maintenance, & Construction Manager
Kristina Silva, CIP Administrative Specialist
Regina McEvoy, Assistant to the GM/Board Secretary

GUESTS: Karen Murphy, Attorney
Leah Castella, Attorney

APPROVAL OF THE MINUTES OF APRIL 27, 2015

It was moved by Director Kite, seconded by Director Lathi, to Approve the Minutes of the Board of Director's Meeting held April 27, 2015. Motion carried unanimously.

MONTHLY OPERATIONS REPORT

This item was reviewed by the Budget & Finance Committee.

- a. Third Quarter FY15 District-wide Balanced Scorecard Measures – Laurie Brenner reported the following: The District has exceeded the annual target for total accidents resulting in lost days with four such injuries in FY 15 to date. One employee experienced a hand injury during the third quarter of FY 15. The X-Mod for the District is just above target at 1.01. The average percentage of employees trained (78%) versus planned (90%) will not meet its annual target. Due to the time dedicated to transitioning from the recently retired Collection Services Workgroup manager to the current WGM, Collection Services Assessments will fall below the

annual target of 52. The public website upgrade is the only third quarter public relations activity behind schedule.

b. Technical Services Scorecard – Technical Services Manager Ghossain reported the following:

- The Capital Improvements Projects Team (CIP Team) is responsible for the implementation of the 10-year Capital Improvement Program. The CIP Team develops the scope of projects and contracts for consulting services, and controls costs through effective management of consultants and construction projects. The CIP Team received 100% positive responses for customer surveys issued for the eight projects completed in the last four quarters, above the 90% minimum satisfaction goal. The goal for percent of design and construction management costs to construction cost exceeded the goal of 20% maximum for the Newark Backyard SS Relocation Phase 1, Jarvis Avenue SS Replacement, and Cogeneration Project. The measure for percent of total contract change order amounts to construction cost was exceeded for four of the twenty four measures targeted.
- The Customer Service Team (CST Team) is focused on meeting the needs of the District's commercial, residential, and internal customers. CST Team measures are focused on timely completion of plan reviews, dispatching trouble calls and collection of fees, providing quality construction inspection of sewer facilities, and providing high-quality customer service to both external and internal customers. The goal to issue a maximum of five refunds per year has been reached with one refund issued in the second quarter and one in the third quarter. CST Team staff have met and exceeded the 90% minimum goals for plans checked within 10 working days, and dispatching trouble calls within 10 minutes.
- The Environmental Compliance Team (EC Team) is responsible for the implementation of the District's Industrial Pretreatment, Pollution Prevention, and Public Outreach Programs required as part of our NPDES Permit, as well as for the contract with the City of Fremont for the Clean Water Program. The duties of the EC Team include site inspections of the 81 permitted Class I and II industries, sampling of industrial dischargers for compliance with user permit conditions, review of permit applications of new industries, education and training on industrial production and treatment processes, enforcement of Ordinance 36 and other regulations, and a school outreach program. The EC Team's objective to deliver quality public outreach programs has reached the target of 100% positive responses from teacher surveys. The City of Fremont contract is on track with 10% of the annual budget unspent, and is on track to meet or exceed the targeted goal of monitoring compliance of commercial businesses per the contract. The EC Team will continue to exceed goals for conducting sampling of industrial sites.

WRITTEN COMMUNICATIONS

There were no written communications.

ORAL COMMUNICATIONS

There were no oral communications.

APPROVE THE REVISED CLASS DESCRIPTION FOR BUSINESS SERVICES MANAGER/CHIEF FINANCIAL OFFICER

This item was reviewed by the Personnel Committee. General Manager Eldredge stated staff revised the existing Business Service Manager class description per previous Board direction. The Personnel Committee proposed non-substantive edits to the class description. The redline class description was added as an attachment to the Board meeting packet.

It was moved by Director Lathi, seconded by Vice President Toy, to Approve the Revised Class Description for Business Services Manager/Chief Financial Officer with the non-substantive changes recommended by the Personnel Committee. Motion carried unanimously.

SELECT BOARD MEMBERS TO REPRESENT USD ON EXTERNAL COMMITTEES FOR FY 16

This item was reviewed by the Personnel Committee. General Manager Eldredge stated the Board represents the District on the following external committees: East Bay Dischargers Authority (EBDA), Alameda County Chapter of the California Special Districts Association (CSDA), and the Southern Alameda County Geographic Information System Joint Powers Authority (GIS). General Manager Eldredge stated the Personnel Committee meeting included a discussion regarding amending existing policy to conduct the selection process for Board representatives earlier in the year. The Board directed staff to prepare said amendment to Board Policy No. 3070.2.

It was moved by Director Lathi, seconded by Director Kite, to make no changes to the existing External Committee appointments and to Select the Following Board Members to Represent USD on External Committees for FY 16:

EBDA	Secretary Handley as representative, and President Fernandez as alternate
CSDA	Director Kite as representative, and President Fernandez as alternate
GIS	Vice President Toy as representative, and Director Lathi as alternate

Motion carried unanimously.

RESOLUTION NO. 2756, AUTHORIZE EXECUTION OF CONTRACT WITH NEW LEGAL COUNSEL

This item was reviewed by the Legal/Community Affairs Committee. District Counsel O'Hara stated a contract for the Burke, Williams & Sorensen firm had been negotiated, and submitted to the Board of Directors for review. Director Lathi presented edits to the agreement via redlined copies to the Board. General Manager Eldredge stated Attorneys Karen Murphy and Leah Castella had been consulted and agreed to the proposed edits. The redline agreement was added as an attachment to the Board meeting packet.

It was moved by Director Kite, seconded by Vice President Toy, to authorize the General Manager to revise the agreement per suggested edits and Adopt Resolution No. 2756, Authorizing the General Manager to Execute the Contract with New Legal Counsel. Motion carried unanimously.

RESOLUTION NO. 2757, ACCEPT CONSTRUCTION OF THE PRIMARY DIGESTER NO. 5 REHABILITATION PROJECT FROM D.W. NICHOLSON CORPORATION AND AUTHORIZE THE ATTORNEY FOR THE DISTRICT TO RECORD A NOTICE OF COMPLETION

This item was reviewed by the Construction Committee. Technical Services Manager Ghossain stated Primary Digester No. 5 was constructed during the 1985 plant upgrade project. In June 2014, Primary Digester No. 5 was taken out of service and cleaned. A condition assessment of the digester and its appurtenances was conducted after it was cleaned. The assessment revealed the interior epoxy coating of the digester's dome and the polyurethane foam insulation on the exterior of the dome were in need of replacement, and some areas of the dome's steel skirt were in need of reinforcement. The Board awarded the construction contract for the Primary Digester No. 5 Rehabilitation Project to D.W. Nicholson Corporation, and Water Works Engineers completed the design for the Project. The District has assumed beneficial occupancy of Primary Digester No. 5 and the digester was placed back into operation on March 5, 2015.

It was moved by Secretary Handley, seconded by President Fernandez, to Adopt Resolution No. 2757, Accepting Construction of the Primary Digester No. 5 Rehabilitation Project from D.W. Nicholson Corporation and Authorize the Attorney for the District to Record a Notice of Completion. Motion carried unanimously.

AUTHORIZE THE GENERAL MANAGER TO EXECUTE TASK ORDER NO. 6 WITH WEST YOST ASSOCIATES FOR DESIGN OF THE NEWARK BACKYARD SANITARY SEWER RELOCATION PROJECT – PHASE 3

This item was reviewed by the Construction Committee. Technical Services Manager Ghossain stated the purpose of the Newark Backyard Sanitary Sewer Relocation Project is to improve the existing gravity sewer system within the residential neighborhood located northerly of the intersection of Dairy Avenue and Cherry Street in the city of Newark. Phase 1 of the project included the relocation of 33 sewer laterals from the backyard of homes on Dairy Avenue and Cherry Street in the project area, and West Yost Associates completed the design. Phase 2 of the project will include construction of approximately 3,800 feet of new sewer mains and relocation of approximately 95 sewer laterals from the backyard to the public street. The third and final phase of the project will complete the relocation of backyard sewer mains and sewer laterals for the neighborhood. Design of Phase 3 will include construction of approximately 3,000 feet of new sewer mains located in backyard easements and relocation of approximately 80 sewer laterals from the backyard to the public street. The scope of services for Task Order No. 6 includes project management, public outreach, drafting of legal descriptions, design, and bid support services. Director Kite inquired if other neighborhoods in the District's service area would require this type of project. Technical Services Manager Ghossain stated no such projects are on the horizon at this time. President Fernandez asked if there would be any cost to the affected homeowners. Technical Services Manager Ghossain stated there would be no cost to the homeowners for this project, and further stated the project will allow easier access for District staff to perform maintenance.

It was moved by Director Lathi, seconded by Director Kite, Authorizing the General Manager to Execute Task Order No. 6 with West Yost Associates for Design of the Newark Backyard Sanitary Sewer Relocation Project – Phase 3. Motion carried unanimously.

INFORMATION ITEMS:

Check Register

All questions were answered to the Board's satisfaction.

Board Expenditures, 3rd Quarter, FY 15

This item was reviewed by the Budget & Finance Committee. Business Services Manager Cortes stated LISTEN TO TAPE – Chapter 8

COMMITTEE MEETING REPORTS:

The Legal/Community Affairs, Construction, Budget & Finance, and Personnel Committees met.

GENERAL MANAGER'S REPORT:

General Manager Eldredge reported the following:

- The District's Open House welcomed an estimated 1,142 guests on Saturday, May 9, 2015. District staff will be debriefing over the next several weeks, and finalizing total costs associated with the event to present to the Board.
- Discussions are ongoing with ACWD regarding reclaimed water and opportunities for partnering. One such opportunity is a feasibility study that will take a look at challenges and solutions for reclaimed water in our service area, specifically indirect potable reuse. Staff are in discussions regarding a scope of work and will provide an update to the Board.
- The USD/ACWD service area winner for the Alameda County Science and Engineering Fair will be recognized at the ACWD Board meeting on May 14, 2015.
- Per Board direction, new Dropbox folders have been created and populated.
- Recruitment for Human Resources Manager is scheduled to close May 15, 2015, and interviews will be held in June.
- Recruitment for Wastewater Operation Night Coach is scheduled to close May 21, 2015.
- Recruitment for Business Services Work Group Manager is scheduled to begin June 1, 2015, and interviews are scheduled to be held in July.
- Recruitment for the Receptionist position will open May 13, 2015.

OTHER BUSINESS:

Director Kite stated she will attend a Biosolids & Renewable Energy Workshop, hosted by CASA and CWEA, with Treatment & Disposal Services Manager Lopez and Research and Support Team Coach Grillo on May 12, 2015.

ADJOURNMENT:

The meeting was adjourned at 8:04 p.m. to the next Regular Board Meeting in the Boardroom on Tuesday, May 26, 2015, at 7:00 p.m.

SUBMITTED:

ATTEST:

REGINA McEVOY

TOM HANDLEY

SECRETARY TO THE BOARD

SECRETARY

APPROVED:

MANNY FERNANDEZ
PRESIDENT

Adopted this 26th day of May, 2015



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers
Paul R. Eldredge
*General Manager/
District Engineer*

David M. O'Hara
Attorney

DATE: May 18, 2015
TO: Board of Directors - Union Sanitary District
FROM: Paul R. Eldredge, General Manager/District Engineer
SUBJECT: Agenda Item No. 5 - Meeting of May 26, 2015
Information Item: **Monthly Operations Report for April, 2015**

Background

Attached is the April 2015 Operations Report. Staff is available to answer questions regarding information contained in the report.

Work Group Managers

General Manager/Administration	Paul Eldredge	GM
Business Services	Rich Cortés	BS
Collection Services	James Schofield	CS
Technical Support	Sami Ghossain	TS
Treatment and Disposal Services	Armando Lopez	T&D
Fabrication, Maintenance, and Construction	Robert Simonich	FMC

General Manager's Summary

Below is a summary of major activities that occurred at the District during April 2015.

ODOR COMPLAINTS:

There was one odor complaint received during the month of April from Fremont. The call originated as a storm drain odor complaint to the Environmental Compliance (EC) Team. EC was unable to determine the source of the odor and referred the matter to Collection Services (CS). CS staff discovered a plugged District main that was leaking into the storm drain. The leaking storm drain resulted in a Category #1 Spill and has been reported to the necessary agencies. The plugged main was caused by roots that have since been removed.

SAFETY:

- We had one incident where an employee stumbled and fell bruising his left knee. The employee declined any medical treatment.

- The employee that had the work related injury reported in February is still off work. He was scheduled for surgery in early May and hopes to be back to work in mid-June.
- We have changed our Medical Provider Network. The new vendor is WellComp. A few employees had to change doctors but there are no issues to date
- We had a comment posted on the Safety Blog raising questions about testing portable gas detectors before using them for a confined space entry. We received guidance from the equipment manufacturer and are getting written documentation for the employees.
- The USD Bloodborne Pathogens policy and Hearing Conservation policy were updated and posted for employee use. Training is being scheduled.

STAFFING & PERSONNEL:

Completed Recruitments Resulting in Promotions:

- CS Planner/Scheduler I; Jose Rodrigues was promoted on 4/4/2015.
- Environmental Compliance Outreach Representative; Doug Dattawalker was promoted on 4/19/2015.
- Administrative Specialist I – Environmental Compliance; Ariel Teixeira was promoted on 4/20/2015.

Other Completed Recruitments:

- HR Analyst II; Letty Najera, Union City, was selected

Recruitments Opened:

- HR Administrator’s position opened on 4/6/2015. (Closed May 15)
- Wastewater Operations Coach’s position opened on 4/20/15. (Closes May 21; 8 applicants to date; 2 advanced to Work Sample exam).

G.M. ACTIVITIES: For the month of April, the GM was involved in the following:

- Conducted tour of the Torian Property in Newark for the Board of Directors
- Participated in interviews for the HR Analyst II position
- Attended the Bay Area Managers Meeting
- Attended the MAC and EBDA meetings
- Attended the Newark State of the City Luncheon
- Participated in the Main Budget Workshop
- Participated in interviews for District Counsel
- Participated in the Check-in with the General Manager Workshop
- Attended the Oro Loma Horizontal Levee Groundbreaking Ceremony
- Met with the General Manager of the Contra Costa Water District
- Met with the General Manager of ACWD

Attachments: Odor Report and Map
 Hours Worked and Leave Time by Work Group
 Business Services
 Technical Services
 Collection Services
 Fabrication, Maintenance, and Construction
 Treatment and Disposal Services



ODOR REPORT April 2015

During the recording period from April 01, 2015 through April 30, 2015, there was one odor related service request received by the District.

City: Fremont

1. Complaint Details:

Date: 4/23/2015

Location: MISSION BL

Wind (from): North West

Temperature: 69 Degrees F

Time: 11:38 am

Reported By: Louis Heyster

Wind Speed: 10 mph

Weather: Clear

Response and Follow-up:

This call originally came in as a storm drain odor complaint to the Environmental Compliance (EC) Team for the City of Fremont. EC was unable to determine the source of the smell and referred it to Collection Services. We found a plugged District main that was leaking from our main into the storm drain. The leaking storm drain resulted in a Category #1 Spill that has been reported to the necessary agencies. The cause of the stoppage was roots and they have been removed.



Legend

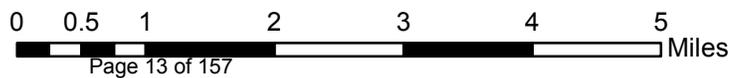
Odor Complaints: April 2015

- ★ Odor found, USD resolved (1)
- Odor found, not related to USD (0)
- ▲ No odor found (0)

Odor Complaints: May 2014 to Mar. 2015

- ★ Odor found, USD resolved (5)
- Odor found, not related to USD (5)
- ▲ No odor found (16)

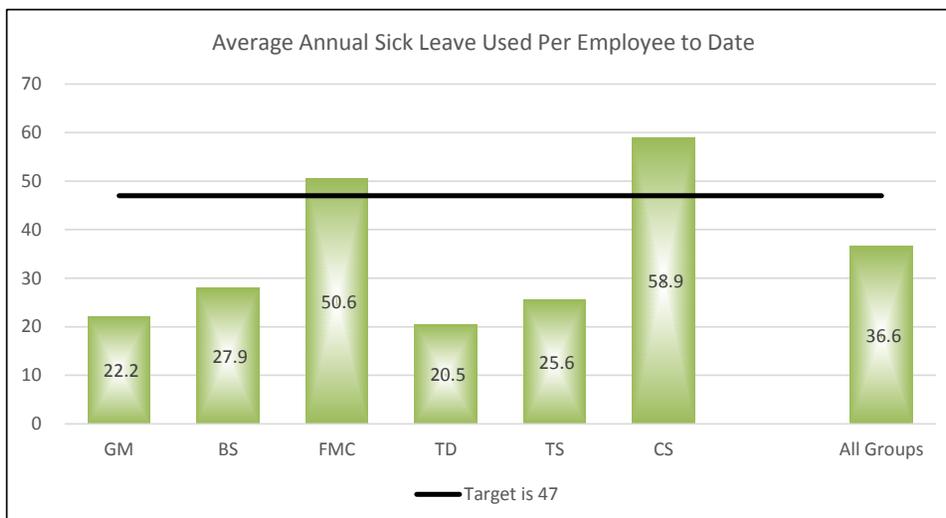
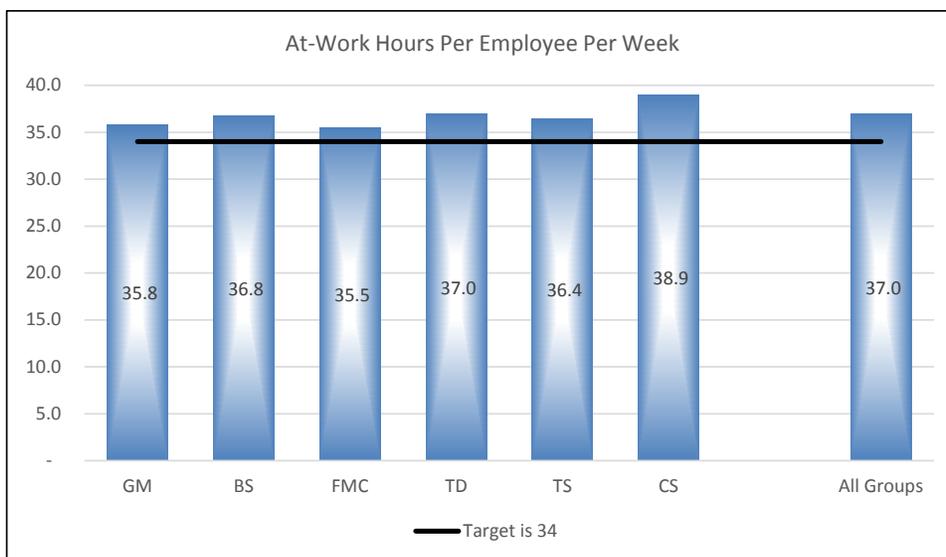
**Location of Odor Reports
May 2014 to April 2015**



HOURS WORKED AND LEAVE TIME BY WORK GROUP

July 16, 2014 through May 6, 2015

Weeks to Date: 42 out of 52 (80.8%)



NOTES

- (1) Regular hours does not include hours worked by part-time or temporary employees.
- (2) Overtime hours includes call outs.
- (3) Discretionary Leave includes Vacation, HEC, Holiday, MAL, FLEX, Funeral, Jury Duty, Military, OT Banked Use, Paid Admin., SLIP, VRIP, Holiday Banked Use leaves.
- (4) Sick Leave includes sick and catastrophic sick leaves as well as protected time off, which the District has no discretion.

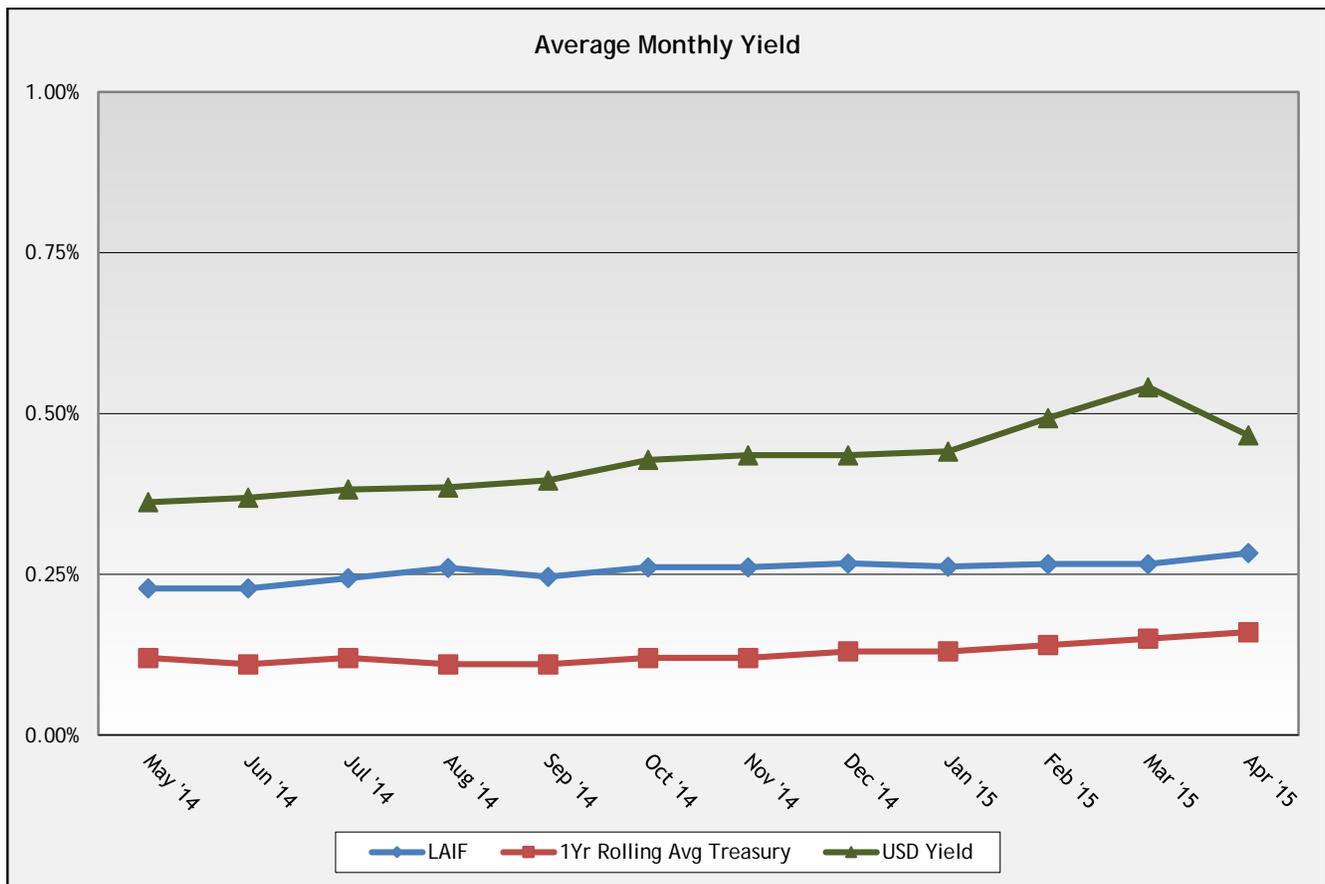
An employee using 15 vacation, 11 holiday, 2 HEC, and 5 sick days will work an average of **34.9** hours per week over the course of a year; with 20 vacation days, **34.2** hours per week.

**Business Services Group
Activities Report
April 2015**

- The recruitment for Planner/Scheduler I was completed; Jose Rodrigues was promoted on 4/4/2015.
- The recruitment for Environmental Compliance Outreach Representative was completed; Doug Dattawalker was promoted on 4/19/2015.
- The recruitment for Administrative Specialist I – Environmental Compliance was completed; Ariel Texeira was promoted on 4/20/2015.
- The Organizational Performance Program Manager (OPPM) prepared and submitted NACWA Excellence in Management (EIM) 2015 Gold award application for USD.
- The OPPM assisted MMT Buyer with a new external partner satisfaction survey (developing, issuing, analyzing and generating reporting).
- The OPPM worked with GM on benchmarking strategy and presented to the ET.
- The OPPM participated in the (with peer agencies nationwide) Performance Roundtable benchmarking group.
- Received second installment of Sewer Service Charge revenue from County.
- Portal Government Taskforce presented recommendations to the ET.
- Presented FY16 Budget Workshop to Board of Directors.

5

AVERAGE MONTHLY YIELD



BUDGET AND FINANCE REPORT

FY 2015

Year-to-date as of 4/30/15

83% of year elapsed

Revenues

	Budget	Actual	% of Budget Rec'd	Audited Last Year Actuals 6/30/14
Capacity Fees	\$2,700,000	\$3,977,535	147%	\$3,315,007
Sewer Service Charges	47,448,461	45,746,193	96%	45,139,420
Operating	848,500	883,815	104%	1,072,242
Interest	299,000	261,601	87%	385,844
Misc. (incl. LAVWMA pymnt, solar, Cogen rebates)	1,994,200	2,061,705	103%	297,776
Subtotal Revenues	\$53,290,161	\$52,930,848	99%	\$50,210,289
SRF Loan Proceeds (Thickener)	3,390,000	2,880,263	85%	2,424,739
Total Revenues + SRF Proceeds	\$56,680,161	\$55,811,111	98%	\$52,635,028

Expenses

	Budget	Actual	% of Budget Used	Last Year Actuals
Capital Improvement Prog.				
Capacity Projects	\$3,240,000	\$2,597,245	80%	\$5,592,023
Renewal & Repl. Projects	11,632,500	9,906,631	85%	14,195,068
Operating	32,659,214	25,104,245	77%	30,751,966
Special Projects	1,708,478	651,514	38%	775,361
Retiree Medical (Annual Required Contribution)	543,540	407,655	75%	462,852
Vehicle & Equipment	1,057,700	740,603	70%	784,695
Information Systems	1,216,000	459,971	38%	848,449
Plant & Pump Station R&R	250,000	115,990	46%	197,237
Pretreatment Fund	7,000	22,851	326% incl carbon analy	5,124
County Fee for Sewer Service Charge Admin.	106,000	105,559	100%	105,559
Misc. (A/R write-off)	0	0	0%	1,343
Debt Servicing:				
SRF Loans (Irv., Wilw, LHH, Cdr, NPS, Sub1, Boyc, Prim Cl)	3,127,389	3,127,110	100%	4,675,361
Total Expenses	\$55,547,821	\$43,239,374	78%	\$58,395,038
Total Revenue & Proceeds less Expenses	\$1,132,340	\$12,571,738		(\$5,760,010)

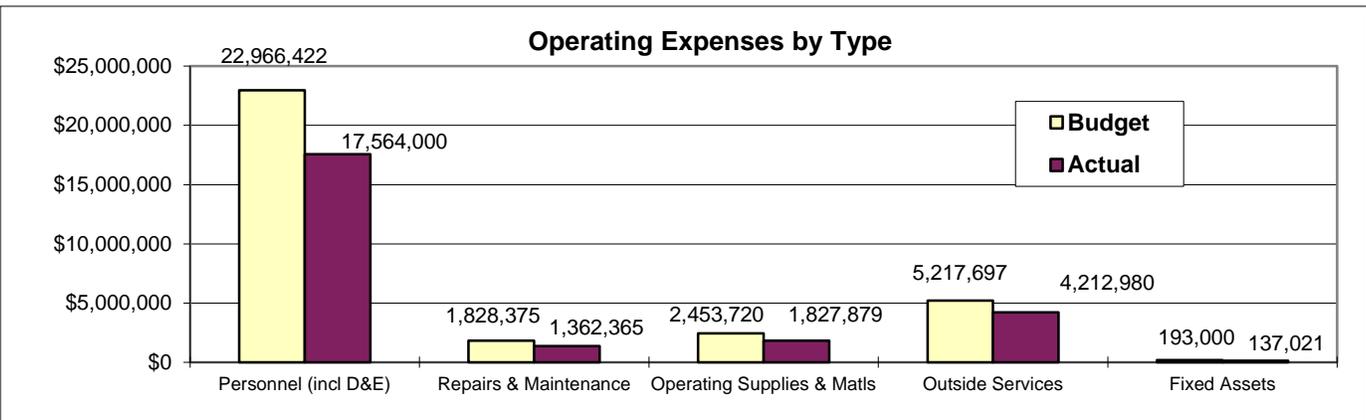
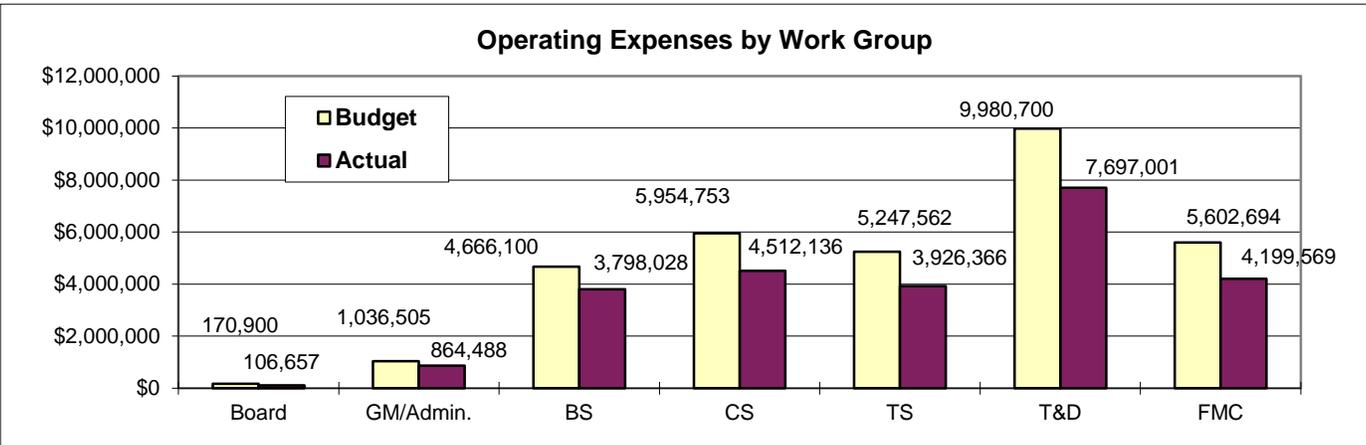
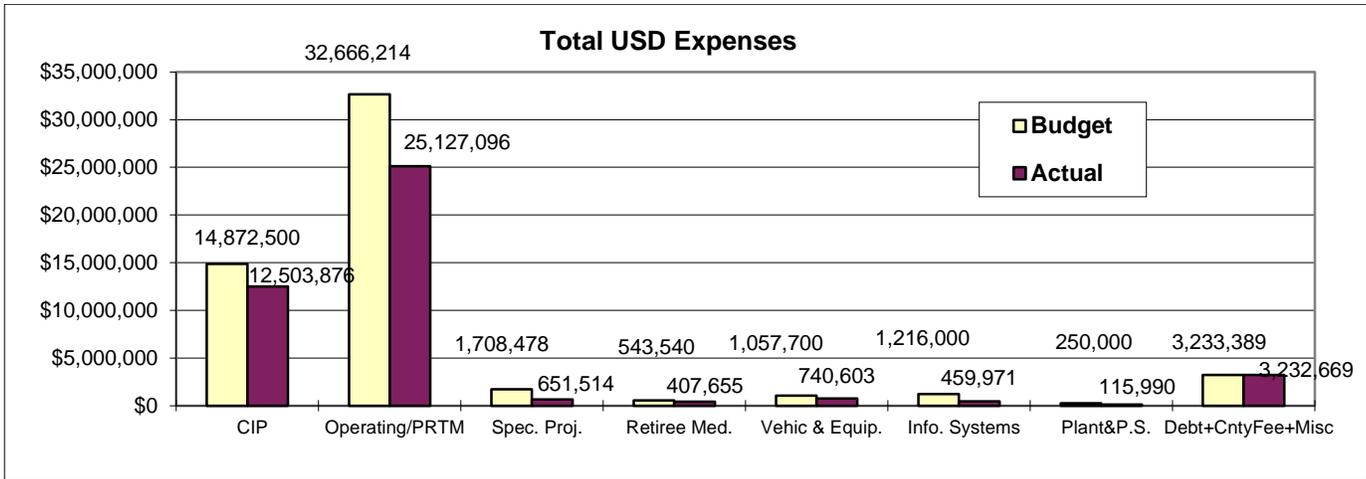
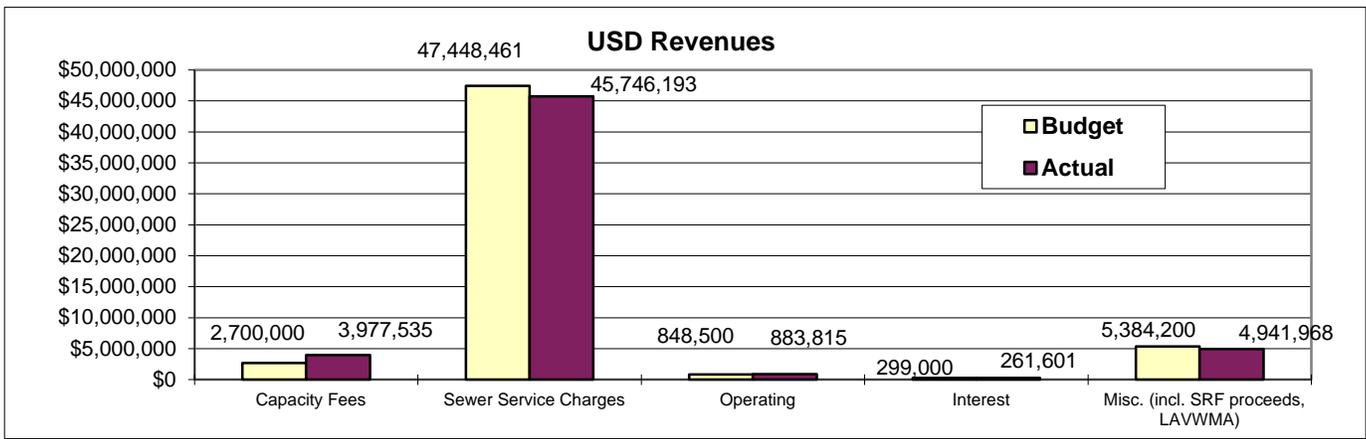
Gross Operating Expenses by Work Group

	Budget	Actual	% of Budget Used	Last Year Actuals
Board of Directors	\$170,900	\$106,657	62%	\$166,233
General Manager/Admin.	1,036,505	864,488	83%	1,153,217
Business Services	4,666,100	3,798,028	81%	4,416,832
Collection Services	5,954,753	4,512,136	76%	5,460,336
Technical Services	5,247,562	3,926,366	75%	4,850,139
Treatment & Disposal Services	9,980,700	7,697,001	77%	9,739,655
Fabrication, Maint. & Construction	5,602,694	4,199,569	75%	4,965,555
Total	\$32,659,214	\$25,104,245	77%	\$30,751,966

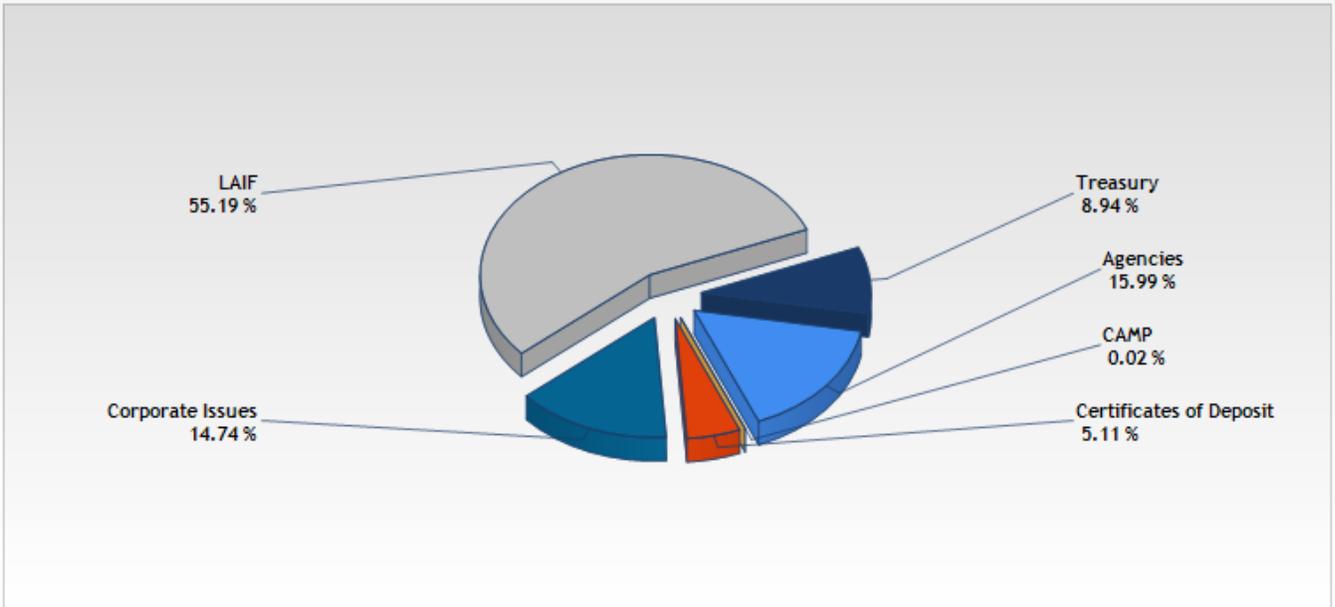
Operating Expenses by Type

	Budget	Actual	% of Budget Used	Last Year Actuals
Personnel (incl D&E)	\$22,966,422	\$17,564,000	76% (85%)*	\$21,125,985
Repairs & Maintenance	1,828,375	1,362,365	75%	1,615,427
Supplies & Matls (chemicals, small tools)	2,453,720	1,827,879	74%	2,442,617
Outside Services (utilities, biosolids, legal)	5,217,697	4,212,980	81%	5,493,010
Fixed Assets	193,000	137,021	71%	74,927
Total	\$32,659,214	\$25,104,245	77%	\$30,751,966

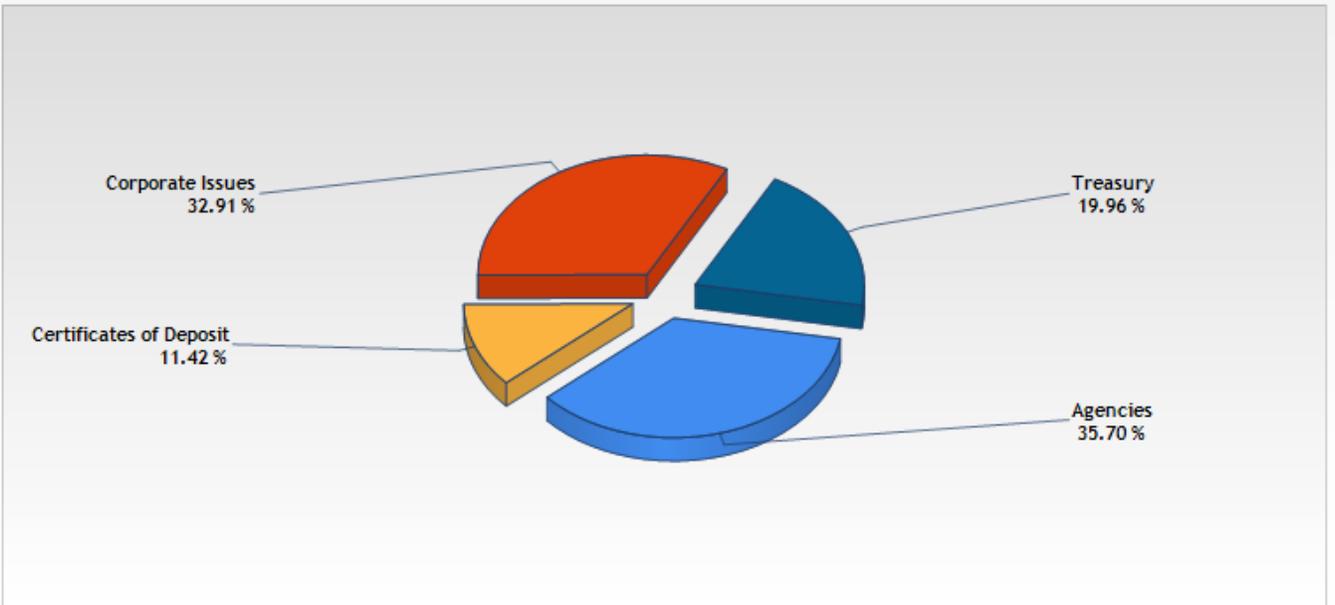
* Personnel Budget Target



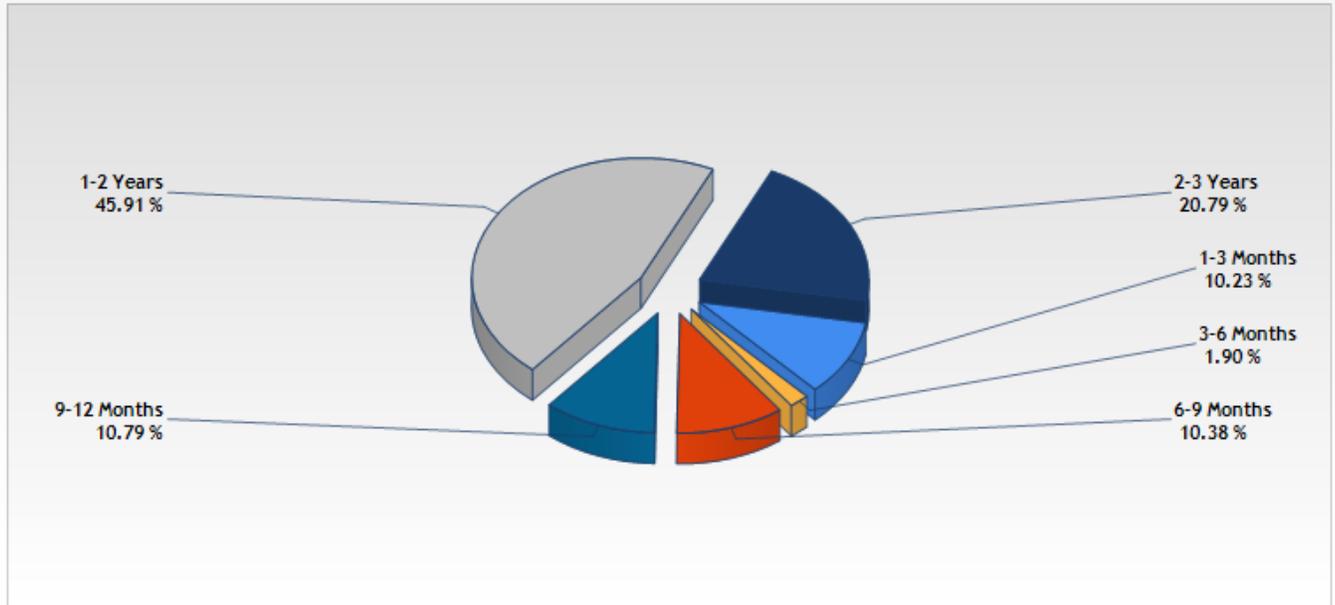
All Portfolio Holdings Distribution by Asset Class



Operating Fund Holdings Distribution by Asset Class



Operating Fund Maturity Distribution



Maturity Range	Face Amount/Shares	YTM @ Cost	Cost Value	Days To Maturity	% of Portfolio	Market Value	Book Value	Duration To Maturity
1-3 Months	2,545,000.00	0.565	2,579,611.60	64	10.23	2,549,520.24	2,548,552.84	0.18
3-6 Months	480,000.00	0.400	480,000.00	126	1.90	480,200.18	480,000.00	0.35
6-9 Months	2,566,000.00	0.428	2,617,998.10	224	10.38	2,587,739.52	2,585,505.17	0.61
9-12 Months	2,720,000.00	0.454	2,720,040.00	308	10.79	2,723,211.66	2,720,026.53	0.84
1-2 Years	11,448,000.00	0.770	11,575,632.42	530	45.91	11,587,152.91	11,566,667.98	1.43
	5,240,000.00	0.864	5,241,210.00	785	20.79	5,243,968.26	5,241,138.11	2.13
Total / Average	24,999,000.00	0.692	25,214,492.12	472	100	25,171,792.77	25,141,890.63	1.28

**Union Sanitary District
Board Report - Holdings**
Report Format: By Transaction
Group By: Asset Class
**Portfolio/Report Group: All Portfolios
As of 4/30/2015**

Description	CUSIP/Ticker	Credit Rating 1	Settlement Date	Face Amount/Shares	Cost Value	Coupon Rate	Market Value	YTM @ Cost	Next Call Date	Maturity Date	% of Portfolio
Agencies											
FHLB 0.75 7/28/2017-16	3130A4ZV7	Moodys-Aaa	4/28/2015	1,000,000.00	1,000,000.00	0.750	998,640.00	0.750	4/28/2016	7/28/2017	1.78
FHLB 0.8 3/17/2017-16	3130A4GT3	Moodys-Aaa	3/17/2015	1,000,000.00	1,000,000.00	0.800	1,001,660.00	0.800	3/17/2016	3/17/2017	1.78
FHLB 0.8 5/17/2017	3130A4Q54	Moodys-Aaa	3/27/2015	1,000,000.00	1,001,690.00	0.800	1,002,380.00	0.720		5/17/2017	1.78
FHLB 0.85 6/16/2017-16	3130A4GU0	Moodys-Aaa	3/16/2015	1,000,000.00	1,000,000.00	0.850	1,001,670.00	0.850	3/16/2016	6/16/2017	1.78
FHLMC 0.5 6/20/2016-14	3134G4N38	Moodys-Aaa	12/20/2013	1,000,000.00	1,000,000.00	0.500	999,480.00	0.500	6/20/2015	6/20/2016	1.78
FHLMC 0.75 2/13/2017	3134G6BQ5	Moodys-Aaa	2/13/2015	1,000,000.00	1,000,000.00	0.750	1,000,150.00	0.750		2/13/2017	1.78
FHLMC 0.9 5/26/2017-15	3134G6CE1	Moodys-Aaa	2/26/2015	1,000,000.00	1,000,000.00	0.900	999,680.00	0.900	5/26/2015	5/26/2017	1.78
FHLMC 1.05 6/30/2017-15	3134G5TE5	Moodys-Aaa	12/30/2014	1,000,000.00	1,000,000.00	1.050	1,001,510.00	1.050	6/30/2015	6/30/2017	1.78
FNMA 0.5 3/30/2016	3135GOVA8	Moodys-Aaa	1/24/2014	1,000,000.00	1,000,750.00	0.500	1,001,880.00	0.465		3/30/2016	1.78
Sub Total / Average				9,000,000.00	9,002,440.00	0.767	9,007,050.00	0.754			15.99
CAMP											
CAMP LGIP	LGIP4000	None	5/31/2011	9,793.61	9,793.61	0.080	9,793.61	0.080	N/A	N/A	0.02
Sub Total / Average				9,793.61	9,793.61	0.080	9,793.61	0.080			0.02
Certificates of Deposit											
Ally Bank 1 10/24/2016	02006LKM4	None	10/23/2014	240,000.00	240,000.00	1.000	241,067.45	1.000		10/24/2016	0.43

Description	CUSIP/Ticker	Credit Rating 1	Settlement Date	Face Amount/Shares	Cost Value	Coupon Rate	Market Value	YTM @ Cost	Next Call Date	Maturity Date	% of Portfolio
American Express Bank 1.1 10/24/2016	02587CBZ2	None	10/23/2014	240,000.00	240,000.00	1.100	241,426.89	1.100		10/24/2016	0.43
Bank of China NY 0.5 2/4/2016	06426TCH0	None	2/4/2015	240,000.00	240,000.00	0.500	240,054.76	0.500		2/4/2016	0.43
Beal Bank USA 0.45 9/2/2015	07370WLQ7	None	12/3/2014	240,000.00	240,000.00	0.450	240,141.10	0.450		9/2/2015	0.43
BMW Bank North America 0.5 3/14/2016	05568P6V4	None	3/31/2014	240,000.00	239,760.00	0.500	239,972.14	0.552		3/14/2016	0.43
Capital One Bank 1 10/24/2016	140420QG8	None	10/22/2014	240,000.00	240,000.00	1.000	241,067.45	1.000		10/24/2016	0.43
Discover Bank 0.5 6/11/2015	254671D72	None	12/24/2013	240,000.00	239,918.40	0.500	240,092.29	0.523		6/11/2015	0.43
Goldman Sachs Bank 1 10/16/2017	38148JQX2	None	4/27/2015	240,000.00	239,520.00	1.000	240,088.26	1.069		10/16/2017	0.43
Great Midwest Bank 0.75 7/27/2016	39083PCK6	None	10/27/2014	240,000.00	240,000.00	0.750	240,328.48	0.750		7/27/2016	0.43
Merrick Bank 0.5 6/30/2015	5912Y5Y9	None	12/30/2013	240,000.00	240,000.00	0.500	240,117.90	0.500		6/30/2015	0.43
Mizuho Bank USA 0.35 9/4/2015	60688MKK9	None	3/4/2015	240,000.00	240,000.00	0.350	240,059.08	0.350		9/4/2015	0.43
Santander Bank 0.5 2/4/2016	80280JDH1	None	2/4/2015	240,000.00	240,000.00	0.500	240,054.76	0.500		2/4/2016	0.43
Sub Total / Average				2,880,000.00	2,879,198.40	0.679	2,884,470.56	0.691			5.11

Corporate Issues

Caterpillar Financial 1 3/3/2017	14912L5Z0	Moodys-A2	12/23/2014	1,313,000.00	1,307,603.57	1.000	1,318,750.94	1.190		3/3/2017	2.32
General Electric Capital Corp 1.625 7/2/2015	36962G5Z3	Moodys-A1	3/31/2014	1,000,000.00	1,014,530.00	1.625	1,002,160.00	0.460		7/2/2015	1.80
	36962G5F7		11/30/2012	500,000.00	517,745.00	2.375	501,715.00	0.980		6/30/2015	0.92

Description	CUSIP/Ticker	Credit Rating 1	Settlement Date	Face Amount/Shares	Cost Value	Coupon Rate	Market Value	YTM @ Cost	Next Call Date	Maturity Date	% of Portfolio
General Electric Capital Corp 2.375 6/30/2015		Moodys-A1									
General Electric Capital Corp 5.4 2/15/2017	36962G2G8	Moodys-A1	3/2/2015	1,085,000.00	1,179,514.35	5.400	1,170,541.40	0.890		2/15/2017	2.10
International Business Machs 0.45 5/6/2016	459200HL8	Moodys-Aa3	11/26/2013	1,000,000.00	996,840.00	0.450	999,710.00	0.580		5/6/2016	1.77
JP Morgan Chase 2.6 1/15/2016	46625HHW3	Moodys-A3	12/1/2014	566,000.00	577,518.10	2.600	573,199.52	0.775		1/15/2016	1.03
Royal Bank of Canada 2.3 7/20/2016	78008TLB8	Moodys-Aa3	12/23/2014	1,190,000.00	1,217,310.50	2.300	1,212,455.30	0.830		7/20/2016	2.16
US Bankcorp 2.2 11/15/2016	91159HHB9	Moodys-A1	3/31/2015	900,000.00	920,304.00	2.200	919,035.00	0.797		11/15/2016	1.63
Well Fargo Bank 0.75 7/20/2015	94985H5F7	Moodys-Aa3	3/31/2014	565,000.00	567,418.20	0.750	565,435.05	0.420		7/20/2015	1.01
Sub Total / Average				8,119,000.00	8,298,783.72	2.140	8,263,002.21	0.794			14.74
LAIF											
LAIF LGIP	LGIP1002	None	4/30/2011	31,072,178.12	31,072,178.12	0.283	31,072,178.12	0.283	N/A	N/A	55.19
Sub Total / Average				31,072,178.12	31,072,178.12	0.283	31,072,178.12	0.283			55.19
Treasury											
T-Bond 0.25 5/16/2016	912828VC1	Moodys-Aaa	1/24/2014	1,000,000.00	994,530.00	0.250	999,530.00	0.488		5/16/2016	1.77
T-Note 0.375 2/15/2016	912828UM0	Moodys-Aaa	1/24/2014	1,000,000.00	999,530.00	0.375	1,001,250.00	0.398		2/15/2016	1.78
T-Note 0.5 6/15/2016	912828VG2	Moodys-Aaa	3/27/2014	1,000,000.00	999,530.00	0.500	1,001,950.00	0.521		6/15/2016	1.78
T-Note 1.375 11/30/2015	912828PJ3	Moodys-Aaa	12/20/2013	2,000,000.00	2,040,480.00	1.375	2,014,540.00	0.330		11/30/2015	3.62
Sub Total / Average				5,000,000.00	5,034,070.00	0.780	5,017,270.00	0.413			8.94

Description	CUSIP/Ticker	Credit Rating 1	Settlement Date	Face Amount/Shares	Cost Value	Coupon Rate	Market Value	YTM @ Cost	Next Call Date	Maturity Date	% of Portfolio
Total / Average				56,080,971.73	56,296,463.85	0.699	56,253,764.50	0.466			100

All investment actions executed since the last report have been made in full compliance with the District's Investment Policy. The District will meet its expenditure obligations for the next six months. Market value sources are the LAIF, CAMP, and BNY Mellon monthly statements.

**Union Sanitary District
Board Report - Activity
Portfolio/Report Group: All Portfolios
From 4/1/2015 To 4/30/2015**

Description	CUSIP/Ticker	Face Amount/Shares	Principal	Interest/Dividends	Coupon Rate	YTM @ Cost	Settlement Date	Total
BUY								
FHLB 0.75 7/28/2017-16	3130A4ZV7	1,000,000.00	1,000,000.00	0.00	0.750	0.750	4/28/2015	1,000,000.00
Goldman Sachs Bank 1 10/16/2017	38148JQX2	240,000.00	239,520.00	78.90	1.000	1.069	4/27/2015	239,598.90
Sub Total / Average		1,240,000.00	1,239,520.00	78.90				1,239,598.90
DEPOSIT								
CAMP LGIP	LGIP4000	0.62	0.62	0.00		0.000	4/30/2015	0.62
LAIF LGIP	LGIP1002	13,293.22	13,293.22	0.00		0.000	4/15/2015	13,293.22
LAIF LGIP	LGIP1002	21,000,000.00	21,000,000.00	0.00		0.000	4/15/2015	21,000,000.00
LAIF LGIP	LGIP1002	1,000,000.00	1,000,000.00	0.00		0.000	4/20/2015	1,000,000.00
Sub Total / Average		22,013,293.84	22,013,293.84	0.00				22,013,293.84
INTEREST								
Ally Bank 1 10/24/2016	02006LKM4	0.00	0.00	1,196.71	1.000	0.000	4/23/2015	1,196.71
American Express Bank 1.1 10/24/2016	02587CBZ2	0.00	0.00	1,316.38	1.100	0.000	4/23/2015	1,316.38
CAMP LGIP	LGIP4000	0.00	0.00	0.62		0.000	4/30/2015	0.62
Capital One Bank 1 10/24/2016	140420QG8	0.00	0.00	1,196.71	1.000	0.000	4/22/2015	1,196.71
Great Midwest Bank 0.75 7/27/2016	39083PCK6	0.00	0.00	152.88	0.750	0.000	4/27/2015	152.88
LAIF LGIP	LGIP1002	0.00	0.00	13,293.22		0.000	4/15/2015	13,293.22
Merrick Bank 0.5 6/30/2015	5912Y5Y9	0.00	0.00	101.92	0.500	0.000	4/28/2015	101.92
Sub Total / Average		0.00	0.00	17,258.44				17,258.44
WITHDRAW								
LAIF LGIP	LGIP1002	600,000.00	600,000.00	0.00		0.000	4/3/2015	600,000.00

Description	CUSIP/Ticker	Face Amount/Shares	Principal	Interest/Dividends	Coupon Rate	YTM @ Cost	Settlement Date	Total
LAIF LGIP	LGIP1002	500,000.00	500,000.00	0.00		0.000	4/10/2015	500,000.00
LAIF LGIP	LGIP1002	400,000.00	400,000.00	0.00		0.000	4/28/2015	400,000.00
LAIF LGIP	LGIP1002	1,100,000.00	1,100,000.00	0.00		0.000	4/30/2015	1,100,000.00
Sub Total / Average		2,600,000.00	2,600,000.00	0.00				2,600,000.00

**MONTHLY OPERATIONS REPORT FOR THE MONTH OF APRIL 2015
TECHNICAL SUPPORT WORK GROUP SUMMARY**

Capital Improvement Program

Cogeneration Project – The contractor continued working on the punch list items. The construction manager completed his review of the outstanding potential change orders and will schedule a negotiations meeting with the contractor in May.

Primary Digester No. 5 Rehabilitation Project – The contractor completed the punch list work.

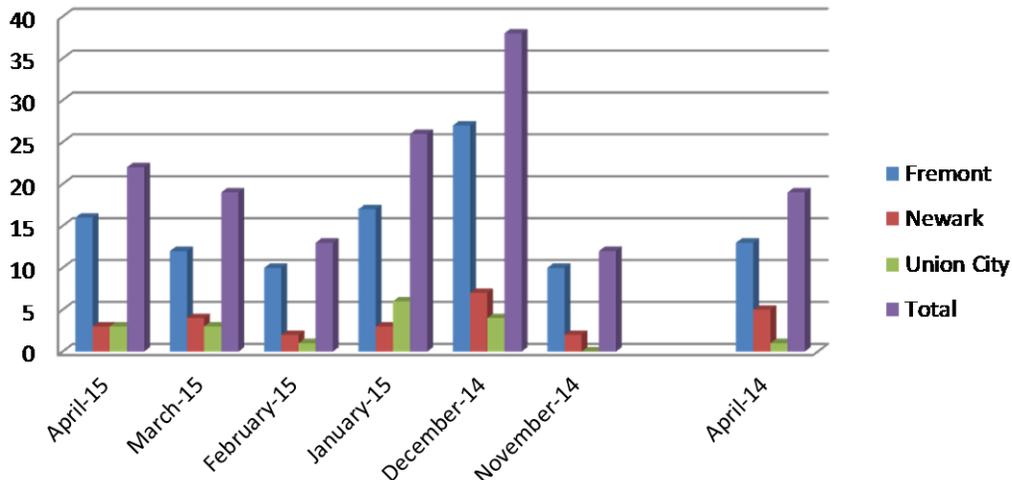
Thickener Control Building Improvements Project – All pavement work associated with the west access road widening, thickened primary sludge pipeline trench, and the area north of Heating and Mixing Building No. 1 has been completed. Installation of the Thickener Electrical Building steel decking and membrane roofing materials has also been completed. The installation of new Motor Control Center (MCC) No. 31 and Programmable Logic Controller (PLC) No. 44 is currently underway.

Newark Backyard Sanitary Sewer Relocation Project Phase 2 – Construction contract awarded to Ranger Pipelines, Inc. at the April 13 Board meeting. Public Information Meeting held on April 22, at Graham Elementary School. Pre-construction meeting held with the contractor, construction manager, and design consultant on April 30.

Customer Service

Trouble Calls dispatched from the Front Desk during business hours:

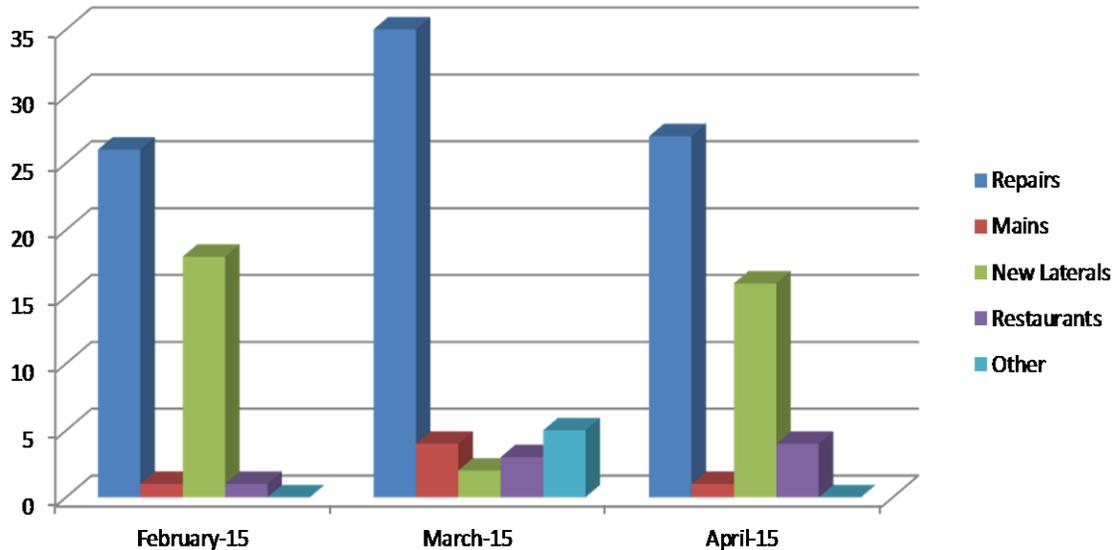
Month	Fremont	Newark	Union City	Total
April-15	16	3	3	22
March-15	12	4	3	19
February-15	10	2	1	13
January-15	17	3	6	26
December-14	27	7	4	38
November-14	10	2	0	12
<i>April-14</i>	<i>13</i>	<i>5</i>	<i>1</i>	<i>19</i>
6-Month Total				130



Sewer Permits Issued

Month	Repairs	Mains	New Laterals	Restaurants	Other
April-15	27	1	16	4	0
March-15	35	4	2	3	5
February-15	26	1	18	1	0

New Laterals - New residential lateral connections
 Other - Non-residential construction (except restaurants)



Communication & Graphics

- Led Open House Planning Team in preparation for May 9, 2015 event – meetings and communication
- Developed and disseminated all outreach to promote Open House; including: designed ads, posters, banners, flyers and informational materials, encouraged press coverage, promoted with school districts, managed poster orders for multiple teams, wrote and recorded public service announcement for Ohlone College Radio station, managed logistics for rental items for multiple teams.
- Designed and booked Earth Day Celebration Ad for Environmental Compliance Team
- Website redesign project activities – continued work with designer
- Union City Chamber of Commerce activities – Board President. Chaired Board meetings, met with office staff, attended City of Union City Economic Development Team meeting, attended Newark State of the City luncheon, met with Kaiser contact regarding mixer, lunch with Mayor of Union City to discuss Chamber of Commerce activities
- Attended City of Fremont Social Media training seminar
- Attended local realty marketing association meeting to promote USD and Open House

Environmental Compliance

Pollution Prevention Program

USD’s Environmental Compliance team conducts pollution prevention inspections to restaurants, car wash business, and other commercial facilities. EC also conducts inspections and enforcement for the City of Fremont’s Environmental Services group. We conduct over 600 Stormwater compliance inspections every year

to ensure that commercial facilities, including restaurants and auto shops, comply with City Ordinance requirements, and don't discharge pollutants to the creeks and bay.

For the past month, the EC team conducted 118 Stormwater (Urban Runoff), and 28 FOG (restaurant) inspections. Inspectors identified 35 Stormwater and 5 FOG enforcement actions. 10 of the Stormwater enforcements resulted in administrative fines ranging from \$100 to \$500. Most fines were for repeated violations within the same year, but 1 was for illicit discharges to Fremont's storm drain system.

Urban Runoff Inspections and Enforcements

April 2015	No. of UR Inspections	VW	WL	NOV	AF	LA	Total Enforcements	No. of Illicit Discharge/s	1%
	118	7	0	18	10	0	35	% enforcement	30%

FOG Inspections and Enforcements

April 2015	No. of FOG Inspections	VW	WL	NOV	AF	LA	Total Enforcements	% enforcement	18%
	28	2	3	0	0	0	5		

Enforcements:

VW – Verbal Warning

WL – Warning Letter

NOV – Notices of Violation

AF – Administrative Fine

LA – Legal Action

NOD – Notice of Deficiency

AO – Administrative Order

C&D – Cease & Desist Order

SNC – Significant Non Compliance

Dental Inspections, School Outreach, and Plant Tours

# of Dental Inspections	# of School Outreach Events including Sewer Science	# of Plant Tours
7	4	0

Industrial Pretreatment

The Industrial Pretreatment program has a number of pending permits as shown in the table below. USD inspectors are working with each of these companies to establish permitted industrial discharges.

Pending Permits

New Industrial/Groundwater Permits	Groundwater/Temporary
Ceramic Tech-Class II	Mountain Cascades- Groundwater
Gooch and Housego- Class II	ACWD- Groundwater
Mission Linen-Class I	
De Anza Tile-Class II	

Permits Issued

Company Name	Date Permit Issued
None	

Industrial Closures

Company Name	Date of Closure
None	

Design/Study

No. of projects in design/study phase: **15**

	Design/Study Projects	Capital (\$1000)	Scheduled Completion	Completed Scope	Completed Time	Comments for April 2015 Activity
1.	Irvington Basin Master Plan Update – Capacity Assessment - Rollie	\$231	6/15	57%	78%	Flow model data confirmed and report draft in progress.
2.	Local Limits and Wastewater Treatability Study – Michael D.	\$107	6/15	100%	100%	No changes. Waiting for Industrial Hygienist to determine if additional tasks are required.
3.	Seismic Study - Raymond	\$210	6/15	86%	90%	The consultant completed the detailed seismic evaluation of four structures. They will work on the construction estimate and draft report in May.
4.	Cast Iron Lining Phase VI – Andrew	In-House	12/14	100%	100%	Design completed.
5.	Miscellaneous Spot Repairs Phase VI – Andrew	In-House	4/15	100%	100%	Design Completed.
6.	Alvarado-Niles Road SS Rehabilitation – Chris E.	\$248	4/15	96%	96%	Project design on hold; pending schedules of other construction activities on Alv.-Niles Rd.
7.	Pine St. Easement Improvements – Chris E.	\$59	7/15	62%	62%	Alternatives evaluation received and under review.
8.	Water Storage Tank & Well – Chris E.	\$28	3/15	100%	100%	Study tech memo being finalized.
9.	Plant Site Use Study – Curtis	\$200	6/15	86%	81%	Revised plant layouts received on April 16 th . Internal meeting held with USD staff on April 30 th . Final report to be received in May.
10.	MCC and PLC Replacement Project, Phase 3 – Chris P.	\$78	6/15	75%	80%	Consultant presented the 75% design submittal to District staff.

	Design/Study Projects	Capital (\$1000)	Scheduled Completion	Completed Scope	Completed Time	Comments for April 2015 Activity
11.	Generator Controls Upgrade Project – Chris P.	\$72	6/15	45%	65%	Subconsultant completed site visit and evaluation of existing standby generators.
12.	Plant Facilities Improvements Project – Thomas	\$318	10/15	0%	0%	Board approved detailed design task order with consultant on April 27 th .
13.	Plant Lighting Study – Thomas	\$50	3/15	100%	100%	The consultant submitted the final report.
14.	Pump Station Master Plan – Raymond	\$175	7/15	60%	60%	The consultant will present findings during May 5 th workshop with staff. The draft report will be due by the end of May.
15.	Aeration Blower Project – Curtis	\$96	7/15	35%	50%	Consultant working on 50% design submittal.

**COLLECTION SERVICES
ACTIVITIES REPORT
April 2015**

Progress/Accomplishments

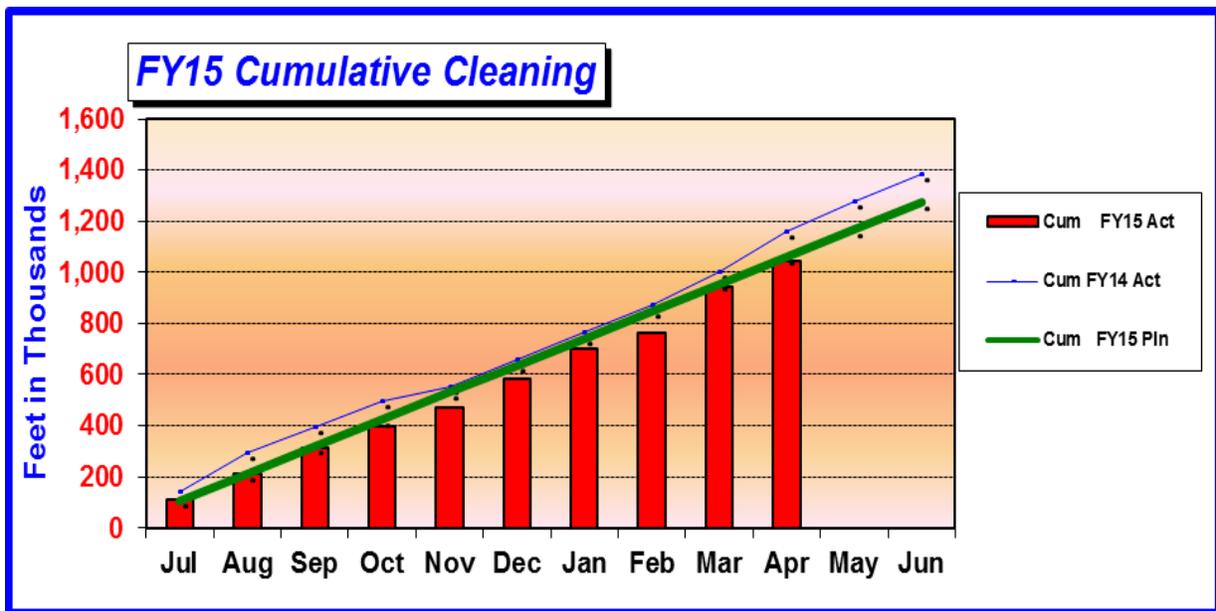
- Completed over 19 miles of cleaning and over 11 miles of televising of sewer lines in April
- Responded to 29 service request calls in April
- Completed a total of 10 main repairs in April
- Marked and located all sewer lines (Underground Service Alerts)
- Provided support on the following projects: Upper Hetch Hetchy Trunk Line Lining, Alvarado Site Use Study.
- Continued training of 4 Collection System Worker I employees
- Continued on our progress on catching up on 72 Month Cleaning and Inspection PMP
- Provided CCTV and Hydro Jetting services to the City of Fremont.
- Attended the CWEA Southern Annual Conference

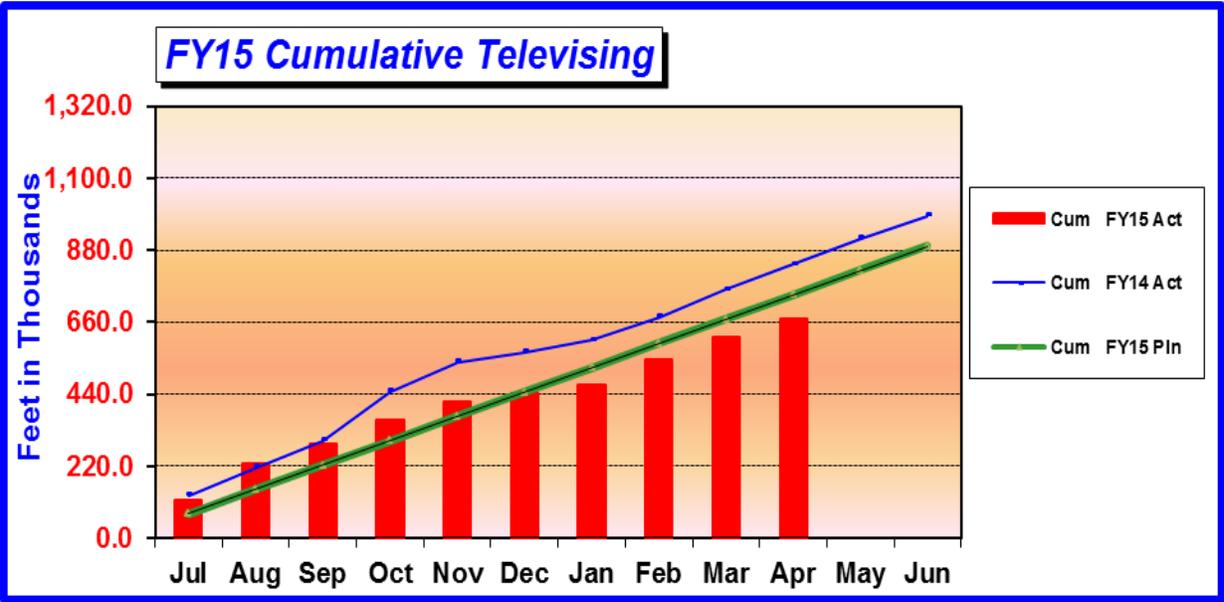
Training for Collections included;
None

Future Planning

- Continue effort of to catch up on 72 Month Cleaning and Inspection PMP

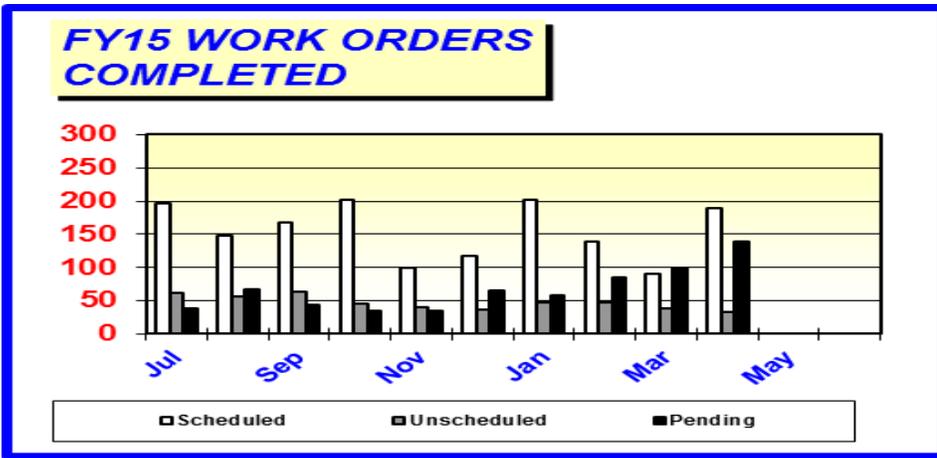
Performance Measures



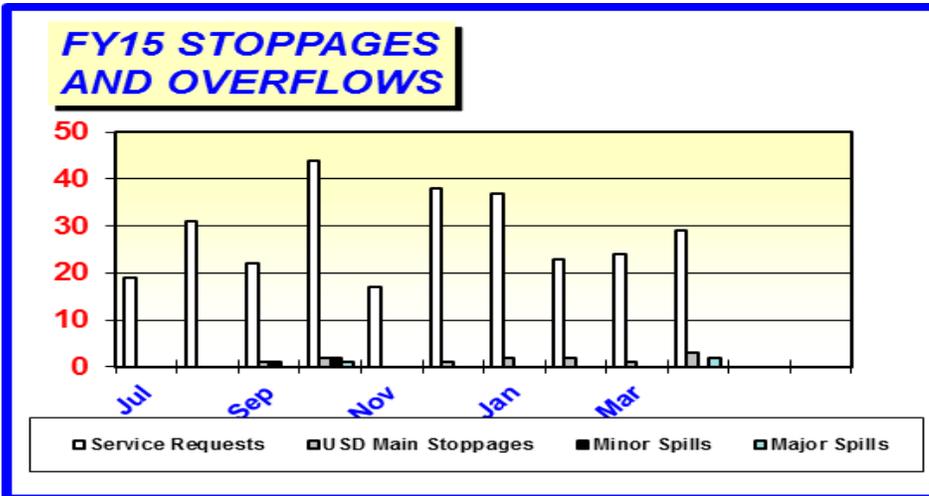


Other Collection Services Status Data:

Support Team Work Order Status:



C/S Maintenance Status:



FMC
Activities Report
April 2015

Progress/Accomplishments

- Completed 82% preventive maintenance activities for the month of April
- Completed 101 corrective maintenance work orders for the month of April
- Completed installation and testing of Irvington Pump #2
- Completed installation and testing of Centrifuge #3
- Replaced fuel control cable on Cogen #2

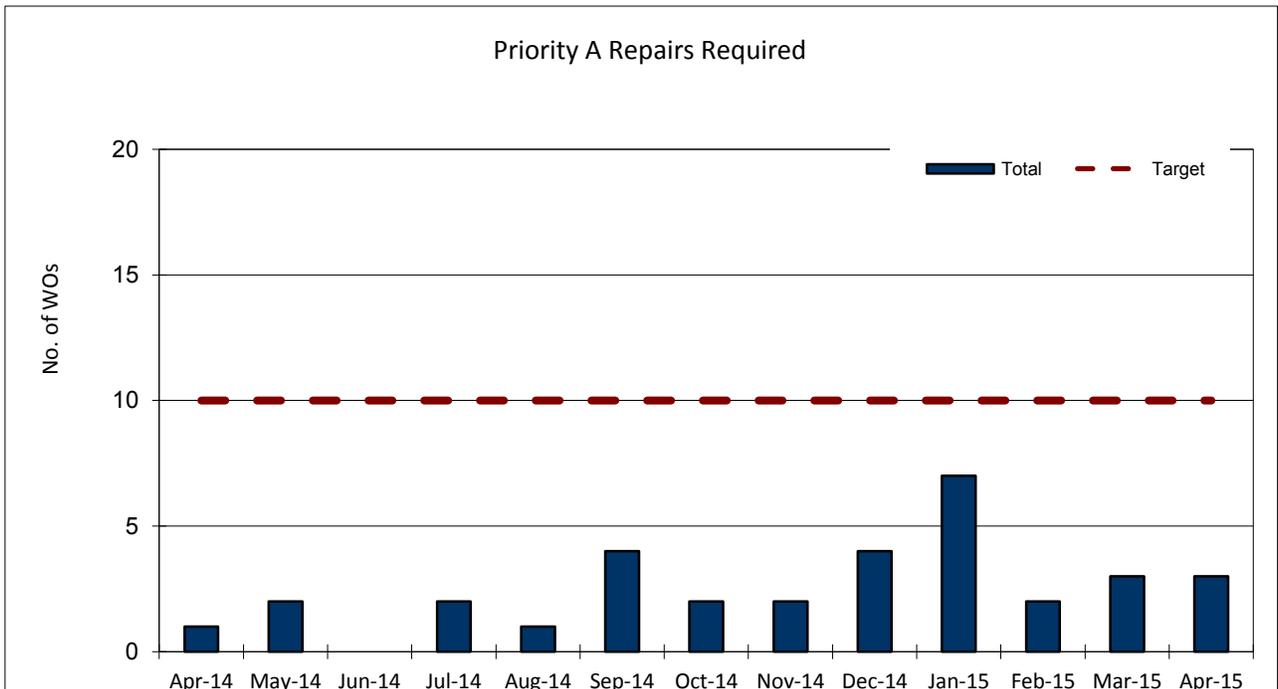
Future Planning

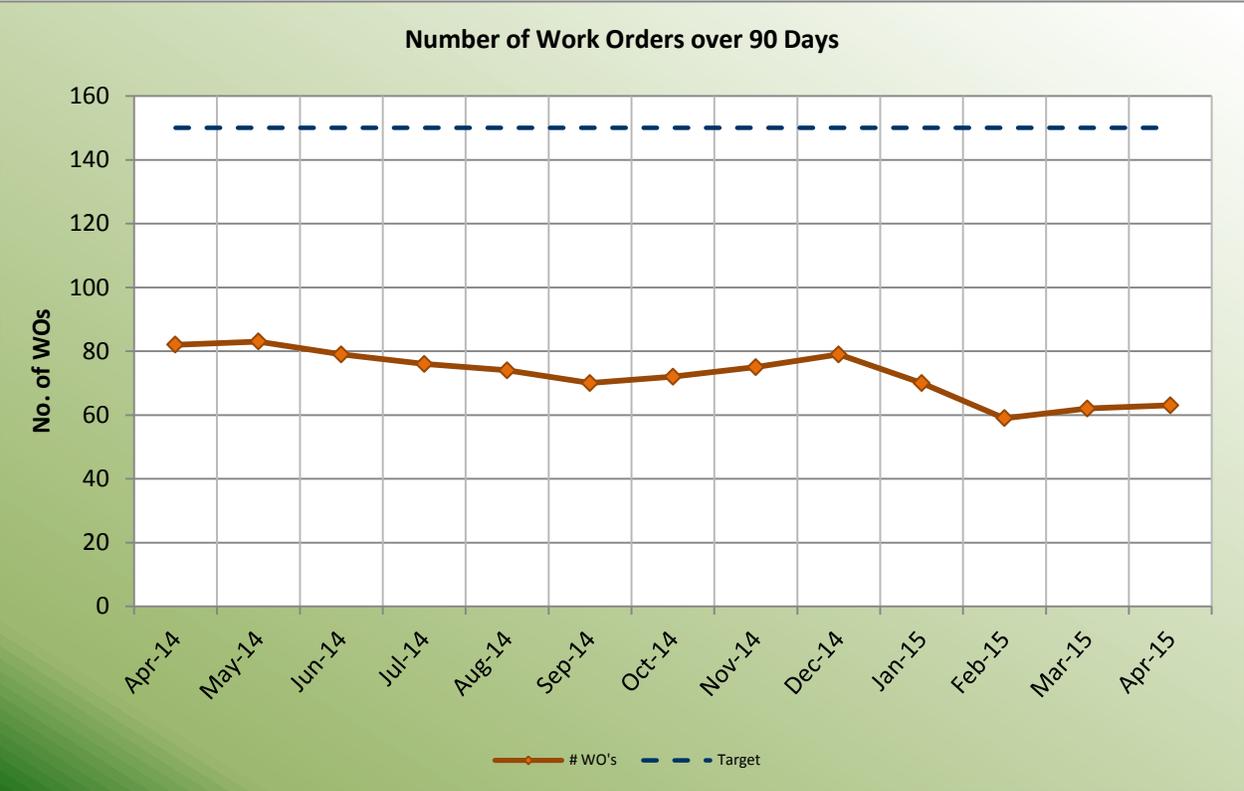
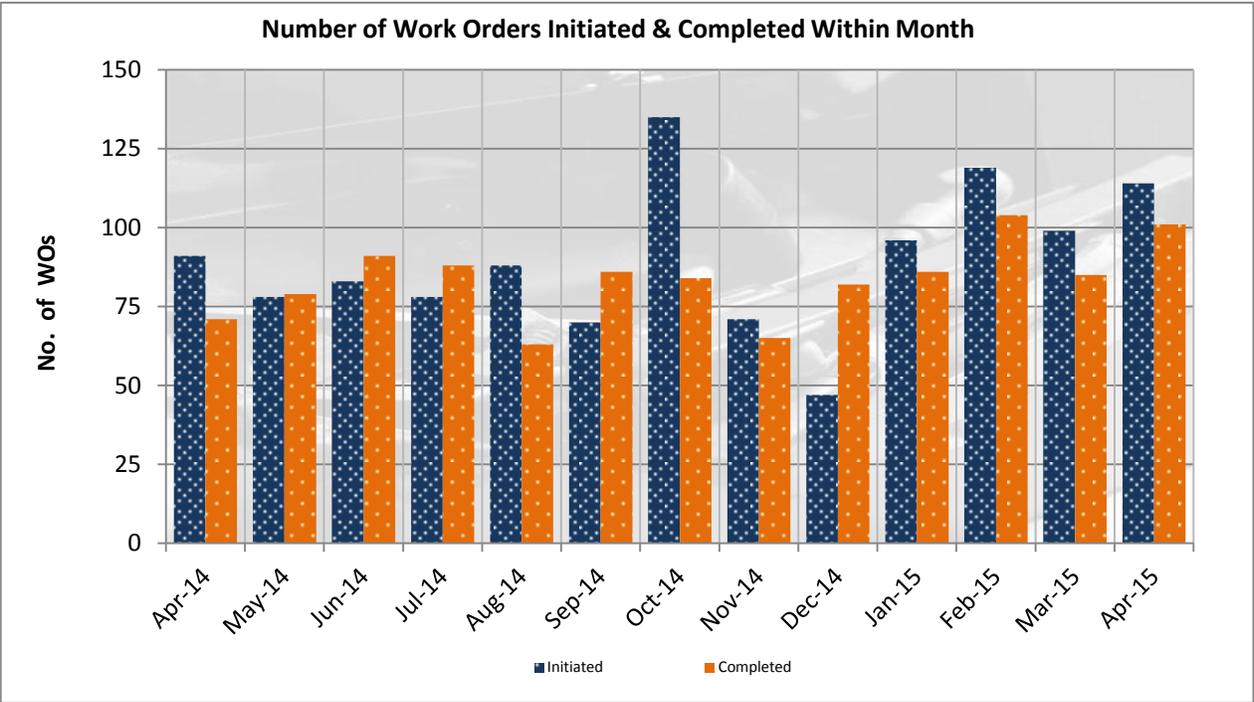
- Overhaul EBDA #1 Pump
- Replace centrifuge discharge end bearing in centrifuge #1 and determine cause of failure
- Replace Cogen #2 gas proportioning valve

Other

- One mechanic to attend Cogeneration training in Wisconsin
- Prepare for open house event

Performance Measurements





**Treatment & Disposal
Activities Report
April 2015**

Progress/Accomplishments

- Completed 96% preventive maintenance activities for the month of April.
- Prepared for and finalized preparations for the USD Open House.
- Developed a testing plan for the pilot testing of codigestion of organic waste from a cheese manufacturer.
- Conducted microbiological evaluation and chemical evaluation of anaerobic digester foam. Devised additional testing for digester foaming potential.
- Provided IRWMP application updates for the potential inclusion of a Hayward Marsh rehabilitation project under the BACWA and shoreline resilience group regional projects.
- Further characterized cheese processing waste for pollutants of concern.
- Planned for the chemical addition and wet lay-up of one force main for the testing of single force main operation.
- Planned for the optimization and testing of hydrogen peroxide and ferrous chloride during the single force main operation.
- Attended the WEF food digestion Webinar.

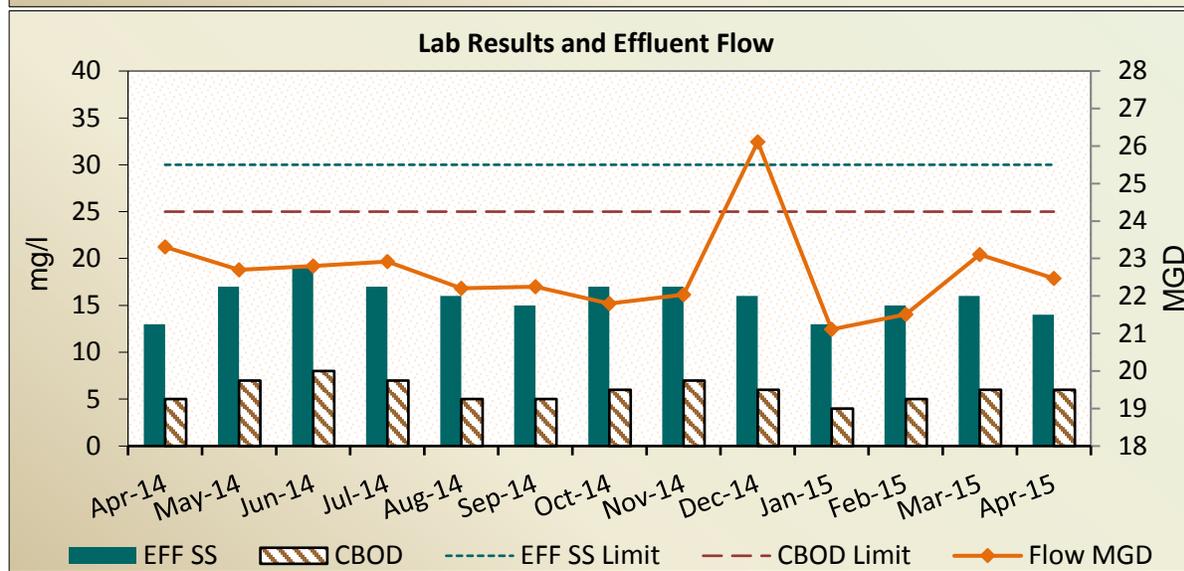
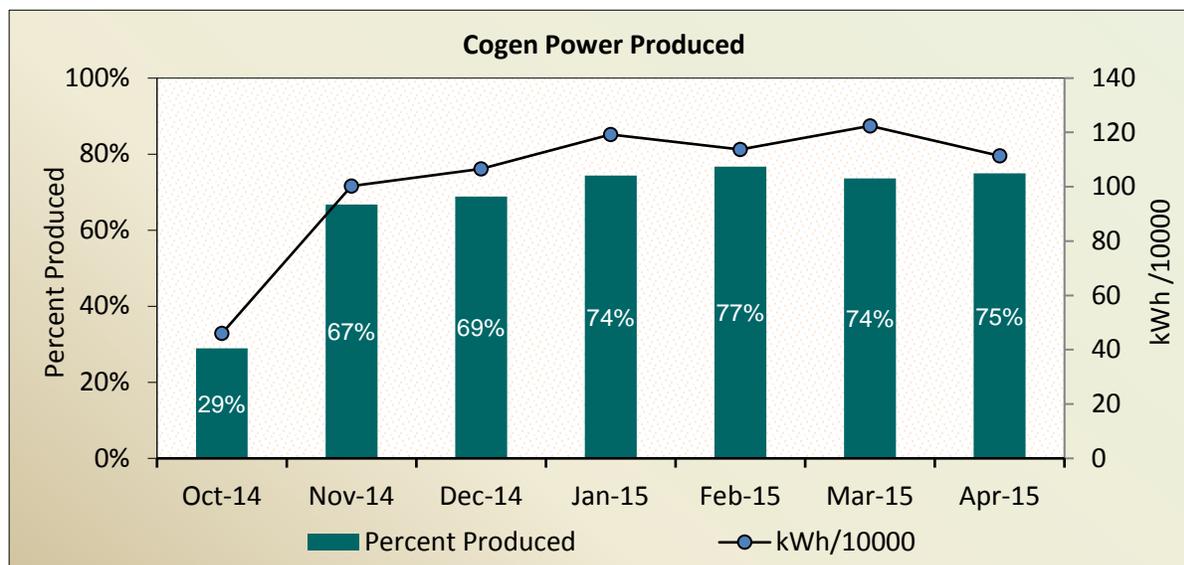
Future Planning

- Finalize the Hayward Marsh Rehabilitation Options Study and schedule a board workshop.
- Evaluate the feasibility of a trailer mounted reclaimed water treatment system.
- Host a consultant site visit as part of the nutrient reduction project as required by the Nutrient Watershed permit.
- Research opportunities for testing digester enzymes to increase digester gas production at the treatment plant.
- Prepare and submit BACWA the annual information update.
- Attend CASA/CWEA bioslids seminar.
- Attend the annual meeting of BACWA air permit committee with the BAAQMD.
- Prepare for the ELAP recertification of the treatment plant laboratory.

Other

- Cogen system produced 75% of power consumed for the month of April.
- Operator Mike Farsai completed Grade 1 Competency. Operator Will Harris completed Grade 2 Competency.

Performance Measurements



USD's Final Effluent Monthly Monitoring Results				
Parameter	EBDA Limit	Feb 2015	Mar 2015	Apr 2015
Copper, µg/l	78	4.9	5.9	4.6
Mercury, µg/l	0.066	0.00303	0.00219	0.00219
Cyanide, µg/l	42	E 3.0	E 3.0	< 3.0
Ammonia- N, mg/L (Range)	130	40 - 50	38 - 45	37 - 42
Dioxin-Toxicity Equivalent (TEQ), µg/l	2.8×10^{-8}	not tested	not tested	not tested
Fecal Coliform, MPN/100ml (Range)				
• 5-Sample Geometric Mean	500	12 - 31	11 - 42	11 - 44
• 11-Sample 90th Percentile	1100	33 - 75	40 - 75	52 - 172
Enterococci *				
• 5-Sample Geometric Mean	242	20 - 63	10 - 62	30 - 63

E = Estimated value, concentration outside calibration range. For SIP, E = DNQ, estimated concentration.
 * Enterococci values are the weekly concentration range not the 5-Sample Geometric Mean range.



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers
Paul R. Eldredge
*General Manager/
District Engineer*

David M. O'Hara
Attorney

DATE: May 12, 2015

MEMO TO: Board of Directors - Union Sanitary District

FROM: Paul R. Eldredge, General Manager/District Engineer
Sami E. Ghossain, Manager of Technical Services
Michael Dunning, Coach of Environmental Compliance
Alex Paredes, Environmental Programs Coordinator

SUBJECT: Agenda Item No. 8 - Meeting of May 26, 2015
Public Hearing to Adopt Ordinance 36.03, Sewer Use Ordinance

Recommendation

1. Open the public hearing – receive any oral or written communications regarding the proposed ordinance.
2. Close the public hearing and consider necessary action.

Background

Notices of Public Hearing to adopt Ordinance No. 36.03 were published in the Argus newspaper on April 15 and April 22, 2015. Staff will be prepared to present the subsequent Board agenda items on Ordinance No. 36.03 and answer questions from the Board and audience.

PRE/SEG/MD/AP:av

Attachment: Proof of Publication

Argus

c/o Bay Area News Group-East Bay
6086 Stewart Avenue
Fremont, CA 94538
Legal Advertising
510-403-4483

UNION SANITARY DISTRICT
ATTN: ACCOUNTS PAYABLE, PO BOX 5050
UNION CITY CA 94587

PROOF OF PUBLICATION FILE NO. Ordinance 36

In the matter of

Argus

The Argus

I am a citizen of the United States. I am over the age of eighteen years and not a party to or interested in the above-entitled matter. I am the Legal Advertising Clerk of the printer and publisher of The Argus, a newspaper published in the English language in the City of Fremont, County of Alameda, State of California.

I declare that the Argus is a newspaper of general circulation as defined by the laws of the State of California as determined by this court's order dated July 28, 2008 in the action entitled In the Matter of the Ascertainment and Establishment of the Standing of The Argus as a Newspaper of General Circulation, Case Number HG08-390724. Said order states "The Argus" has been established, printed and published in the City of Fremont, County of Alameda, State of California; That it is a newspaper published daily for the dissemination of local and telegraphic news and intelligence of general character and has a bona fide subscription list of paying subscribers; and...THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED:...That "The Argus" is a newspaper of general circulation for the City of Fremont, County of Alameda, California. Said order has not been revoked.

I declare that this notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

4/15/2015, 4/22/2015

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated: April 23, 2015



Public Notice Advertising Clerk

Legal No. **0005454960**

UNION SANITARY DISTRICT

NOTICE OF PUBLIC HEARING

FOR IMMEDIATE RELEASE: UNION SANITARY DISTRICT
5072 BENSON ROAD
UNION CITY, CA 94587
CONTACT: Paul R. Eldredge
(510) 477-7500

April 15 and April 22, 2015

NOTICE IS HEREBY GIVEN that the Board of Directors of Union Sanitary District will consider adoption of revisions to Ordinance No. 36, which provides for the regulation of discharges to the sanitary sewer, including compliance with State and Federal law. The nature of the revision is to modify the name of the Ordinance, to add an Ammonia local limit in response to changes in USD's NPDES Discharge Permit, and to revise language of codified sections pursuant to recent versions of the Code of Federal Regulations. The revised ordinance can be accessed on Union Sanitary District's web page at www.unionsanitary.com, under the "What's New" tab, Ordinance No. 36 Revisions; or to request a hard copy, please call (510) 477-7620.

NOTICE IS FURTHER GIVEN that on Tuesday, the 26th of May 2015, at the hour of 7:00 P.M., at the Union Sanitary District Boardroom, 5072 Benson Road, Union City, California, in said District, said Board will hear and consider all comments, protests, and objections to said proposed revisions to Ordinance No. 36.

By order of the Board of Directors
of Union Sanitary District.

UNION SANITARY DISTRICT
Manny Fernandez
President

AR #5454960: April 15, 22, 2015



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers
Paul R. Eldredge
*General Manager/
District Engineer*

David M. O'Hara
Attorney

DATE: May 12, 2015

MEMO TO: Board of Directors - Union Sanitary District

FROM: Paul R. Eldredge, General Manager/District Engineer
Sami E. Ghossain, Manager of Technical Services
Michael Dunning, Coach of Environmental Compliance
Alex Paredes, Environmental Programs Coordinator

SUBJECT: Agenda Item No. 9 - Meeting of May 26, 2015
Resolution No. ____, Adopt Ordinance 36.03, Sewer Use Ordinance

Recommendation

Adopt Ordinance No. 36.03, Sewer Use Ordinance, and repeal Pretreatment Ordinance No. 36.

Background

Union Sanitary District Ordinance No. 36 provides the requirements for restrictions on discharges to the sanitary sewer. This ordinance applies to industrial, commercial and residential dischargers and establishes the requirements for USD's pretreatment program to be in compliance with federal, state and local laws regulating discharges.

Staff has proposed revisions to the Ordinance consisting of adopting an ammonia local limit, changing the Ordinance name and incorporating a version convention, and, revising the Signature Requirement and Hazardous Waste Discharge Notification to reflect the current language in the Federal Regulations. Details of the proposed changes were presented in Agenda Item No. 11 at the April 13, 2015 Board meeting. The proposed Ordinance is attached in its entirety.

Agenda Item No. 9
Meeting May 26, 2015
Page 2

PRE/SEG/MD/AP:av

Attachments: Resolution
 Summary of the Proposed Revisions to Pretreatment Ordinance and
 Technically Based Local Limits No. 36.
 Ordinance No. 36.03

RESOLUTION NO. _____

**ADOPT ORDINANCE NO. 36.03, SEWER USE ORDINANCE, AND
REPEAL ORDINANCE NO. 36.**

RESOLVED, by the Board of Directors of the UNION SANITARY DISTRICT, Alameda County, California, that:

WHEREAS, this Board intends to adopt Ordinance No. 36.03, Sewer Use Ordinance, to incorporate a new ammonia local limit and meet current requirements of the Federal Clean Water Act, and repeal Ordinance 36; and

WHEREAS, said Ordinance 36.03 was duly prepared and filed with the Secretary of the UNION SANITARY DISTRICT; and

WHEREAS, this Board appointed the time and place of hearing protests to said ordinance modifications and directed notice; and

WHEREAS, notice was given on the time therein in the manner provided by law as it appears by the Affidavit of Publication on file in the office of the Secretary of the said District; and

WHEREAS, said matter came on regularly for public hearing at the fixed time on May 26, 2015; and

WHEREAS, all written protests and other written communications were publicly read at said meeting and all persons desiring to be heard were fully heard;

THEREFORE, BE IT RESOLVED THAT the Board of Directors hereby certifies:

1. That objections to and protests against said ordinance were not made by the owners of a majority of the separate parcels of property within the service area.
2. That all objections to and protests against said ordinance have been heard by the Board and addressed by staff and that all other said objections and protests be, hereby overruled.
3. That said Ordinance 36.03 attached hereto, be, and it is, hereby adopted in full without revision, change, reduction, or modification.

On motion duly made and seconded, this resolution was adopted by the following vote on May 26, 2015:

AYES:

NOES:

ABSENT:

ABSTAIN:

MANNY FERNANDEZ
President, Board of Directors
UNION SANITARY DISTRICT

Attest:

TOM HANDLEY
Secretary, Board of Directors
UNION SANITARY DISTRICT

Summary of the Proposed Revisions to Pretreatment Ordinance and Technically Based Local Limits Ordinance No. 36

The proposed changes to Pretreatment Ordinance 36 are as follows. Additions are shown underlined and deletions are shown with ~~strikethrough~~.

- 1) The name of the Sewer Use Ordinance will be changed from Pretreatment Ordinance and Technically based Local Limits Ordinance No. 36 to Sewer Use Ordinance No. 36.03. The change in name of the Ordinance will help all Users subject to the Ordinance understand that it applies to residential, commercial and industrial users. Additionally, the change incorporates version history, which reflects similar ordinance update protocols used by other departments within USD. This change in name will be applied throughout the Ordinance.
- 2) **Section No. 36.03 § 2.10 Limitations on Wastewater Strength** is being revised to add language for the new ammonia local limit to control future ammonia loadings from current and future Industrial User's (IU's).

Section 2.10(b)(1)

“(b) The following pollutant limits are established to protect against Pass Through and Interference. ~~No person shall discharge wastewater containing in excess of:~~

- (1) The following limits are maximum allowable discharge limits (the maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composite sample collected, independent of the industrial flow rate and the duration of the sampling event). Limits for metals are for total recoverable metals.

No person shall discharge wastewater containing in excess of:

Arsenic	0.35	mg/L
Cadmium	0.2	mg/L
Copper	2.0	mg/L
Cyanide	0.65	mg/L
Lead	1.0	mg/L
Mercury	0.01	mg/L
Nickel	1.0	mg/L
Silver	0.5	mg/L
Total Chromium	2.0	mg/L
Zinc	3.0	mg/L

TTO	2.13	mg/L
Formaldehyde	50.0	mg/L
Phenols	5.0	mg/L

- having a temperature higher than 150° F (65.5° C), or any thermal discharge which as a result of temperature and/or volume causes the influent of the wastewater treatment plant to exceed 104° F (40° C);
- containing more than 300 mg/L of oil or grease of animal or vegetable origin, unless specifically approved by the District. The District may approve, on a case by case basis, a modification to the analytical method if the discharger can demonstrate that constituents in their wastewater interfere with the freon extraction, hexane extraction or current EPA approved procedure and have no negative impact on the POTW and/or receiving waters.
- containing more than 100 mg/L of oil or grease of mineral or petroleum origin;
- having a pH lower than 6.0 or higher than 12.0 units, or otherwise causing corrosive structural damage to the collection system, POTW or equipment, unless specifically approved by the District. Under no circumstances will a pH of less than 5.0 or higher than 12.5 pH units be approved.

~~The above limits apply at the point where the wastewater is discharged to the POTW and are maximum allowable discharge limits (the maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composite sample collected, independent of the industrial flow rate and the duration of the sampling event)....~~

Section 2.10(b)(2)

“(2) The following limits for ammonia are maximum allowable average concentrations. Limits are for total ammonia expressed as nitrogen. Limits are tiered based on average daily flow, which is the arithmetic average of the permitted industrial user’s daily flows for the preceding calendar year and is equivalent to the flow rate used in establishing sewer service charges:

<u>Average Daily Flow</u>	<u>Ammonia Limit</u>
<u><10,000 gallons per day (gpd)</u>	<u>225 mg/L as N</u>
<u>10,000 – 25,000 gpd</u>	<u>150 mg/L as N</u>
<u>>25,000 gpd</u>	<u>75 mg/L as N</u>

Compliance determination shall be based on the average of all valid and representative analyses occurring within a 6-month period

For industrial users holding permits issued prior to January 1, 2014, the Manager may issue compliance schedules for ammonia as described in Sections 6.09 and 6.10. In no case may these compliance schedules exceed 5 years. All new permitted industrial users must comply with these limits upon initial discharge...

- 3) **Section No. 36.03 § 4.16 Signature Requirement** is being revised to reflect the current language pursuant to Title 40 Protection of the Environment of the Code of Federal Regulations (CFR) 403.12 (l) Signatory requirements for Industrial User Reports.

Section 4.16(a)(1)(ii)

~~“ the manager of one or more manufacturing, production, or operation facilities employing more than 250 persons or having gross annual sales or expenditures exceeding \$25 million (in second quarter 1980 dollars), if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures. the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures...”~~

Section 4.16(a)(4)

“If an authorization under paragraph ~~(e)~~ (3) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for environmental matters for the company, a new authorization satisfying the requirements of paragraph ~~(e)~~ (3) of this section must be submitted to the Agency prior to or together with any reports to be signed by an authorized representative.”

- 4) **Supplement: Hazardous Waste Discharge Notification** is being revised to reflect the current language pursuant to Title 40 Protection of the Environment of the Code of Federal Regulations (CFR) 403.12 (p) Hazardous Waste Discharge Notification.

~~“a. Any user who commences the discharge of hazardous waste~~ (a) The Industrial User shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the user discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the Industrial User: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the wastestream discharged during that calendar month, and an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months. All notifications must take place ~~no later than~~ within one hundred and eighty (180) days ~~after the discharge commences of the effective date of this rule.~~ Industrial Users who commence discharging after the effective date of this rule shall provide the notification no later than 180 days after the discharge of the listed or characteristic hazardous waste. Any notifications under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed ~~conditions~~ discharges must be submitted under 40 CFR 403.12 (j) (Section 4.49 20 of this ordinance). The notification requirement in this section does not apply to pollutants already reported ~~by users subject to categorical pretreatment standards~~ under the self-monitoring requirements of 40 CFR 403.12 (b), (d) and (e)…”



UNION SANITARY DISTRICT SEWER USE ORDINANCE

ORDINANCE NO. 36.03

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Section 1

GENERAL PROVISIONS

1.01 Purpose and Policy

This ordinance sets forth uniform requirements for users of the Publicly Owned Treatment Works of the Union Sanitary District and enables the Agency to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code § 1251 *et seq.*) and the General Pretreatment Regulations (40 Code of Federal Regulations Part 403) the water quality requirements set by the Regional Water Quality Control Board and/or the State of California Water Resource Control Board. The objectives of this ordinance are:

- (a) To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will interfere with its operation;
- (b) To prevent the introduction of pollutants into the Publicly Owned Treatment Works that will pass through the Publicly Owned Treatment Works, inadequately treated, into receiving waters, or otherwise be incompatible with the Publicly Owned Treatment Works;
- (c) To protect both Publicly Owned Treatment Works personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
- (d) To promote reuse and recycling of industrial wastewater and sludge from the Publicly Owned Treatment Works;
- (e) To provide revenues derived from the application of this Ordinance which shall be used to defray the Agency's cost of operating and maintaining adequate wastewater collection and treatment systems and to provide sufficient funds for capital outlay, bond service costs, capital improvements, and depreciation for the equitable distribution of the cost of operation, maintenance, and improvement of the Publicly Owned Treatment Works; and
- (f) To enable Agency to comply with its National Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other Federal or State laws to which the Publicly Owned Treatment Works is subject.

This ordinance shall apply to all users of the Publicly Owned Treatment Works. The ordinance authorizes the issuance of wastewater discharge permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires user reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

1.02 Definitions

Unless otherwise defined herein, terms shall be as found in Title 40 Code of Federal Regulations (CFR) Parts 403 and 136.

- (a) *Agency*: Union Sanitary District.
- (b) *Amalgam*: an alloy containing mercury, tin, silver, or copper that is used in dentistry to restore teeth.
- (c) *Amalgam Separator*: a device that applies filtration, settlement, centrifugation, or ion exchange to remove amalgam and its metal constituents from a dental office vacuum system before it discharges to the sewer.
- (d) *Amalgam Waste*: includes non-contact amalgam (amalgam scrap that has not been in contact with the patient); contact amalgam (including, but not limited to, extracted teeth containing amalgam); amalgam sludge captured by chair-side traps, vacuum pump filters, screens and other amalgam trapping devices; used amalgam capsules; and leaking or unusable amalgam capsules.
- (e) *Authority*: The East Bay Dischargers Authority.
- (f) *Batch Discharge*: A definite quantity or volume of wastewater produced under conditions that are considered uniform.
- (g) *Beneficial Uses*: Uses of the waters of the state that may be protected against quality degradation include, but are not necessarily limited to, domestic, municipal, agricultural and industrial supply, power generation, recreation, aesthetic enjoyment, navigation and the preservation and enhancement of fish, wildlife and other aquatic resources or reserves, and other uses, both tangible or intangible, as specified by federal or state law.
- (h) *Best Management Practices or BMPs*: Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in 40 CFR 403.5(a)(1) and (b). BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage and leaks, sludge or waste disposal, or drainage from raw materials.
- (i) *Building Sewer*: A sewer conveying wastewater from the premises of a user to the community sewer.
- (j) *Bypass*: The intentional diversion of waste streams from any portion of a user's treatment facility.

- (k) *Categorical Pretreatment Standard or Categorical Standard:* Any regulation containing pollutant discharge limits promulgated by EPA in accordance with Sections 307(b) and (c) of the Act (33 U.S.C. § 1317) which apply to a specific category of users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.
- (l) *Chemical Oxygen Demand or COD:* The measure of the oxygen equivalent of the organic matter content of a sample that is susceptible to oxidation by a strong chemical oxidant.
- (m) *Community Sewer:* A sewer owned and operated by the Agency, a city, or other public agency tributary to a treatment facility operated by the Agency or the Authority.
- (n) *Compatible Pollutant:* Biochemical oxygen demand, chemical oxygen demand, suspended solids, pH and fecal coliform bacteria, plus additional pollutants identified in the Agency's National Pollutant Discharge Elimination System (NPDES) permit if the publicly owned treatment works was designed to treat such pollutants, and in fact does remove such pollutants to a substantial degree.
- (o) *Composite Sample:* A sample resulting from the combination of individual wastewater samples taken at selected intervals based on an increment of either flow or time. Samples may be taken manually or by using automatic equipment. Manual composite samples shall consist of a minimum of four (4) grab samples.
- (p) *Contamination:* An impairment of the quality of the waters of the state by waste to a degree which creates a hazard to the public health through poisoning or through the spread of disease. Contamination shall include any equivalent effect resulting from the disposal of wastewater, whether or not waters of the state are affected.
- (q) *Domestic Use:* Any single family or multifamily residence which discharges, or causes or allows the discharge of domestic wastewater to the POTW.
- (r) *Domestic Wastewater:* The liquid waste or liquid-borne waste discharged from residential units, normally resulting from the non-commercial preparation, cooking and handling of food, personal laundry, and wastes from sanitary conveniences or from sanitary devices in industrial or commercial establishments.
- (s) *Environmental Protection Agency or EPA:* The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, or other duly authorized official of said agency.

- (t) *Federal Act, Clean Water Act:* The Federal Clean Water Act, also know as the Clean Water Act, as amended, PL 92-500 Title 33 U.S. Code, section 1251 et seq. (and any amendments thereto; as well as any guidelines, limitations, and standards promulgated by the Environmental Protection Agency pursuant to the Act.)
- (u) *Grab Sample:* A sample which is taken from a waste stream on a one-time basis representing conditions at that moment without regard to the flow in the waste stream and over a period not to exceed fifteen (15) minutes.
- (v) *Hazardous Waste:* Waste substances which can pose a substantial or potential hazard to human health or the environment when improperly managed. Hazardous waste possesses at least one of these four characteristics: ignitability, corrosivity, reactivity or toxicity; or appears on special U.S. EPA lists.
- (w) *Holding Tank Waste:* Any waste from holding tanks such as vessels, truck tanks, chemical toilets, campers, trailers, septic tanks, and vacuum pump tank trucks.
- (x) *Incompatible Pollutant:* Any pollutant which is not a compatible pollutant as defined in this section.
- (y) *Industrial User:* An industrial or commercial business which discharges, or causes or allows the discharge of non-domestic wastewater to the POTW.
- (z) *Industrial Wastewater:* Liquid waste or liquid-borne waste that is generated in a commercial or industrial process.
- (aa) *Indirect Discharge or Discharge:* The introduction of pollutants into the POTW from any non-domestic source regulated under Section 307(b), (c), or (d) of the Act.
- (bb) *Interference:* A discharge which, alone or in conjunction with discharges from other sources, both:
 - (1) inhibits or disrupts the POTW, its treatment processes or operations, or its sludge processes, use or disposal; and
 - (2) therefore is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with the following statutory provisions and regulations or permits issued there under (or more stringent state or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource

Conservation and Recovery Act (RCRA), and including state regulations contained in any state sludge management plan prepared pursuant to subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.

- (cc) *Manager*: The manager of the Agency or his or her designated representative Authorized or Duly Authorized Representative.
- (dd) *Mass Emission Rate*: The weight of material discharged to the sewer system during a given time interval. Unless otherwise specified, the mass emission rate shall mean pounds per day of a particular constituent or combination of constituents.
- (ee) *Maximum Allowable Discharge Limit*: The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composite sample collected, independent of the industrial flow rate and the duration of the sampling event.
- (ff) *Medical Waste*: Any waste, liquid or solid, generated by a medical facility which may pose a health and/or safety threat to Agency personnel.
- (gg) *National Pretreatment Standard, Pretreatment Standard, or Standard*: Any regulation containing pollutant discharge limits or Best Management Practices promulgated by the EPA in accordance with section 307 (b) and (c) of the Act, which applies to industrial users. This term includes prohibitive discharge limits established pursuant to 40 CFR 403.5.
- (hh) *New Source*: Any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307c of the Clean Water Act which will be applicable to such source if such standards are thereafter promulgated, provided that:
 - (1) The building, structure, facility or installation is constructed at a site at which no other source is located; or
 - (2) The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - (3) The production or wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered

- (ii) *pH*: A measure of the acidity or alkalinity of a solution, expressed in standard units.
- (jj) *POTW Treatment Plant*: That portion of the Publicly Owned Treatment Works which is designed to provide treatment (including recycling and reclamation) of municipal sewage and industrial waste.
- (kk) *Pass Through*: A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).
- (ll) *Person*: Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all Federal, State and local governmental entities.
- (mm) *Pesticides*: Total pesticides identified in Table 1, Section 307 of the Act which are detectable by EPA approved methods.
- (nn) *Phenols*: Total hydroxy derivatives of benzene and its condensed nuclei (including phenol, chlorinated phenols, nitrophenols and chlorinated cresols) identified in Table 1, Section 307 of the Act which are detectable by EPA approved methods.
- (oo) *Pollution*: An alteration of the quality of the waters of the state by waste to a degree which unreasonably affects such waters for beneficial use or facilities which serve such beneficial uses. Pollution may include contamination.
- (pp) *Pollution Prevention*: Activities which reduce the amount of pollutants discharged to the community sewer, without transferring those pollutants to the air or land, including reduction in the use of chemicals containing regulated pollutants, reduction in the generation of wastes which contain pollutants, recovery and recycling of wastes and/or improved pretreatment of wastes prior to discharge.
- (qq) *Polychlorinated biphenyls (PCB)*: Total PCBs detectable by EPA approved methods.
- (rr) *Polynuclear Aromatic Hydrocarbons (PAH)*: Total organic pollutants containing more than one fused aromatic ring, which are detectable by EPA approved methods.

- (ss) *Premise*: A parcel of real estate including any improvements thereon which is determined by the Agency to be a single user for purposes of receiving, using, and paying for service.
- (tt) *Pretreatment Requirement*: Any substantive or procedural pretreatment requirement other than a national pretreatment standard.
- (uu) *Private Sewer Lateral*: The pipeline that conveys wastewater from a residence or any other building foundation to the main USD sewer line.
- (vv) *Prohibited Discharge Standards or Prohibited Discharges*: Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 2.01 of this ordinance.
- (ww) *Publicly Owned Treatment Works or "POTW"*: A treatment works as defined by section 212 of the Act, which is owned by a state or municipality (as defined by section 502(4) of the Act). This definition includes any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes, and other conveyances only if they convey wastewater to a POTW treatment plant. The term also means the municipality as defined in section 502(4) of the Act, which has jurisdiction over the indirect discharges to and the discharges from such a treatment works.
- (xx) *Sample points*:
- (1) Facility (FAC) – a sample point whereby the total, combined waste stream, both process and domestic, from a facility is monitored for compliance with local discharge limitations or requirements.
 - (2) "001" – a sample point whereby a facility's federally regulated process waste stream/streams, immediately after treatment, is/are monitored for compliance with federally imposed discharge limitations or requirements.
 - (3) "002" – a sample point whereby all process waste streams (non-categorical), excluding domestic, from a facility are monitored for compliance with local discharge limitations.
- (yy) *Septic Tank Waste*: Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.
- (zz) *Severe Property Damage*: Substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

(aaa) *Significant Industrial User:*

- (1) A user subject to categorical pretreatment standards; or
- (2) A user that:
 - (i) Discharges an average of twenty-five thousand (25,000) gallons per day or more of process wastewater to the POTW (excluding sanitary, noncontact cooling, and boiler blowdown wastewater);
 - (ii) Contributes a process waste stream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - (iii) Is designated as such by the Agency on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.
- (3) Upon a finding that a User meeting the criteria in Subsection (2) of this part has no reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement, the Agency may at any time, on its own initiative or in response to a petition received from an Industrial User, and in accordance with procedures in 40 CFR 403.8(f)(6), determine that such User should not be considered a Significant Industrial User.

(bbb) *Significant Noncompliance:* An industrial user is in significant noncompliance with applicable pretreatment requirements if any violation meets one or more of the following criteria:

- (1) Chronic violations of wastewater discharge limits, defined here as those in which 66 percent or more of all of the measurements taken for the same pollutant parameter during a 6-month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined by 40 CFR 403.3(l).
- (2) Technical Review Criteria (TRC) violations, defined here as those in which 33 percent or more of all of the measurements taken for the same pollutant parameter during a 6-month period are equal to or exceed the product of the numeric Pretreatment Standard or Requirement, including instantaneous limits, as defined by 40 CFR 403.3(l) multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil and grease and 1.2 for all other pollutants except pH.)
- (3) Any other violation of a Pretreatment Standard or Requirement as defined by 40 CFR 403.3(l) (daily maximum, long-term average, instantaneous limit, or

narrative Standard) that the POTW determines has caused, alone or in combination with other discharges, Interference or Pass Through (including endangering the health of POTW personnel or the general public).

- (4) Any discharge of a pollutant that has caused imminent endangerment to human health, welfare or to the environment or has resulted in the POTW's exercise of its emergency authority under paragraph (f)(1)(vi)(B) of 40 CFR 403.8 to halt or prevent such a discharge.
 - (5) Failure to meet, within 90 days after the due date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction or attaining final compliance.
 - (6) Failure to provide, within 45 days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports and reports on compliance with compliance schedules.
 - (7) Failure to accurately report noncompliance.
 - (8) Any other violation or group of violations, which may include a violation of Best Management Practices (BMPs), which the Agency determines will adversely affect the operation or implementation of the local pretreatment program.
- (ccc) *Slug Load or Slug*: Any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards in Section 2.01 of this ordinance. A Slug Discharge is any Discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch Discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations, Local Limits or Permit conditions.
- (ddd) *Storm Water*: Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snow melt.
- (eee) *The District*: Union Sanitary District.
- (fff) *Total Halogenated Organics (THO)*: Total halogenated organic pollutants identified in Table 1, Section 307 of the Act which are detectable by EPA approved methods.
- (ggg) *Total Organics (TO)*: Total organic pollutants as specified by the Agency which are detectable by EPA approved methods.
- (hhh) *Total Toxic Organics (TTO)*: Total organic pollutants including polynuclear aromatic hydrocarbons (PAHs), but excluding pesticides, PCBs, and phenols

identified in Table 1, Section 307 of the Act which are detectable by EPA approved methods. The TTO value is determined as the summation of all quantifiable values greater than 0.01 milligrams per liter for the regulated toxic organics.

- (iii) *Unpolluted Water*: Water to which no constituent has been added, either intentionally or accidentally, which would render such water unacceptable to the Agency having jurisdiction thereof for disposal to storm or natural drainages or directly to surface waters.
- (jjj) *User*: Any person that discharges, causes, or permits the discharge of wastewater into a community sewer.
- (kkk) *User Classification*: A classification of user based on the latest edition of the Standard Industrial Classification (SIC) Manual prepared by the Executive Office of Management and Budget.
- (III) *Waste*: Includes sewage and any and all other waste substances, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation of whatever nature, including such waste placed within containers of whatever nature prior to, and for purposes of, disposal.
- (mmm) *Wastewater*: Waste and water, whether treated or untreated, discharged into or permitted to enter a community sewer.
- (nnn) *Wastewater Constituents and Characteristics*: The individual chemical, physical, bacteriological and radiological-parameters, including volume and flow rate and such other parameters that serve to define, classify or measure the contents, quality, quantity, and strength of wastewater.
- (ooo) *Wastewater Discharge Permit*: A legal document used as a control mechanism to ensure compliance with regulations that grants revocable permission to discharge wastewater to the sanitary sewer.

Class I Permit – Issued to Significant Industrial Users both Categorical and Non Categorical

Class II Permit – Issued to Non-Significant Industrial Users.

Class III Permit – Issued to Industrial or Commercial Users determined by the Agency not to fall in the Class I or Class II categories.

General Permit - Similar to a Class III permit, issued to Industrial or Commercial User groups that perform similar functions or activities.

Groundwater Permit - Issued for the purpose of remediation of contaminated ground water.

Temporary Permit – Issued for single or short term (less than one year) discharges of wastewater or contaminated ground water.

(ppp) *Waters of the State*: Any water, surface or underground, including saline waters within the boundaries of the state.

1.03 Analytical and Sampling Methodology and Procedures

- (a) The method and procedures utilized for all analyses which are reported under the requirements of these regulations shall be as specified by the provisions of 40 CFR Part 136.
- (b) The methods and procedures utilized for all sampling performed and/or reported under the requirements of these regulation shall be as specified by the provisions of 40 CFR Part 136.
- (c) If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, sampling and analyses must be performed in accordance with procedures approved by USD or EPA.
- (d) Analytical data collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, and is representative of conditions occurring during the reporting period.

Section 2
REGULATIONS

2.01 Sewer Use Requirements

2.01.1 Prohibited Discharges

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

- (b) Specific Prohibitions: No user shall introduce or cause to be introduced into the community sewer system any pollutants, substances, or wastewater which cause, threaten to cause, or are capable of causing, either alone or by interaction with other substances:
 - (1) a fire or explosion, including but not limited to discharges with a closed cup flashpoint of less than 140° F (60° C) using the test methods specified in 40CFR261.21;
 - (2) obstruction of flow in a sewer system or injury of the system or damage to the wastewater collection, treatment, or disposal facilities;
 - (3) danger to life or safety of personnel;
 - (4) a nuisance or prevention of the effective maintenance or operation of the sewer system, through having a strong, unpleasant odor;
 - (5) air pollution by the release of toxic or malodorous gases or malodorous gas-producing substances;
 - (6) interference with the wastewater treatment process; and/or pass through of any pollutant which causes a violation of the Agency's National Pollutant Discharge Elimination System (NPDES) permit.
 - (7) the Agency's effluent or any other product of the treatment process, residues, sludges, or scums, to be unsuitable for reclamation and reuse or to interfere with the reclamation process;
 - (8) a detrimental environmental impact or a nuisance in the waters of the state or a condition unacceptable to any public agency having regulatory jurisdiction over the Agency;

- (9) discoloration or any other condition in the quality of the Agency's treatment works effluent in such a manner that receiving water quality requirements established by law cannot be met;
- (10) conditions at or near the Agency's treatment works which violate any statute or any rule, regulation, or ordinance of any public agency or state or federal regulatory body;
- (11) quantities or rates of flow which overload the Agency's collection or treatment facilities or cause excessive Agency collection or treatment costs, or may use a disproportionate share of the Agency facilities.
- (12) the evolution of toxic gases, fumes, or vapors in quantities injurious to the health and safety of Agency personnel.
- (13) the temperature at the treatment plant headworks to exceed 104° F (40°C) or temperature which will inhibit biological activity in the treatment plant resulting in Interference.
- (14) wastewater having a pH less than 5.0 or greater than 12.0, or otherwise causing corrosive structural damage to the collection system, POTW or equipment.

2.01.2 No person shall discharge the following wastes to the community sewer:

- (a) Pollutants, including oxygen-demanding pollutants (COD), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause interference with the POTW;
- (b) Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations;
- (c) Sludges, screenings, or other residues (solid or liquid) from the pretreatment of industrial wastes;
- (d) Medical wastes, except as specifically authorized by the agency.
- (e) All prescription and non-prescription (over the counter) pharmaceutical drugs or medications.
- (f) Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail a toxicity test;

- (g) Detergents, surface-active agents, or other substances which may cause excessive foaming in the POTW;
- (h) Wastewater containing pesticides and/or polychlorinated biphenyls (PCB) at levels detectable by EPA approved methods;
- (i) Hazardous wastes or materials, as defined by California Code of Regulations Title 22 or Subtitles C and D of the Federal Resource Conservation and Recovery Act.

Pollutants, substances, or wastewater prohibited by this section shall not be processed or stored in such a manner that they could be discharged to the POTW.

2.02 Requirements for Dental Facilities that Remove or Place Amalgam Fillings

- (a) Definitions: For the purposes of this section the following shall be as defined herein.
 - (1) "ISO 11143" is the International Organization for Standardization's standard for amalgam separators.
- (b) All owners and operators of dental facilities that remove or place amalgam fillings shall comply with the following waste management practices:
 - (1) No person shall rinse chair-side traps, vacuum screens, or amalgam separator equipment in a sink or other connection to the sanitary sewer. *Such traps, vacuum screens or amalgam separator equipment must be recycled or disposed of in an appropriate manner according to recycler or equipment manufacturer.*
 - (2) Owners and operators of dental facilities shall ensure that all staff members who handle amalgam waste are trained in the proper handling, management and disposal of mercury-containing material and fixer-containing solutions, and shall maintain training records that will be made available for inspection by the Manager during normal business hours.
 - (3) Amalgam waste shall be collected, packaged, labeled, stored and managed in accordance with state and local regulations and disposed of by a licensed recycler or hauler of such materials.
 - (4) Bleach and other chlorine-containing disinfectants shall not be used to disinfect the vacuum line system.
 - (5) The use of bulk mercury is prohibited. Only pre-capsulated dental amalgam is allowed.

- (c) All owners and operators of dental vacuum suction systems, except as set forth in subsection (d) of this section, shall comply with the following:
- (1) Submit a Self-Certification of Amalgam Management Requirements form issued by the District on or before January 1, 2007.
 - (2) Install an ISO 11143 certified amalgam separator device for each dental vacuum suction system on or before January 1, 2008. All dental facilities that are newly constructed on or after the effective date of this requirement shall include an installed ISO 11143 certified amalgam separator device capable of removing a minimum of 95 percent of amalgam. The amalgam separator system shall be certified at flow rates comparable to the flow rate of the actual vacuum suction system operation. Neither the separator device nor the related plumbing shall include an automatic flow bypass. For facilities that require an amalgam separator that exceeds the practical capacity of ISO 11143 test methodology, a non-certified separator will be accepted, provided that smaller units of the same technology from the same manufacturer are ISO-certified. For facilities that have installed amalgam separators on or before the effective date of this Ordinance that are not ISO-certified, they may be grandfathered in if it can be shown that the existing device provides amalgam removal similar to an ISO-certified system. Alternative materials and methods may be proposed to the Manager for approval.
 - (3) Self-Certification of Amalgam Separator Installation form issued by the District shall be submitted to the Manager within 30 days of installation.
 - (4) Amalgam separators shall be installed, operated and maintained in accordance with manufacturer recommendations. Installation, certification and maintenance records shall be available for immediate inspection upon request by the Manager during normal business hours.
- (e) The following types of dental practices are exempt from this section 2.02, provided that *the Agency receives written assurance that* removal or placement of amalgam fillings occurs at the facility no more than 3 days per year:
- Orthodontics
 - Periodontics
 - Oral and Maxillofacial surgery
 - Radiology; Oral Pathology or Oral Medicine
 - Endodontics and Prosthodontics.

2.03 Prohibitions on Storm Drainage and Groundwater

Storm water, groundwater, rain water, street drainage, subsurface drainage or yard drainage shall not be discharged through direct or indirect connections to a community

sewer unless a permit is issued by the Agency. The Agency may approve the discharge of such water at its discretion and only when no reasonable alternative method of disposal is available.

If the permit is granted for the discharge of such water into a community sewer, the user shall pay the applicable charges and fees and meet such other conditions as required by the Agency. For the purpose of permits and fees, the discharge shall be considered a Class I discharge subject to permit requirements in Section 4 and discharge limitations or prohibitions of Section 2. The Agency retains the right to terminate the discharge at any time for cause. Each discharge permit must be reviewed on an annual basis.

2.04 Acceptance of Groundwater from Cleanup Projects

Wastewater generated from the cleanup of spills, leaking underground storage tanks, monitoring wells or other similar sources shall not be discharged through direct or indirect connections to a community sewer unless a discharge permit is issued by the Agency. The Agency may approve the discharge of such water at its discretion only when no reasonable alternative method of disposal is available.

If a discharge permit is granted for the discharge of such water into the community sewer, the user shall pay the applicable charges and fees and meet such other conditions as required by the Agency. For the purpose of permits and fees, the discharge shall be considered a Class I discharge subject to permit requirements in Section 4 and discharge limitations or prohibitions of Section 2. The Agency retains the right to terminate the discharge at any time for cause. Each discharge permit must be reviewed on an annual basis.

2.05 Prohibition on Unpolluted Water

Unpolluted water, including but not limited to cooling water, process water, or blow-down from cooling towers or evaporative coolers, will not be discharged through direct or indirect connection to a community sewer unless a permit is issued by the Agency. The Agency may approve the discharge of such water at its discretion and only when no reasonable alternative method of disposal is available.

If authorization is granted for the discharge of such water into a community sewer, the user shall pay the applicable user charges and fees and shall meet such other requirements and/or conditions as required by the Agency.

2.06 Limitations on Radioactive Wastes

No person shall discharge or cause to be discharged any radioactive waste into a community sewer except:

- (a) when a person is authorized to use radioactive materials by the State Department of Health or other governmental agency empowered to regulate the use of radioactive materials; and
- (b) when the waste is discharged in strict conformity with the requirements of the United States Nuclear Regulatory Commission, the United States Department of Energy, and/or the California Radiation Control Regulations; and
- (c) when the person is in compliance with all rules and regulations of all other applicable regulatory agencies.

2.07 Limitations on the Use of Garbage Grinders

Waste from garbage grinders shall not be discharged into a community sewer except:

- (a) where the user has obtained authorization for that specific use from the Agency, and agrees to undertake whatever self-monitoring is required to enable the Agency to equitably determine the user charges based on the waste constituents and characteristics.

Such grinders must shred the waste to a degree that all particles will be carried freely under normal flow conditions prevailing in the community sewer. Garbage grinders shall not be used for grinding plastic, paper products, inert materials, or garden refuse.

2.08 Limitations on Points of Discharge

No person shall discharge any substances directly into a manhole or other opening in a community sewer other than through an approved building sewer unless, upon written application by the user and payment of the applicable user charges and fees, the Agency issues a permit for such direct discharges.

2.09 Holding Tank Waste

No person shall discharge any holding tank waste into a community sewer unless he has been issued a permit by the Agency. Unless otherwise allowed by the Agency under the terms and conditions of the permit, a separate permit must be secured for each separate discharge. This permit may state the specific location of discharge, the time of day the discharge is to occur, the volume of the discharge and the wastewater constituents and characteristics. If a permit is granted for discharge of such waste into a

community sewer, the user shall pay the applicable charges and fees and shall meet such other conditions as required by the Agency. An exception to the above is that no permit will be required for discharge of domestic wastes from mobile home holding tanks provided that such discharges are made into an Agency approved facility designed to receive such wastes.

2.10 Limitations on Wastewater Strength

- (a) The manager is authorized to establish Local Limits or Best Management Practices (BMP’s) pursuant to 40 CFR 403.5(c).
- (b) The following pollutant limits are established to protect against Pass Through and Interference.
 - (1) The following limits are maximum allowable discharge limits (the maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composite sample collected, independent of the industrial flow rate and the duration of the sampling event). Limits for metals are for total recoverable metals.

No person shall discharge wastewater containing in excess of:

Arsenic	0.35	mg/L
Cadmium	0.2	mg/L
Copper	2.0	mg/L
Cyanide	0.65	mg/L
Lead	1.0	mg/L
Mercury	0.01	mg/L
Nickel	1.0	mg/L
Silver	0.5	mg/L
Total Chromium	2.0	mg/L
Zinc	3.0	mg/L
TTO	2.13	mg/L
Formaldehyde	50.0	mg/L
Phenols	5.0	mg/L

- having a temperature higher than 150° F (65.5° C), or any thermal discharge which as a result of temperature and/or volume causes the influent of the wastewater treatment plant to exceed 104° F (40° C);
- containing more than 300 mg/L of oil or grease of animal or vegetable origin, unless specifically approved by the District. The District may approve, on a case by case basis, a modification to the analytical method if the discharger can demonstrate that constituents in their wastewater interfere with the freon extraction, hexane extraction or current EPA

approved procedure and have no negative impact on the POTW and/or receiving waters.

- containing more than 100 mg/L of oil or grease of mineral or petroleum origin;
- having a pH lower than 6.0 or higher than 12.0 units, or otherwise causing corrosive structural damage to the collection system, POTW or equipment, unless specifically approved by the District. Under no circumstances will a pH of less than 5.0 or higher than 12.5 pH units be approved.

(2) The following limits for ammonia are maximum allowable average concentrations. Limits are for total ammonia expressed as nitrogen. Limits are tiered based on average daily flow, which is the arithmetic average of the permitted industrial user's daily flows for the preceding calendar year and is equivalent to the flow rate used in establishing sewer service charges:

Average Daily Flow	Ammonia Limit
<10,000 gallons per day (gpd)	225 mg/L as N
10,000 – 25,000 gpd	150 mg/L as N
>25,000 gpd	75 mg/L as N

Compliance determination shall be based on the average of all valid and representative analyses occurring within a 6-month period

For industrial users holding permits issued prior to January 1, 2014, the Manager may issue compliance schedules for ammonia as described in Sections 6.09 and 6.10. In no case may these compliance schedules exceed 5 years. All new permitted industrial users must comply with these limits upon initial discharge.

(c) National Categorical Standards, found in 40 CFR Chapter I, Subchapter N, Parts 405-471, are hereby incorporated into these regulations. Effluent limitations promulgated by the federal Act shall apply in any instance where they are more stringent than those in these regulations.

(d) Additional limits specific to the discharge of groundwater or surface water. No person shall discharge groundwater or surface water in excess of:

Total Halogenated Organics (THO)	0.02mg/L
Total Organics	2.0mg/L

2.11 Prohibition on Slug Discharges

No user shall discharge any pollutant, including oxygen-demanding pollutants, at a flow rate and/or pollutant concentration which causes or threatens to cause interference with the wastewater treatment process. For the purposes of this section, any discharge at a flow rate or concentration which could cause a violation of the prohibited discharge standards or limitations in Section 2 of this ordinance shall be deemed a slug discharge.

2.12 Prohibition on Use of Dilution

Except where expressly authorized to do so by an applicable pretreatment standard or requirement, no user shall increase the use of process water, or in any other way attempt to dilute a discharge as a partial or complete substitute for adequate pretreatment to achieve compliance with a pretreatment standard, requirement or discharge limitation.

2.13 Prohibition of Bypass

- (a) Bypass of pretreatment equipment and/or discharge points is prohibited and the Agency may take enforcement action against any user for bypass unless:
- (1) bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 - (2) there were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate backup equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
 - (3) the industrial user submits the following notices:
 - (i) If an Industrial User knows in advance of the need for a bypass, it shall submit prior notice to the Agency, if possible at least ten days before the date of the bypass.
 - (ii) An Industrial User shall submit oral notice of an unanticipated bypass that exceeds applicable Pretreatment Standards to the Agency within 24 hours from the time the Industrial User becomes aware of the bypass. A written submission shall also be provided within 5 days of the time the Industrial User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass,

including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The Agency may waive the written report on a case-by-case basis if the oral report has been received within 24 hours.

- (b) The Agency may approve an anticipated bypass, after considering its adverse effects, if the Agency determines that it will meet the three conditions specified in part (a) of this section.

2.14 Prohibition of the Discharge of Process Solution Tanks

No user shall, without prior and explicit approval of the Agency, discharge the contents, in whole or part, of any process solution tank to the sewer system. For the purposes of this section, such materials include, but are not limited to, concentrated solutions utilized within any commercial or industrial operation, containerized liquids of any description whatsoever, spoiled or otherwise unusable raw materials of any description whatsoever, spoiled or otherwise unusable products of any description whatsoever.

2.15 Prohibition of the Discharge of Petroleum or Mineral Oil Causing Pass-through or Interference

Notwithstanding the provisions of section 2.10(b), no user may discharge petroleum oil, non-biodegradable cutting oil or other products of mineral origin in any amount that causes interference or pass-through.

2.16 Prohibition of the Discharge of Trucked or Hauled Wastes

The discharge of any trucked or otherwise hauled wastes to the sanitary sewer system is prohibited except as the Agency may permit under the provisions of section 2.09.

2.17 Prohibition of the Discharge from Containment Areas

The discharge of waste (solid or liquid), wastewater or chemicals from a chemical storage containment area is prohibited unless expressly authorized by the Agency.

Section 3

WASTEWATER VOLUME DETERMINATION

3.01 Application

Section 3 does not apply to "dwelling units" as defined in Agency Ordinance 31.

3.02 Metered Water Supply

User charges and fees shall be applied against the total amount of water used from all sources unless, in the opinion of the Agency, significant portions of water received are not discharged to a community sewer. The total amount of water used from public and private sources will be determined by means of public meters or private meters, installed and maintained at the expense of the user and approved by the Agency.

- (a) **Metered Wastewater Volume and Metered Diversions.** For users where, in the opinion of the Agency, a significant portion of the water received from any metered source does not flow into a community sewer because of the principal activity of the user or removal by other means, the user charges and fees will be applied against the volume of water discharged from such premises into a community sewer. Written notification and proof of the diversion of water must be provided by the user if the user is to avoid the application of the user charges and fees against the total amount of water used from all sources. The user may install a meter of a type and at a location approved by the Agency and at the user's expense. Such meters may measure either the amount of sewage discharged or the amount water diverted. Such meters shall be tested for accuracy at the expense of the user when deemed necessary by the Manager.
- (b) **Users With Source Meters.** For users who, in the opinion of the Agency, divert a significant portion of their metered water supply from a community sewer, the user charges may be based upon an estimate of the volume to be discharged, provided the user obtains authorization from the agency and pays the applicable user charges and fees. The estimate must include the method and calculations used to determine the wastewater volume and may consider such factors as the number of fixtures, seating capacity, population equivalents, annual production of goods and services, or such other determinations of water use necessary to estimate the wastewater volume discharged.
- (c) **Users Without Source Meters.** The agency may require the installation of water meters; however, for users where, in the opinion of the Agency, it is unnecessary or impractical to install meters, the quantity of wastewater may be based upon an estimate prepared by the Agency. This estimate shall be based upon a rational determination of the wastewater discharged and may consider such factors as the number of fixtures, seating capacity, population equivalent, annual production of

goods and services, or such other determinants of water use necessary to estimate the wastewater volume discharged.

Section 4

ADMINISTRATION

4.01 Application

Section 4 does not apply to "dwelling units" as defined in Agency Ordinance 31.

4.02 Discharge Reports

- (a) The Agency, or the Authority through the Agency, may require that any person discharging or proposing to discharge wastewater into a community sewer file a periodic discharge report. The discharge report may include, but not be limited to, nature of process, volume, rates of flow, mass emission rate, production quantities, hours of operation, number and classification of employees, or other information which relates to the generation of waste including wastewater constituents and characteristics in the wastewater discharge and sample analysis demonstrating compliance with Section 2. Such reports may also include the chemical constituents and quantity of liquid or gaseous materials stored on site even though they may not normally be discharged.
- (b) The agency may prohibit, authorize or condition any discharge into the sanitary sewer in accordance with this ordinance and applicable state and federal regulations, whether or not a Discharge Permit is issued.
- (c) Acceptance of any new discharge is contingent on available capacity in the collection system and/or treatment plant, as determined by the District Engineering Division and Operations Department.

4.03 Wastewater Discharge Permits

4.03.1 Class I Permits. All significant industrial users (SIU), as defined in Section 1.02 (bbb), must have a current Class I Wastewater Discharge Permit.

Each new SIU, if not connected to a community sewer, must obtain a Class I Wastewater Discharge Permit before connecting to or discharging into a community sewer.

Any user currently connected to the community sewer who in the future is deemed to be an SIU shall be required to obtain a Class I permit. User will be required to pay all applicable fees as set forth in the Agency's current fee schedule.

4.03.2 Class II Permits. Users who, as determined by the Agency, do not fall within the requirements for a Class I Permit, yet require some sampling and regular monitoring of wastewater discharge, if connected to a community sewer, may be required to obtain a Class II Wastewater Discharge Permit before connecting to or discharging into a community sewer. User will be required to pay all applicable fees as set forth in the Agency's current fee schedule.

4.03.3 Class III Permits. Users who, as determined by the Agency, do not fall within the requirements for a Class I or II permit, yet have a wastewater discharge that the Agency may decide requires oversight due to potential risks associated with said discharge, if connected to a community sewer, may be required to obtain a Class III wastewater discharge permit before connecting to or discharging into the community sewer. User will be required to pay all applicable fees as set forth in the Agency's current fee schedule. Class III permits may include General permits or any other as determined by the Manager.

4.03.4 Temporary and/or Groundwater Permits. Users who, as determined by the Agency, do not fall within the requirements for a Class I, II, or III permit, yet have a wastewater discharge that the Agency may decide requires oversight due to potential risks associated with said discharge if connected to the community sewer. Temporary permits will be issued for one time, or for a discharge period not to exceed one year. User will be required to pay all applicable fees as set forth in the Agency's current fee schedule.

The Manager may modify wastewater discharge requirements for the following types of facilities:

- (a) Industrial Facilities that have a wastewater discharge with no treatment (beyond simple filtration) in place and do not require routine monitoring or inspection.
- (b) Commercial Facilities that have a wastewater discharge that may have detectable amounts of one or more priority or conventional pollutants present in their waste stream. The Agency may require some level of treatment at such facilities, however, do not require routine monitoring or inspection. (Examples: dentists, photo processors, printers, and restaurants.)

4.04 Permit Application

Users seeking a Wastewater Discharge Permit shall complete and file with the Manager an application in the form prescribed by the Manager and accompanied by the

applicable fees. The applicant may be required to submit, in units and terms appropriate for evaluation, the following information:

- (a) name, address, and SIC number of applicant;
- (b) volume of wastewater to be discharged;
- (c) sampling of wastewater to determine constituents and characteristics including, but not limited to, those listed in Section 2.10 as determined by a laboratory approved by the Agency;
- (d) time and duration of discharge;
- (e) average and 30-minute peak wastewater flow rates, including daily, monthly, and seasonal variations, if any;
- (f) site plans, floor plans, mechanical and plumbing plans, and details to show all sewers and appurtenances by function, size, location, and elevation;
- (g) Description of activities, facilities, and plant processes on the premises, including a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW;
- (h) each product produced by type, amount, and rate of production;
- (i) number and type of employees, and hours of work;
- (j) description of wastewater treatment system(s), and/or procedures, including system design, piping, layout, hydraulic and pollutant removal capacity, design criteria, calibration and maintenance procedures, alarm systems, sample points, treatment chemicals, excursion response procedures, and any other information necessary to evaluate the adequacy and appropriateness of the treatment system and/or procedures.
- (k) management plans, including any or all of the following: solvent management plan, best management practice plan, slug control plan, hazardous materials management plan, emergency/violation response plan, and/or pollution prevention plan.
- (l) any other information as may be deemed by the Manager to be necessary to evaluate the permit application.

The Manager will evaluate the data furnished by the user and may require additional information. After evaluation and acceptance of the data furnished, the Manager may issue a Wastewater Discharge Permit subject to terms and conditions provided herein.

4.05 Permit Conditions

Wastewater Discharge Permits shall be expressly subject to all provisions of these regulations and all other regulations, user charges, and fees established by the Agency. The conditions of Wastewater Discharge Permits shall be uniformly enforced by the Manager in accordance with these regulations, and applicable state and federal regulations. Permits may contain the following:

- (a) A statement that indicates the duration of the wastewater discharge permit;
- (b) A statement that the wastewater discharge permit is nontransferable without prior notification to the Agency in accordance with Section 4.08 of this ordinance;
- (c) Effluent Limits, including Best Management Practices (BMPs), based on applicable pretreatment standards;
- (d) Self-monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants (or Best Management Practices) to be monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local law.
- (e) A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law;
- (f) Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
- (g) The unit charge or schedule of user charges and fees for the wastewater to be discharged to a community sewer;
- (h) The average and maximum wastewater constituent concentrations and characteristics;
- (i) Limits on rate and time of discharge or requirements for flow regulations and equalization;
- (j) Requirements for installation of inspection and sampling facilities;
- (k) Pretreatment requirements;
- (l) Specifications for monitoring programs which may include sampling locations, frequency and method of sampling, number, types and standards for tests, reporting schedules, and Best Management Practices;

- (m) Requirements for submission of technical reports, self-monitoring reports, or discharge reports, including, but not limited to baseline monitoring reports, compliance schedule progress reports, reports of compliance with categorical pretreatment standard deadlines, periodic reports of continued compliance, or any report required by 40 CFR 403.12, and/or any other reports as required by the Agency;
- (n) Requirements for maintaining plant records relating to wastewater discharge as specified by the Agency, and affording Agency access thereto;
- (o) Mean and maximum mass emission rates, or other appropriate limits when incompatible pollutants (as defined by section 1.02(ee)) are proposed or presented in the user's wastewater discharge;
- (p) Notification requirements;
- (q) Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or non-routine discharges;
- (r) Development and implementation of pollution prevention plans to reduce the amount of pollutants discharged to the POTW;
- (s) Other conditions as deemed appropriate by the Agency to insure compliance with these regulations;
- (t) Requirements to control Slug Discharges, if determined by the Agency to be necessary.

4.06 Duration of Permits

Permits shall be issued for a specified time period, not to exceed five years. A permit may be issued for a period less than one year or may be stated to expire on a specific date. The terms and conditions of the permit may be subject to modification and change by the Agency during the life of the permit. The user shall be informed of any proposed changes in his or her permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

4.07 Modification of Permits

The Agency may modify an individual/general wastewater discharge permit for good cause, including, but not limited to, the following reasons:

- (1) To incorporate any new or revised Federal, State, or local Pretreatment Standards or Requirements;
- (2) To address significant alterations or additions to the User's operation, processes, or wastewater volume or character since the time of the individual/general wastewater discharge permit issuance;
- (3) A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
- (4) Information indicating that the permitted discharge poses a threat to the Agency's POTW, Agency personnel, the beneficial use of the Agency's bio-solids, or the receiving waters;
- (5) Violation of any terms or conditions of the individual/general wastewater discharge permit;
- (6) Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
- (7) Revision of or a grant of variance from categorical Pretreatment Standards pursuant to 40 CFR 403.13;
- (8) To correct typographical or other errors in the individual/general wastewater discharge permit; or
- (9) To reflect a transfer of the facility ownership or operation to a new owner or operator where requested in accordance with Section 4.08.

4.08 Wastewater Discharge Permit Transfer

Wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least thirty (30) days advance notice to the Agency and the Agency approves the wastewater discharge permit transfer. The notice to the Agency must include a written certification by the new owner or operator which:

- (a) States that the new owner and/or operator has no immediate intent to change the facility's operations and processes;
- (b) Identifies the specific date on which the transfer is to occur; and
- (c) Acknowledges full responsibility for complying with the existing wastewater discharge permit.

Failure to provide advance notice of a transfer renders the wastewater discharge permit void as of the date of facility transfer.

4.09 Revocation of Permit

Any user who violates the following conditions of the permit or any conditions of these regulations, or applicable state and federal regulations may be subject to permit revocation:

- (a) failure of the user to factually report the wastewater constituents and characteristics of his or her discharge;
- (b) violations of conditions of the permit.
- (c) Failure to notify the Agency of significant changes to the wastewater prior to the changed discharge;
- (d) Failure to provide prior notification to the Agency of changed conditions pursuant to Section 4.19 of this ordinance;
- (e) Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
- (f) Falsifying self-monitoring reports;
- (g) Tampering with monitoring equipment;
- (h) Refusing to allow the Agency personnel timely access to the facility premises and records;
- (i) Failure to meet effluent limitations;
- (j) Failure to pay fines;
- (k) Failure to pay sewer charges,
- (l) Failure to meet compliance schedules;
- (m) Failure to complete a wastewater survey or the wastewater discharge permit application;
- (n) Failure to provide advance notice of the transfer of business ownership of a permitted facility; or

- (o) Violation of any pretreatment standard or requirement, or any terms of the wastewater discharge permit or this ordinance.

4.10 Monitoring Facilities

The Agency may require the user to construct at his or her own expense, monitoring facilities to allow inspection, sampling, and flow measurement of the building sewer or internal drainage systems and may also require sampling or metering equipment to be provided, installed, and operated at the user's expense. The monitoring facility should normally be situated on the user's premises; but the Agency may, when such a location would be impractical or cause undue hardship on the user, allow the facility to be constructed in the public street or sidewalk area with the approval of the public agency having jurisdiction over that street or sidewalk, and located so that it will not be obstructed by landscaping or parked vehicles.

If the monitoring facility is inside the user's fence, there shall be accommodations to allow access for Agency personnel, such as a gate secured with an Agency lock. There shall be ample room in or near such sampling manhole to allow accurate sampling and compositing of samples for analysis. The manhole, sampling, and measuring equipment shall be maintained at all times in a safe and proper operating condition at the expense of the user. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the user at the written or oral request of the Manager and shall not be replaced. The costs of clearing such access shall be borne by the user.

Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the Agency's requirements and all applicable local agency construction standards and specifications. Construction shall be completed within 90 days following written notification by the Agency unless a time extension is otherwise granted by the Agency.

4.11 Inspection and Sampling

The Agency may inspect the facilities of any user to ascertain whether the purpose of these regulations is being met and all requirements are being complied with. Persons or occupants of premises where wastewater is created or discharged shall allow the Agency or its representative ready access at all reasonable times to all parts of the premises for the purposes of inspection, sampling, records examination and copying, or in the performance of any of their duties. The Agency shall have the right to set up on the user's property such devices as are necessary to conduct sampling or metering operations. Where a user has security measures in force which would require proper identification and clearance before entry into their premises, the user shall make necessary arrangements with their security personnel so that, upon presentation of suitable identification, personnel from the Agency will be permitted to enter without delay for the purposes of performing their specific responsibilities. Agency personnel

will not be required to sign release forms prior to entry and may take appropriate photographs as necessary to document compliance and/or non-compliance with the provisions of this ordinance. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the user at the written or oral request of the Manager and shall not be replaced. The costs of clearing such access shall be borne by the user. Unreasonable delays in allowing the Manager access to the user's premises shall be a violation of this ordinance.

4.12 Search Warrants

If the Manager has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the Agency designed to verify compliance with this ordinance or any permit or order issued here under, or to protect the overall public health, safety and welfare of the community, then the Manager may seek issuance of an inspection warrant and/or a search warrant.

4.13 Pretreatment

Users shall make wastewater acceptable under the limitations established herein before discharging to any community sewer. Any facilities required to pretreat wastewater to a level acceptable to the Agency shall be provided and maintained at the user's expense. Detailed plans showing the pretreatment facilities, design criteria and operating procedures shall be submitted to the Agency for review, and shall be acceptable to the Agency before construction of the facility. The review of such plans, design criteria, and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the Agency under the provisions of these regulations. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be acceptable to the Agency.

4.14 Protection from Accidental Discharge

Each user shall provide protection from accidental discharge of prohibited materials or other wastes regulated by these regulations. Such facilities shall be provided and maintained at the user's expense. Detailed plans showing facilities and operating procedures to provide this protection shall be submitted to the Agency for review, and shall be acceptable to the Agency before construction of the facility.

The review of such plans and operating procedures will in no way relieve the user from the responsibility of modifying the facility as necessary to provide the protection necessary to meet the requirements of this section.

4.15 Confidential Information

Information and data on a user obtained from reports, surveys, wastewater discharge permit applications, wastewater discharge permits, and monitoring programs, and from the Agency's inspection and sampling activities, shall be available to the public without restriction, unless the user specifically requests, and is able to demonstrate to the satisfaction of the Manager, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State and/or Federal law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the user furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately to the EPA upon request. Such information will also be made available immediately upon request to other governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other "effluent data" as defined by 40 CFR 2.302 will not be recognized as confidential information and will be available to the public without restriction.

4.16 Signature Requirement

- (a) All reports and/or permit applications received and/or required under these regulations shall be signed:
 - (1) By a responsible corporate officer, if the user submitting the reports is a corporation. For the purpose of this paragraph, a responsible corporate officer means:
 - (i) a president, secretary, treasurer, or vice president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision making functions for the corporation, or;
 - (ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions which govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for control mechanism requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

- (2) By a general partner or proprietor if the user submitting the reports is a partnership or sole proprietorship, respectively.
- (3) By a duly authorized representative of the individual designated in paragraph (1) or (2);
 - (i) The authorization is made in writing by the individual designated in paragraph (1) or (2);
 - (ii) The authorization specifies either an individual or a position having responsibility for the overall operation of the facility from which the industrial discharge originates, such as the position of plant manager, operator of a well, or well field superintendent, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and
 - (iii) The written authorization is submitted to the Agency.
- (4) If an authorization under paragraph (3) of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, or overall responsibility for environmental matters for the company, a new authorization satisfying the requirements of paragraph (3) of this section must be submitted to the Agency prior to or together with any reports to be signed by an authorized representative.

(b) Reports and applications must include the following certification statement:

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

4.17 Retention of Records

Users subject to the reporting requirements of this ordinance shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this ordinance, any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such requirements, and documentation associated with Best Management Practices established under Section 2.10(a), including but not limited to discharge reports, permits, self-monitoring data, pretreatment system process control logs, and relevant

correspondence (whether or not required by these regulations). All records must be maintained by the user for a period of not less than three (3) years. All such records shall be made available for inspection and copying by a duly authorized representative of the Agency or any other governmental entity having jurisdiction. The retention period may be extended in the case of unresolved litigation or at any time at the request of the Agency, the State or US EPA.

4.18 Notices to Employees

In order that employees of users be informed of Agency requirements, users shall make available to their employees copies of these regulations together with such other wastewater information and notices which may be furnished by the Agency from time to time directed toward more effective water pollution control. A notice shall be furnished and permanently posted on the user's bulletin board advising employees whom to call in case of an accidental discharge in violation of these regulations.

4.19 Preventive Measures

Any direct or indirect connection or entry point for persistent or deleterious wastes to the user's plumbing or drainage system should be eliminated. Where such action is impractical or unreasonable, the user shall appropriately label such entry points to warn against discharge of such wastes in violation of these regulations.

4.20 Notification of Changed Conditions

Each user must notify the Agency of any planned significant changes to the user's operations or system which might alter the nature, quality, or volume of its wastewater discharge prior to implementation of said change.

- (a) The Manager may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under Section 4.04 of this ordinance.
- (b) The Manager may issue a wastewater discharge permit under Section 4.03 of this ordinance or modify an existing wastewater discharge permit under Section 4.06 of this ordinance in response to changed conditions or anticipated changed conditions.
- (c) For purposes of this requirement, significant changes include, but are not limited to, significant flow increases or decreases (greater than 25%), modification of any pretreatment system, bypass of any portion of the pretreatment system, installation or removal of process tanks or equipment, discharge of any previously unreported pollutants, and the closure of a facility due to purchase by

another party, relocation, changed business conditions, or other factor affecting the continued operation of the facility.

4.21 Notification of Hazardous Waste Discharge.

- (a) All industrial users discharging any substance which, if otherwise disposed of, would be a hazardous or acutely hazardous waste under 40 CFR 261, must comply with the reporting requirements of 40 CFR 403.12(p)(1) and (3) unless exempted under the provisions of 40 CFR 403.12(p)(2).
- (b) In the case of any notification made under section (a) above, the industrial user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical. The Agency may accept a copy of a hazardous waste reduction or minimization plan as otherwise required by law.
- (c) This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this ordinance, a permit issued thereunder, or any applicable Federal or State law.

4.22 Special Agreements

Special agreements and arrangements between the Agency and any persons or agencies may be established when, in the opinion of the Agency, unusual or extraordinary circumstances compel special terms and conditions. Under no circumstances, however, will any special agreement or arrangement be established which contravenes any federal pretreatment regulation, categorical pretreatment standard, or any other provision of state or federal law.

Section 5

WASTEWATER CHARGES AND FEES

5.01 Schedule of Charges and Fees

The agency may adopt ordinances for the collection of charges and fees for, but not limited to, the following purposes:

- Capacity Charges
- Sewer Service Charges
- Annexation Fees

- Construction Permit Fees
- Construction Inspection Fees
- Wastewater Discharge Permit Fees

5.02 Environmental Compliance Charges and Fees

The Agency may adopt reasonable fees for reimbursement of costs of setting up and operating its Environmental Compliance Program including, but not limited to, the following:

- (a) Fees for wastewater discharge permit applications including the cost of processing such applications;
- (b) Fees for monitoring, inspection, and surveillance procedures including the cost of sample collection and analyzing a user's discharge, reviewing monitoring reports submitted by users, and conducting inspections of the user's facilities;
- (c) Fees for reviewing and responding to discharge violations, accidental discharges and spills, and related enforcement activities.
- (d) Fees for filing appeals; and
- (e) Other fees as the Agency may deem necessary to carry out the requirements contained herein. These fees relate solely to the matters covered by this ordinance and are separate from all other fees, fines, and penalties chargeable by the Agency.

Section 6

ENFORCEMENT

6.01 Notification of Discharge

Users shall notify the Agency immediately upon accidentally discharging wastes in violation of these regulations and/or discharging any slug loading to enable countermeasures to be taken by the Agency to minimize damage to the community sewer, treatment facility, treatment processes, and the receiving waters.

This notification shall be followed, within five days of the date of occurrence, by a detailed written statement describing the causes of the accidental discharge and the measures being taken to prevent future occurrence.

Such notification will not relieve users of liability for any expense, loss, or damage to the sewer system, treatment plant, or treatment process, or for any fines imposed on the Agency on account thereof under section 13350 of the California Water Code, or for violations of section 5650 of the California Fish and Game Code.

6.02 Notification of Violation

When the Manager finds that a user has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit or order issued here under, or any other pretreatment standard or requirement, the Manager may serve upon that user a written Notice of Violation. Within 15 days of the receipt of this notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the user to the Manager. Submission of this plan in no way relieves the user of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this section shall limit the authority of the Manager to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

6.03 Consent Orders

The Manager may enter into Consent Orders, assurances of voluntary compliance, or other similar documents establishing an agreement with any user responsible for noncompliance. Such documents will include specific action to be taken by the user to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and affect as the administrative orders issued pursuant to Sections 6.05 and 6.06 of this ordinance and shall be judicially enforceable.

6.04 Show Cause Hearing

The Manager may order a user which has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit or order issued here under, or any other pretreatment standard or requirement, to appear before the Manager and show cause why the proposed enforcement action should not be taken. Notice shall be served on the user specifying the time and place for the meeting, the proposed enforcement action, the reasons for such action, and a request that the user show cause why the proposed enforcement action should not be taken. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested). Such notice may be served on any authorized representative of the user. A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the user.

6.05 Administrative Orders

When the Manager finds that a user has violated, or continues to violate, any provision of this ordinance, a wastewater discharge permit or order issued here under, or any other pretreatment standard or requirement, the Manager may issue an order to the user responsible for the discharge directing that the user come into compliance within a specified time. If the user does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Administrative orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. An administrative order may not extend the deadline for compliance established for a pretreatment standard or requirement, nor does an administrative order relieve the user of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the user.

6.06 Issuance of Cease and Desist Orders

When the Agency finds that a discharge of wastewater has taken place in violation of prohibitions or limitations of these regulations, or the provisions of a Wastewater Discharge Permit, the Manager may issue an order to cease and desist, and direct that those not complying with such prohibitions, limits, requirements, or provisions:

- (a) comply forthwith;
- (b) comply in accordance with a time schedule set forth by the Agency; or
- (c) take such appropriate remedial or preventive action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge.

6.07 Legal Authority to Administer Fines

In accordance with Section 54739 of the California Government Code, the agency may require any of the following:

- (a) Pretreatment of any industrial waste which the local agency determines is necessary in order to meet standards established by the federal or California state government or other regulatory agencies or which the local agency determines is necessary in order to protect its treatment works or the proper and efficient operation thereof or the health or safety of its employees or the environment.

- (b) The prevention of the entry of such industrial waste into the collection system and treatment works.
- (c) The payment of excess costs to the system for supplementary treatment plants, facilities, or operations needed as a result of allowing the entry into the collection system and treatment works of such industrial waste.
- (d) The provisions of this section shall be in addition to other requirements provided for in this or any other Agency ordinance.

6.08 Administrative Procedures and Penalties

- (a) The agency may issue an administrative complaint to any person who violates any requirement adopted or ordered by the agency pursuant to paragraph (a) and (b) of Section 6.07. The administrative complaint shall allege the act or failure to act that constitutes the violation of the agency's requirements, the provisions of law authorizing civil liability to be imposed, and the proposed civil penalty.
- (b) The administrative complaint shall be served by personal delivery or certified mail on the person subject to the agency's discharge requirements, and shall inform the person served that a hearing shall be conducted within 60 days after the person has been served. In event no request for hearing is filed within 50 days after the service of the administrative complaint, the right to a hearing will be deemed waived. The hearing shall be before a hearing officer designated by the governing board of the agency. The person who has been issued an administrative complaint may waive the right to a hearing, in which case the agency shall not conduct a hearing. A person dissatisfied with the decision of the hearing officer may appeal to the governing board of the agency within 30 days of notice of the hearing officer's decision.
- (c) If after any default in requesting a hearing, the holding of the hearing, or the conclusion of an appeal, it is found that the person has violated reporting or discharge requirements, the hearing officer or board may assess a civil penalty against that person in determining the amount of the civil penalty, the hearing officer or board may take into consideration all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the economic benefit derived through any noncompliance, the nature and persistence of the violation, the length of time over which the violation occurs and corrective action, if any, attempted or taken by the discharger.
- (d) Civil Penalties. In accordance with Section 54740.5 of the California Government Code, Civil penalties may be imposed by the agency as follows:
 - (1) In an amount which shall not exceed two thousand dollars (\$2,000) for each day for failing or refusing to furnish technical or monitoring reports.

- (2) In an amount which shall not exceed three thousand dollars (\$3,000) for each day for failing or refusing to timely comply with any compliance schedule established by the local agency.
- (3) In an amount which shall not exceed five thousand dollars (\$5,000) per violation for each day for discharges in violation of any waste discharge limitation, permit condition, or requirement issued, reissued, or adopted by the local agency.
- (4) In an amount which does not exceed ten dollars (\$10) per gallon for discharges in violation of any suspension, cease and desist order or other orders, or prohibition issued, reissued, or adopted by the agency.
- (5) The amount of any civil penalties imposed under this section which have remained delinquent for a period of 60 days after finality of the decision, can become a lien against the real property of the discharger from which the discharge originated resulting in the imposition of the civil penalty. In accordance with the procedures specified in Health & Safety Code Section 5473 et seq., the Board of Directors can have the lien imposed against the real property to be assessed on the tax roll, to be collected at the same time and in the same manner, together with and not separately from, general taxes, and shall be delinquent at the same time and thereafter be subject to the same delinquency penalties.
- (6) In addition, in the event that the penalty is imposed as a court judgment in the same manner as in an arbitration award, the judgment thereon shall be renewable in accordance with the provisions of California Code of Civil Procedures Sections 683.110 through 683.220.
- (7) Any legal action, including arbitration, shall allow attorneys' fees and costs to the prevailing party.

(e) Administrative Penalties

Administrative penalties shall be imposed for all violations of Union Sanitary District Pretreatment Ordinance No. 36 for which a Notice of Violation would be issued. The violations are categorized as discharge or non-discharge violations.

(1) Non-discharge Violations

Non-discharge violations shall be considered any violation of a reporting requirement, timeline, schedule or any other violation of Ordinance 36. A warning letter will be issued to the permittee informing them of an impending Notice of Violation and imposition of a six hundred dollar (\$600) penalty for any future violations.

(2) Discharge Violation

A Discharge Violation is specifically related to a discharge event or release. The penalty for an actual discharge violation shall be one thousand four hundred dollars (\$1400) for every incident or event.

These penalties are not exclusive and failure to comply could result in the District taking additional enforcement actions up to and including civil penalties and abatement.

- (f) All moneys collected under this section shall be deposited in a special account of the agency and shall be made available for inspector training, environmental program enhancement, the monitoring, treatment, and control of discharges into the Agency's sanitary sewer system or for other mitigation measures.
- (g) Unless appealed, orders setting administrative civil penalties shall become effective and final upon issuance thereof, and payment shall be made within 30 days. Copies of these orders shall be served by personal service or by certified mail upon the party served with the administrative complaint and upon other persons who appeared at the hearing and requested a copy.
- (h) The Agency may, at its option, elect to petition the superior court to confirm any order establishing civil penalties and enter judgment in conformity therewith as though it were an arbitration award, in accordance with the provisions of California Code of Civil Procedure, Sections 1285 through 1287.6.
- (i) No penalties shall be recoverable under this section for any violation for which civil liability is recovered under Section 7.06 of this ordinance.
- (j) Any party aggrieved by a final order issued by the governing board of the agency under this Section, after granting review of the order of a hearing officer, may obtain review of the order of the board in the superior court by filing in the court a petition for writ of mandate within 30 days following the service of a copy of a decision and order issued by the board. Any party aggrieved by a final order of a hearing officer issued under this Section, for which the board denies review, may obtain review of the order of the hearing officer in the superior court by filing in the court a petition for writ of mandate within 30 days following service of a copy of a decision and order denying review by the board.
- (k) If no aggrieved party petitions for writ of mandate within the time provided by this section, an order of the board or a hearing officer shall not be subject to review by any court or agency, except that the board may grant review on its own motion of an order issued under this Section after the expiration of the time limits set by that section.

- (l) The evidence before the court shall consist of the record before the board, including the hearing officer's record, and any other relevant evidence which, in the judgment of the court, should be considered to effectuate and implement policies of this division. In every such case, the court shall exercise its independent judgment on the evidence.
- (m) Except as otherwise provided in this section, subdivisions (e) and (f) of Section 1094.5 of the California Government Code or the Code of Civil Procedure shall govern proceedings pursuant to this section.

6.09 Submission of Compliance Time Schedule

When the Agency finds that a discharge of wastewater has been taking place in violation of prohibitions or limitations prescribed in these regulations, or wastewater source control requirements, effluent limitations or pretreatment standards, or the provisions of a Wastewater Discharge Permit or at any time the Agency determines a time schedule to be necessary to comply with the requirements of Section 4.13, the Agency may require the user to submit for approval, with such modifications as it deems necessary, a detailed time schedule of specific actions which the user shall take in order to prevent or correct a violation of the requirements.

6.10 Compliance Schedule Progress Reports

The following conditions shall apply to the compliance schedule required by Section 6.09 of this ordinance:

- (a) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);
- (b) No increment referred to above shall exceed nine (9) months;
- (c) The user shall submit a progress report to the Manager as specified but no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the user to return to the established schedule; and
- (d) In no event shall more than nine (9) months elapse between such progress reports to the Manager.

6.11 Appeals

Any user, permit applicant, or permit holder affected by any decision, action, or determination, including cease and desist orders made by the Manager, interpreting or implementing the provisions of these regulations or in any permit issued herein, may file with the Manager a written request for reconsideration within ten days of such decision, action, or determination, setting forth in detail the facts supporting the user's request for reconsideration.

If the ruling made by the Manager is unsatisfactory to the person requesting reconsideration, he or she may, within ten days after notification of Agency action, file a written appeal to the Agency's governing body. The written appeal shall be heard by the body within 30 days from the date of filing. The Agency's governing body shall make a final ruling on the appeal within ten days of the close of the hearing. The Manager's decision, action, or determination shall remain in effect during such period of reconsideration.

6.12 Submission of Reports

The Agency has authority to require all Significant Industrial Users and any other designated dischargers to submit reports and schedules, including, but not limited to, the following:

- (a) Wastewater Discharge Surveys
- (b) Chemical Use Reports
- (c) Baseline Monitoring Reports (BMR) containing information as required under 40 CFR 403.12(b)
- (d) Compliance Schedule Progress Reports
- (e) Report of Final Compliance with Categorical or Other Pretreatment Standards containing information as required under 40 CFR 403.12 (d)
- (f) Periodic Self-monitoring Reports
- (g) Periodic Report of Continued Compliance (PRCC) containing information as required under 40 CFR 403.12(e) and (h)
- (h) Hazardous Materials Management Plans
- (i) Best Management Practice Plans
- (j) Slug Control Plans containing information as required under 40 CFR 403.8(f)(2) (vi).

- (k) Source Reduction Evaluation Review and Plans (SB14) and other pollution prevention plans
- (l) SARA III Reports
- (m) Written responses to Notices of Violation
- (n) 90-Day Reports
- (o) Facility Closure Plans
- (p) Any data obtained from self-monitoring performed more frequently than required by the Agency
- (q) Solvent Management Plan
- (r) Any other reports, written documents, and/or analytical results as deemed necessary by the Agency, to determine a user's compliance status with local, state and federal limits or requirements.

6.13 Reports of Potential Problems

- (a) In the case of any discharges including, but not limited to, accidental discharges, discharges of a non-routine, episodic nature, a non-customary batch discharge, or a slug load, that may cause potential problems for the POTW, the user shall immediately telephone and notify the Agency of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user and any other information the Agency deems appropriate.
- (b) A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees who to call in the event of a discharge described in paragraph A, above. Employers shall ensure that all employees, who may cause such a discharge to occur, are advised of the emergency notification procedure.
- (c) All Users are required to notify the Agency of any changes at their facility affecting the potential for a Slug Discharge.

6.14 Notice of Violation/Repeat Sampling and Reporting

If sampling performed by a user indicates a violation, the user must notify the Agency within twenty-four (24) hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Agency within thirty (30) days after becoming aware of the violation.

Within five (5) days following such discharge, the user shall, unless waived by the Agency, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to this ordinance.

6.15 Reports from Unpermitted Users

All users not required to obtain a wastewater discharge permit shall provide appropriate reports to the Agency as the Manager may require.

6.16 Public Notification of Dischargers Found to be in Significant Non-Compliance

At an interval of not less than once per year, the Agency will publish the identities of any user(s) which is (are) found to be in significant non-compliance of any national pretreatment standard, discharge limitation or prohibition, or any other requirement of these regulations. The definition of significant non-compliance shall be as specified in Section 1.02 (bbb). The publication shall occur in the newspaper of general circulation that provides meaningful public notice within the service area of the Agency.

Section 7

ABATEMENT

7.01 Public Nuisance

Discharge of wastewater in any manner in violation of these regulations or of any order issued by the Manager as authorized by these regulations, is hereby declared a public nuisance and shall be corrected or abated as directed by the Manager. Any person creating a public nuisance shall be subject to provisions of Agency codes or ordinances governing such nuisance.

7.02 Recovery of Expenses

In the event a discharge of wastewater occurs from a private sewer lateral that creates or threatens to create a public nuisance that the Agency must abate as directed by the Manager, the Agency may seek recovery of the cost of time and materials to abate said

discharge from the property owner as well as interest and attorneys' fees as provided by Health & Safety Code § 5473.10.

7.03 Injunctive Relief

When the Agency finds that a User has violated, or continues to violate, any provision of this ordinance, an individual wastewater discharge permit, a general permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the Agency may petition the appropriate Court through the District's Attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of an individual wastewater discharge permit, general permit, order or other requirement imposed by this ordinance on activities of the User. The Agency may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the User to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a User.

7.04 Damage to Facilities

When a discharge of wastes causes an obstruction, damage, or any other impairment to Agency facilities, the Agency may assess a charge against the user for the work required to clean or repair the facility and add such charge to the user's charges and fees.

7.05 Civil Penalties

Any person who violates any provision of these regulations or permit conditions, or who discharges wastewater which causes pollution, or who violates any cease and desist order, prohibition, effluent limitation, national standard of performance, pretreatment or toxicity standard, shall be liable civilly to penalties imposed by the Agency against which the violation occurs as provided for in Section 6.07 of this Ordinance.

7.06 Court Imposed Civil and Criminal Penalties

The Agency may refer any violations of these regulations to the office of the Alameda County District Attorney for civil or criminal prosecution under any applicable statute or provision of law.

In accordance with Section 54740 of the California Government Code:

- (a) Any person who violates any requirement adopted or ordered by the Agency pursuant to Section 6.07 of this ordinance may be civilly liable in a sum of not to exceed twenty-five thousand dollars (\$25,000) a day for each violation.
- (b) The Agency may petition the superior court to impose, assess, and recover the sums provided for in paragraph (a). In determining the amount, the court shall take into consideration all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the economic benefit derived through any noncompliance, the nature and persistence of the violation, the length of time over which the violation occurs, and corrective action, if any, attempted or taken by the discharger.
- (c) Notwithstanding any other provision of law, all civil penalties imposed by the court for any violation of this section shall be distributed to the local agency.
- (d) Remedies under this section are in addition to and do not supersede or limit any and all other remedies, civil or criminal, but no liability shall be recoverable under this section for any violation for which liability is recovered under Section 6.07.
- (e) Any person who violates any provision of these regulations, or of a permit or a cease and desist order issued pursuant to these regulations, is guilty of a public offense. The classification of such public offense and the punishment therefore shall be as provided by local, county, state and/or federal law.

7.07 Falsifying Information

Any person who knowingly makes any false statements, representation, record, report, plan, or other document filed with the Agency, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under these regulations, shall be punished in accordance with the Agency codes or ordinances governing such falsifications. The Agency may petition the Superior Court to impose, assess, and recover such sums as may be applicable or in accordance with Sections 7.05 and 7.06 of this ordinance.

7.08 Termination of Service

In order to effect its powers, the Agency may enter upon private property for the purpose of inspection and maintenance of sanitary and waste disposal facilities and may terminate service to property in which a violation of any rule, regulation, or this Ordinance is found to exist.

Prior to termination of service, however, the Agency Board shall notify, in writing, the owner and tenant, if any, of such property that service is intended to be so terminated and conduct a hearing thereon as herein provided. Such notice shall be mailed to the owner at the address shown on the records of the Assessor of the County, or as known to the Clerk, and a copy shall be delivered to the tenant or posted conspicuously on the property. The notice shall state the date of proposed termination of service and the reasons therefore and the date the Agency Board shall hold a hearing upon such intended termination. Such hearing shall not be held less than ten days subsequent to the giving of notice as herein required.

7.09 Emergency Suspension of Service

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

- (a) Any User notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a User's failure to immediately comply voluntarily with the suspension order, the Manager may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The Manager may allow the User to recommence its discharge only when the User has demonstrated to the satisfaction of the Manager that the period of endangerment has passed, unless the termination proceedings in Section 7.10 of this ordinance are initiated against the User.
- (b) A User that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the Manager prior to the date of any show cause or termination hearing under sections 6.04 or 7.08 of this ordinance. Nothing in this section shall be interpreted as requiring a hearing prior to any emergency suspension under this section.

7.10 Immediate Termination of Discharge

The manager or designated representative has the authority to immediately and effectively halt or prevent any actual or threatened discharge of pollutants to the Agency's facilities which:

- present, or may present, an imminent or substantial endangerment to the health or welfare of persons, to the environment or to the Agency's facilities;
- cause interferences with the operation of the Agency's facilities or the POTW;
- cause conditions (a) through (n) of Section 2.01.1 of this Ordinance;
- are prohibited by Section 2.01.2 of this Ordinance;
- are violations of individual wastewater discharge permit or general permit conditions;
- are a failure to accurately report the wastewater constituents and characteristics of the User's discharge;
- are a failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;
- are a result of refusal to reasonable access to the User's premises for the purpose of inspection, monitoring, or sampling.

Nothing in this section shall be interpreted as requiring a hearing prior to any emergency suspension under this section.

7.11 Nonexclusive Remedies

The remedies provided for in this ordinance are not exclusive except as specified in Section 7.06(d). The Manager may take any, all, or any combination of these actions against a noncompliant user. Enforcement of pretreatment violations will generally be in accordance with the Agency's Enforcement Response Plan. However, the Manager may take other action against any user when the circumstances warrant. Further, the Manager is empowered to take more than one enforcement action against any noncompliant user.

Section 8

SEVERABILITY

If any provision of these regulations or the application to any person or circumstances is held invalid, the remainder of the regulations or the application of such provisions to other persons or other circumstances shall not be affected.

Section 9

Union Sanitary District Ordinance No. 36 and all its amendments are hereby repealed.

Section 10

EFFECTIVE DATE

This Ordinance shall take effect and be in force on July 1, 2015, and shall be entered in the Minutes of the District per Resolution No. _____

On motion duly made and seconded, this Ordinance was adopted by the following vote on May 26, 2015.

Pretreatment Ordinance and Technically Based Local Limits Ordinance No.36 is hereby repealed.

AYES:

ABSENT:

NOES:

ATTEST:

SUPPLEMENT

This Wastewater Discharge Regulations Supplement includes selected Code of Federal Regulations parts (listed as 40 CFR) referred to in the main section of this document. Other 40 CFR parts, which are too lengthy to include in their entirety, are summarized. More information relating to these Federal Regulation references is available in the Union Sanitary District's Environmental Compliance Division Office.

Federal Regulations are updated from time to time. This document contains current regulations as of October 1993. Compliance with any future federal regulations is the responsibility of the user.

40 CFR Part 2.302(2): Definition of Effluent Data

Effluent data means:

- (a) Information necessary to determine the identity, amount, frequency, concentration, temperature or other characteristics (to the extent related to water quality) of any pollutant which has been discharged by the source (or of any pollutant resulting from any discharge from the source), or any combination of the foregoing;
- (b) Information necessary to determine the identity, amount, frequency, concentration, temperature or other characteristics (to the extent related to water quality) of the pollutants which, under an applicable standard or limitation, the source was authorized to discharge (including, to the extent necessary for such purpose, a description of the manner or rate of operation of the source); and
- (c) A general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation or operation constituting the source).

40 CFR Part 136: Environmental Protection Agency Regulations on Test Procedures for the Analysis of Pollutants

(Summary) This part describes test procedures for performing analyses of wastewater constituents. Part 136 identifies test procedures and specifies application of and approval of alternate test procedures. Reprints of the introductory pages of this part are available upon request from the District.

40 CFR Part 261: Environmental Protection Agency Regulations for Identifying Hazardous Waste

(Summary) This part is commonly referred to as the RCRA regulations. It includes criteria for identifying the characteristics of hazardous waste, as well as characteristics of hazardous waste and lists of hazardous wastes.

40 CFR Part 403.5: National Pretreatment Standards: Prohibited Discharges

(Summary) This part is commonly referred to as the General Pretreatment Regulations and includes discharge prohibitions and the requirement for development of local limits by the POTW.

403.5 National Pretreatment Standards: Prohibited Discharges

- (a) (1) *General prohibitions.* A User may not introduce into a POTW any pollutant(s) which cause Pass Through or Interference. These general prohibitions and the specific prohibitions in paragraph (b) of this section apply to each User introducing pollutants into a POTW whether or not the User is subject to other National Pretreatment Standards or any national, State or local Pretreatment Requirements.
- (2) *Affirmative Defenses:* A User shall have an affirmative defense in any action brought against it alleging a violation of the general prohibitions established in paragraph (a)(1) of this section and the specific prohibitions in paragraphs (b)(3), (4), (5), (6) and (7) of this section where the Users can demonstrate that:
- (i) It did not know or have reason to know that its Discharge, alone or in conjunction with a discharge or discharges from other sources, would cause Pass Through or Interference; and
 - (ii) A local limit designed to prevent Pass Through and/or Interference, as the case may be, was developed in accordance with paragraph (c) of this section for each pollutant in the User's Discharge that caused Pass Through or Interference, and the User was in compliance with each such local limit directly prior to and during the Pass Through or Interference; or

If a local limit designed to prevent Pass Through and/or Interference, as the case may be, has not been developed in accordance with paragraph (c) of this section for the pollutant(s) that caused the Pass Through or Interference, the User's Discharge directly prior to and during the Pass Through or Interference did not change substantially in nature or constituents from the

User's prior discharge activity when the POTW was regularly in compliance with the POTW's NPDES permit requirements and, in the case of Interference, applicable requirements-for sewage sludge use or disposal.

- (b) *Specific prohibitions.* In addition, the following pollutants shall not be introduced into a POTW:
- (1) Pollutants which create a fire or explosion hazard in the POTW, including, but not limited to, wastestreams with a close cup flashpoint of less than 140°F or 60°C using the test methods specified in 40 CFR 261.21.
 - (2) Pollutants which will cause corrosive structural damage to the POTW, but in no case Discharges with pH lower than 5.0, unless the works is specifically designed to accommodate such Discharges;
 - (3) Solid or viscous pollutants in amounts which will cause obstruction to the flow in the POTW resulting in Interference;
 - (4) Any pollutant, including oxygen demanding pollutants (BOD, COD) released in a Discharge at a flow rate and/or pollutant concentration which will cause Interference with the POTW.
 - (5) Heat in amounts which will inhibit biological activity in the POTW resulting in Interference, but in no case heat in such quantities that the temperature at the POTW Treatment Plant exceeds 40°C (104°F) unless the Approval Authority, upon request of the POTW, approves alternate temperature limits.
 - (6) Petroleum oil, nonbiodegradable cutting oil or products of mineral oil origin in amounts that will cause Interference or Pass Through;
 - (7) Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
 - (8) Any trucked or hauled pollutants, except at discharge points designated by the POTW.
- (c) *When specific limits must be developed by POTW.* (1) Each POTW developing a POTW Pretreatment Program pursuant to paragraph 403.8 shall develop and enforce specific limits to implement the prohibitions listed in paragraphs (a)(1) and (b) of this section.
- (1) Each POTW with an approved pretreatment program shall continue to develop these limits as necessary and effectively enforce such limits.

- (2) All other POTW's shall, in cases where pollutants contributed by User(s) result in Interference or Pass Through, and such violation is likely to recur, develop and enforce specific effluent limits for Industrial User(s), and all other users, as appropriate, which, together with appropriate changes in the POTW Treatment Plant's facilities or operation, are necessary to ensure renewed and continued compliance with the POTW's NPDES permit or sludge use or disposal practices.
 - (3) Specific effluent limits shall not be developed and enforced without individual notice to persons or groups who have requested such notice and an opportunity to respond.
 - (4) POTWs may develop Best Management Practices (BMPs) to implement paragraphs (c)(1) and (c)(2) of this section. Such BMPs shall be considered local limits and Pretreatment Standards for the purposes of section 307(d) of the Act.
- (d) *Local limits.* Where specific prohibitions or limits on pollutants or pollutant parameters are developed by a POTW in accordance with paragraph (c) above, such limits shall be deemed Pretreatment Standards for the purposes of section 307(d) of the Act.
- (e) *EPA enforcement actions under section 309(f) of the Clean Water Act.* If, within 30 days after notice of an Interference or Pass Through violation has been sent by EPA to the POTW, and to persons or groups who have requested such notice, the POTW fails to commence appropriate enforcement action to correct the violation, EPA may take appropriate enforcement action under the authority provided in section 309(f) of the Clean Water Act.
- (f) *Compliance deadlines.* Compliance with the provisions of this section is required beginning on March 16, 1981, except for paragraph (b)(5) of this section which must be complied with by August 25, 1981.

40 CFR Part 403.8(f)(2)(vi): Slug Control Plans

(Summary) This part describes the District's authority and responsibility in regard to Slug Control Plans. The District must have the authority to evaluate whether each Significant Industrial User needs a plan to control slug discharges. For purposes of these regulations, a slug discharge is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge. If the POTW decides that a slug control plan is needed, the plan shall contain, at a minimum, the following elements:

- (a) Description of discharge practices, including non-routine batch discharges;

- (b) Description of stored chemicals;
- (c) Procedures for immediately notifying the POTW of slug discharges, including any discharge that would violate a prohibition under 40 CFR 403.5(b), with procedures for follow-up written notification within five days;
- (d) If necessary, procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and/or measures and equipment for emergency response;

40 CFR Part 403.12: Reporting Requirements for POTWs and Industrial Users

This part contains the monitoring and reporting requirements for baseline monitoring reports and other required reports such as the periodic report of continued compliance. 40 CFR Part 403.12 is crucial to the implementation of and compliance with self-monitoring and reporting requirements. Portions of the regulations are summarized below. Copies of the complete text are available from the District.

40 CFR Part 403.12(b): Baseline Monitoring Reports

Within 180 days after the effective date of a categorical standard in the case of an existing industrial user, or 90 days prior to commencement of discharge for a new source, all industrial users subject to categorical Pretreatment Standards must submit a baseline report containing the following information.

- (a) The name and address of the facility including the name of the operator and owners;
- (b) A list of any environmental control permits held by or for the facility;
- (c) A brief description of the nature, average rate of production, and Standard Industrial Classification of the operation(s) carried out by such Industrial User. This description should include a schematic process diagram which indicates points of Discharge to the POTW from the regulated processes.
- (d) The measured average daily and maximum daily flow, in gallons per day, to the POTW from each of the following:
 - (1) Regulated process streams; and

- (2) Other streams as necessary to allow use of the combined waste stream formula. The Control Authority may allow for verifiable estimates of these flows where justified by cost or feasibility considerations.
- (e) The Pretreatment Standards applicable to each regulated process, and the results of sampling and analysis identifying the nature and concentration (or mass, where required by the Standard or Control Authority) of regulated pollutants in the Discharge from each regulated process. Both daily maximum and average concentration (or mass, where required) shall be reported. The sample shall be representative of daily operations;
- (f) A statement, reviewed by an authorized representative of the Industrial User and certified to by a qualified professional, indicating whether Pretreatment Standards are being met on a consistent basis and, if not, whether additional operation and maintenance (O and M) and/or additional pretreatment is required for the Industrial User to meet the Pretreatment Standards and Requirements; and
- (g) If additional pretreatment and/or O and M will be required to meet the Pretreatment Standards; the shortest schedule by which the Industrial User will provide such additional pretreatment and/or O and M. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard.

New sources must give estimates of information requested in paragraphs 4 and 5 and must include information on the method of pretreatment that will be used to meet applicable pretreatment standards.

40 CFR Part 403.12(d): Final Compliance Reports

Within 90 days following the date for final compliance with applicable categorical Pretreatment Standards or, in the case of a new source, following commencement of the introduction of wastewater into the POTW, any industrial user subject to Federal Pretreatment Standards and Requirements must submit a report containing the following information.

- (a) Flow measurements (average and maximum daily flow)
- (b) Measurement of regulated pollutants in the discharge from each regulated waste stream.
- (c) A certification statement indicating whether Pretreatment Standards are being met on a consistent basis.

40 CFR Part 403.12(e): Periodic Reports of Continued Compliance

All Significant Industrial Users must, at a frequency determined by the Manager, submit no less than twice per year (June and December [or on dates specified]) reports indicating the nature, concentration of pollutants in the discharge which are limited by Pretreatment Standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the Pretreatment Standard requires compliance with a Best Management Practice (BMP) or pollution prevention alternative, the User must submit documentation required by the Manager or the Pretreatment Standard necessary to determine the compliance status of the User.

All periodic compliance reports must be signed and certified in accordance with Section 4.16 of this ordinance.

All wastewater samples must be representative of the User's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its discharge.

If a User subject to the reporting requirement in this section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the Agency, using the procedures prescribed in 40 CFR 403.12(g)(5), the results of this monitoring shall be included in the report.

40 CFR Part 403.12(h): Reporting Requirements for Industrial Users Not Subject to Categorical Standards

At least once every 6 months, industrial users not subject to categorical Pretreatment Standards must submit a description of the nature, concentration and flow of the pollutants discharged to the POTW. These reports shall be based on sampling and analysis performed during the reporting period.

40 CFR Part 403.12 (p): Hazardous Waste Discharge Notification

California regulation prohibits the disposal of hazardous wastes in the sanitary sewer. The following notification requirements contained in 40 CFR do not create a right to discharge any substance not otherwise permitted to be discharged by this ordinance, a permit issued under this ordinance, or any applicable Federal or State Law.

- (a) The Industrial User shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste

number, and the type of discharge (continuous, batch, or other). If the user discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the Industrial User: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream discharged during that calendar month, and an estimation of the mass of constituents in the waste stream expected to be discharged during the following twelve (12) months. All notifications must take place within one hundred and eighty (180) days of the effective date of this rule. Industrial Users who commence discharging after the effective date of this rule shall provide the notification no later than 180 days after the discharge of the listed or characteristic hazardous waste. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed discharges must be submitted under 40 CFR 403.12 (j) (Section 4.20 of this ordinance). The notification requirement in this section does not apply to pollutants already reported under the self-monitoring requirements of 40 CFR 403.12 (b), (d) and (e).

- (b) Dischargers are exempt from the requirements of paragraph 1, above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of nonacute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the user discharges more than such quantities of any hazardous waste do not require additional notification.
- (c) In case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the user must notify the Agency, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.
- (d) In the case of any notification made under this section, the user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

40 CFR Part 405-471: Categorical Standards and Requirements

These parts describe the regulations applicable to categorical discharges. Copies of specific parts are available from the District. The following types of industries are currently subject to categorical standards:

Aluminum Forming	Fruit & Vegetable Processing	Paving and Roofing (Tars & Asphalt)
Asbestos Manufacturing	Glass Manufacturing	Pesticides
Battery Manufacturing	Grain Mills Manufacturing	Petroleum Refining
Builder's Paper	Hospitals	Pharmaceuticals
Carbon Black	Ink Formulating	Phosphate Manufacturing
Cement Manufacturing	Iron and Steel Manufacturing	Photographic
Centralized Waste Treatment	Landfills	Plastics Molding and Forming
Chemicals-Inorganic	Leather Tanning and Finishing	Porcelain Enameling
Chemicals-Organic	Meat & Poultry Processing	Pulp and Paper
Chemicals-Gum & Wood	Metal Finishing	Rubber Processing
Concentrated Animal Feeding Ops.	Metal Molding and Casting	Seafood Processing
Coil Coating	Metal products & Machinery	Soaps and Detergents Mfg
Copper Forming	Mining – Coal	Steam Electric
Dairy Products Processing	Mining – Mineral	Sugar Processing
Electrical and Electronic Components	Mining – Ore	Timber Products Mfg
Electroplating	Nonferrous Metals Forming	Transportation
Explosives Mfg	Nonferrous Metals Mfg	Textile Mills
Ferroalloy Manufacturing	Oil & Gas Extraction	Waste Combustors
Fertilizer Manufacturing	Paint Formulating	

Locally Regulated Toxic Organic Pollutants and Locally Regulated Phenols

Volatiles

<input type="checkbox"/>	Acrolein
<input type="checkbox"/>	Acrylonitrile
<input type="checkbox"/>	Benzene
<input type="checkbox"/>	Bromoform
<input type="checkbox"/>	Carbon tetrachloride
<input type="checkbox"/>	Chlorobenzene
<input type="checkbox"/>	Chloroethane
<input type="checkbox"/>	2-chloroethylvinyl ether
<input type="checkbox"/>	Chloroform
<input type="checkbox"/>	Dibromochloromethane
<input type="checkbox"/>	Dichlorobromomethane
<input type="checkbox"/>	1,1-dichloroethane
<input type="checkbox"/>	1,2-dichloroethane
<input type="checkbox"/>	1,1-dichloroethylene
<input type="checkbox"/>	1,2-dichloropropane
<input type="checkbox"/>	1,3-dichloropropylene
<input type="checkbox"/>	Ethylbenzene
<input type="checkbox"/>	Methyl bromide
<input type="checkbox"/>	Methyl chloride
<input type="checkbox"/>	Methylene chloride
<input type="checkbox"/>	Tetrachloroethylene (PCE)
<input type="checkbox"/>	1,1,2,2-tetrachloroethane
<input type="checkbox"/>	1,1,1-trichloroethane (TCA)
<input type="checkbox"/>	1,1,2-trichloroethane
<input type="checkbox"/>	Toluene
<input type="checkbox"/>	1,2-trans-dichloroethylene
<input type="checkbox"/>	Trichloroethylene (TCE)
<input type="checkbox"/>	Vinyl chloride
<input type="checkbox"/>	

Semi-Volatiles

<input type="checkbox"/>	Acenaphthene
<input type="checkbox"/>	Acenaphthylene
<input type="checkbox"/>	Anthracene
<input type="checkbox"/>	Benzidine
<input type="checkbox"/>	Benzo(a)anthracene
<input type="checkbox"/>	Benzo(a)pyrene

Semi-Volatiles (cont'd)

<input type="checkbox"/>	Benzo(ghi)perylene
<input type="checkbox"/>	Benzo(k)fluoranthene
<input type="checkbox"/>	3,4-benzofluoranthene
<input type="checkbox"/>	Bis (2-chloroisopropyl) ether
<input type="checkbox"/>	Bis (2-chloroethoxy) methane
<input type="checkbox"/>	Bis (2-chloroethyl) ether
<input type="checkbox"/>	Bis (2-ethylhexyl) phthalate
<input type="checkbox"/>	4-bromophenyl phenyl ether
<input type="checkbox"/>	Butyl benzyl phthalate
<input type="checkbox"/>	2-chloronaphthalene
<input type="checkbox"/>	4-chlorophenyl phenyl ether
<input type="checkbox"/>	Chrysene
<input type="checkbox"/>	Dibenzo(a,h)anthracene
<input type="checkbox"/>	1,2-dichlorobenzene
<input type="checkbox"/>	1,3-dichlorobenzene
<input type="checkbox"/>	1,4-dichlorobenzene
<input type="checkbox"/>	3,3-dichlorobenzidine
<input type="checkbox"/>	Diethyl phthalate
<input type="checkbox"/>	Dimethyl phthalate
<input type="checkbox"/>	Di-n-butyl phthalate
<input type="checkbox"/>	Di-n-octyl phthalate
<input type="checkbox"/>	2,4-dinitrotoluene
<input type="checkbox"/>	2,6-dinitrotoluene
<input type="checkbox"/>	1,2-diphenylhydrazine
<input type="checkbox"/>	Fluoranthene
<input type="checkbox"/>	Fluorene
<input type="checkbox"/>	Hexachlorobenzene
<input type="checkbox"/>	Hexachlorobutadiene
<input type="checkbox"/>	Hexachlorocyclopentadiene
<input type="checkbox"/>	Hexachloroethane
<input type="checkbox"/>	Indeno (1,2,3-cd)pyrene
<input type="checkbox"/>	Isophorone
<input type="checkbox"/>	N-nitrosodi-n-propylamine
<input type="checkbox"/>	N-nitrosodimethylamine
<input type="checkbox"/>	N-nitrosodiphenylamine
<input type="checkbox"/>	Naphthalene

Semi-Volatiles (cont'd)

<input type="checkbox"/>	Nitrobenzene
<input type="checkbox"/>	Phenanthrene
<input type="checkbox"/>	Pyrene
<input type="checkbox"/>	1,2,4-trichlorobenzene

Locally Regulated Phenols

<input type="checkbox"/>	2-chlorophenol
<input type="checkbox"/>	4-chloro-3-methyl phenol
<input type="checkbox"/>	2,4-dichlorophenol
<input type="checkbox"/>	2,4-dimethylphenol
<input type="checkbox"/>	2-methyl-4,6-dinitrophenol
<input type="checkbox"/>	2-methyl phenol
<input type="checkbox"/>	4-methyl phenol
<input type="checkbox"/>	2-nitro phenol
<input type="checkbox"/>	4-nitro phenol
<input type="checkbox"/>	Pentachlorophenol
<input type="checkbox"/>	Phenol
<input type="checkbox"/>	2,4,6-trichlorophenol



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers
Paul R. Eldredge
*General Manager/
District Engineer*

David M. O'Hara
Attorney

DATE: May 18, 2015

MEMO TO: Board of Directors - Union Sanitary District

FROM: Paul R. Eldredge, General Manager/District Engineer
Sami E. Ghossain, Manager of Technical Services
Rollie Arbolante, Customer Service Team Coach

SUBJECT: Agenda Item No. 10 - Meeting of May 25, 2015
Schedule a Public Hearing to Adopt Ordinance No. 34.07, An Ordinance Providing for the General Regulation of Private and Public Sewers, Plan Review, Issuance of Construction Permits, Inspection of Sewer Installation, and the Collection of Fees for these Services, and to Repeal Ordinance No. 34.06

Recommendation

Schedule a public hearing to adopt Ordinance No. 34.07 on June 22, 2015 at 7:00 pm, in the Boardroom at 5072 Benson Road, Union City.

The attached Notice of the time and place of the public hearing will be published in the Argus newspaper on June 2, 2015 and June 9, 2015.

Background

District Ordinance No. 34.06, provides for plan review, issuance of construction permits, inspection of sewer installation, and the collection of fees for these services. It also governs the handling of deposits and includes the fees for Collection System services. Whenever an Ordinance is revised, it is required to hold a public hearing to allow a forum for the public to comment on the proposed changes.

The changes mainly consist of revisions to the material and services fees used to calculate fees for work performed by the District, but also include updating contractors' required insurance limits, and the addition of Sewer-in-Steel Casing line item in Article IX, Section 5, Schedule of Construction Costs. The material and services fees have not been updated for over 3 years, since the adoption of Ordinance No. 34.06 on January 23, 2012. Due to inflation, these fees no longer cover the minimum effort associated with performing these services.

Additionally, consistent with the City of Fremont Municipal Code allowing for the ability to disconnect any utility service to a building or structure in case of emergency where necessary to eliminate an immediate hazard to life or property, similar language has been included in proposed Ordinance 34.07 to specifically make clear the District's right to disconnect a sewer service in such a situation. A summary of all the proposed revisions to Ordinance 34.06 are attached.

The District is proposing to publish in the Argus two Notices of Public Hearing, on June 2 and June 9, 2015, notifying the public that the Board of Directors of Union Sanitary District will consider adoption of the above-mentioned revisions to Ordinance No. 34. A copy of Ordinance No. 34.07 with the proposed changes will be available for review at District offices.

PRE/SEG/RA:ks

Attachments: Notice of Public Hearing
Summary of the Proposed Revisions to Ordinance 34.06

UNION SANITARY DISTRICT

NOTICE OF PUBLIC HEARING

FOR IMMEDIATE RELEASE: UNION SANITARY DISTRICT
5072 BENSON ROAD
UNION CITY, CA 94587
CONTACT: Paul R. Eldredge
(510) 477-7500

June 2 and June 9, 2015

NOTICE IS HEREBY GIVEN that pursuant to Section 5471 of the Health and Safety Code of the State of California, the Board of Directors of Union Sanitary District will consider adopting Ordinance No. 34.07, an Ordinance Providing for the General Regulation of Private and Public Sewers regarding Plan Review, Issuance of Construction Permits, Inspection of Sewer Installation, and the Collection of Fees for these Services, and to Repeal Ordinance No. 34.06. The new ordinance includes revisions to the material and services fees used to calculate fees for work performed by the District, enforcement of prohibited discharges, updating contractors' required insurance limits, and the addition of Sewer-in-Steel Casing line item in Article IX, Section 5, Schedule of Construction Costs. Copies of draft Ordinance 34.07 are available for review at the office of the Union Sanitary District, 5072 Benson Road, Union City, California.

NOTICE IS FURTHER GIVEN that on Monday, the 22nd day of June 2015, at the hour of 7:00 p.m., at the Union Sanitary District Boardroom, 5072 Benson Road, Union City, California, in said District, said Board will hear and consider all protests and objections to said Ordinance 34.07.

By order of the Board of Directors of Union Sanitary District.

UNION SANITARY DISTRICT

Tom Handley
Secretary
Board of Directors

Summary of the Proposed Revisions to Ordinance 34.06

The proposed changes to Ordinance 34.06 are as follows. Additions are shown underlined and deletions are shown with ~~strikethrough~~.

1) **ARTICLE III, SECTION 1 PROHIBITIVE DISCHARGES**

District Ordinance No. 36 Section 2.01 identifies those discharges to the sanitary sewer system that are prohibited. No person shall discharge or cause to be discharged, any of the following into a building sewer or main sewer:

- Any flammable or explosive substance, including gasoline, paint, oils or other flammable or explosive substance
- Any toxic or hazardous substance that may cause a threat to the life or health of the public or sewer maintenance person, or to the environment.
- Any substance that would cause an obstruction of flow in the sanitary sewer
- Any radio-active substance
- Any pesticide or herbicide
- Any medical wastes, including prescription or non-prescription pharmaceuticals or medicines

Any prohibitive discharge or threat of a prohibitive discharge may be cause for the District to terminate service to prevent the harmful discharge to the District's sewer system.

In addition, storm water, groundwater, rain water (including from rain gutters), street drainage, subsurface drainage or yard drainage shall not be discharged through direct or indirect connections to the sewer unless a permit is issued for such connection by the District.

See additional prohibitions under District Ordinance No. 36.

2) **ARTICLE IV, SECTION 1 INSURANCE REQUIRED**

A contractor who applies for a permit shall maintain, on file with USD, an insurance certificate evidencing the following insurances:

- a) Worker's Compensation
- b) ~~Public~~ Commercial General Liability (\$1,000,000-~~00~~/incident minimum and \$2,000,000 aggregate minimum)

USD shall be named as an Additional Insured for Public Liability (Additional Endorsement needed).

3) **ARTICLE IX, SECTION 5 SCHEDULE OF CONSTRUCTION COSTS** (used for calculating plan review and inspection fees, and, permit holder and developer deposits).

Item	Unit	Cost
Manhole (Type II)	Each	\$5,600.00
Manhole (public or private)	Each	\$3,500.00
Drop Manhole (connection)	Each	\$1,000.00
Risers	Each	\$800.00
Nottingham Box	Each	\$4,300.00
Grease-Sand Trap	Each	\$2,150.00
Cleanout to Grade	Each	\$375.00
12 inch Sewer	Linear Feet	\$120.00
10 inch Sewer	Linear Feet	\$100.00
8 inch Sewer	Linear Feet	\$80.00
6 inch Sewer	Linear Feet	\$60.00
4 inch Sewer	Linear Feet	\$40.00
Sewer in Easement (additional charge)	Linear Feet	\$10.00
<u>Sewer in Steel Casing</u>	<u>Linear Feet</u>	<u>\$1,560.00</u>
Abandon Sewer	Linear Feet	\$11.00
Abandon Septic Tanks	Each	\$1,300.00
Abandon Manhole	Each	\$900.00

4) **ARTICLE IX, SECTION 6 MATERIAL AND SERVICES FEE** (used for calculating fees associated with work performed by District Forces).

	Description of Work	Unit	Fee	Fee
a.	Install stub and channel manhole (Work inside manhole only)			
	1. 6", 8", 10" stub into a manhole base	Each	\$1,800	<u>\$2,300</u>
	2. 12" or larger stub into a manhole base	Each	\$2,500	<u>\$2,875</u>
b)	Channel new manhole			
	1. 6" to 10" main	Each	\$1,400	<u>\$1,820</u>
	2. 12" to 18" main	Each	\$2,500	<u>\$2,625</u>
	3. 21" or larger main	Each	\$2,800	<u>\$2,940</u>
c)	False Bottom			
	1. Install and remove	Each	\$300	<u>\$390</u>
d)	Adjust manhole to grade			
	1a. Structural adjustment with reference points, false bottoms, and asphalt concrete	Each	\$800	<u>\$840</u>
	1b. In addition to 1a. above, for additional work including: excavation; removal; and replacement and/or installation of cone and/or barrel section	Each	\$3,975	<u>\$4,500</u>
	2. Asphalt concrete overlay using riser rings up to 3" in height, including reference points	Each	\$550	<u>\$575</u>
	3. Asphalt concrete including adjustment of existing casting	Each	\$750	<u>\$785</u>
e)	Pipe repairs less than 10 feet in length (cut & repair only)			
	1. 4" and 6" lateral	Each	\$568	<u>\$595</u>
	2. 6" and 8" main	Each	\$700	<u>\$735</u>

	3. 10" and 12" main	Each	\$925	<u>\$975</u>
f)	Wye or tee splices (cut and install only)			
	1. 6" to 12"	Each	\$950	<u>\$1,100</u>
g)	*Television inspection			
	1. Laterals	Each	\$300	<u>\$315</u>
	2. Mains, in excess of 1000 ft in length (if < 1000 ft, then cost is on a time -and- materials basis)			
	\$0.42 Cleaning +\$1.10 TV	Per Ft.	\$1.52	\$1.52
	• TV only	Per Ft.	\$1.10	\$1.10
	*If laterals need additional work prior to TV, such as, snaking, repairs, or installing a cleanout, additional costs will be charged on a time-and-material basis			
h)	Cleanouts			
	1. Install	Each	\$870	<u>\$915</u>
	2. Raise cleanout to grade and install cleanout box	Each	\$375	<u>\$395</u>
i)	Miscellaneous			
	1. Install and remove temporary plug	Each	\$475	<u>\$495</u>
	2. Catch debris	Each	\$450	<u>\$475</u>
	3. Dye tracing	Each	\$250	<u>\$265</u>
	4. Ferret tracing	Each	\$250	<u>\$265</u>
j)	Overtime inspection			
	1. Hourly Rate (four hour minimum for weekends and holidays)	Per Hour	\$200	<u>\$210</u>
k)	Unforeseen conditions may increase the time and charges to complete work.			
l)	Additional work will be charged based on a time-and-material basis.			

m)	Contractors will be required to sign a work order.	
n)	USD work guaranteed for 12 months.	

5) **ARTICLE X**
REPEAL

Ordinance 34.056 is hereby repealed.

6) **ARTICLE XI**
EFFECTIVE DATE

This Ordinance shall take effect and be in force ~~February 27, 2012~~ August 3, 2015 and at least one week prior to said date it shall be published once in THE ARGUS, a newspaper of general circulation published in the UNION SANITARY DISTRICT. This ordinance shall be entered in the minutes of the District.

7) **ARTICLE XII**
SEVERABILITY

If any provision of this Ordinance or any subdivision thereof, or any application thereof, to any person or circumstance is held invalid, the remainder of this Ordinance or the subdivision, or the application of such provision to other persons or circumstances shall not be affected thereby.

On motion duly made and seconded, this Ordinance was adopted after public hearing by the following vote on ~~January 23, 2012~~ June 22, 2015:

AYES:

NOES:

ABSTAIN:

ABSENT:

~~Tom Handley~~ Manny Fernandez
President, Board of Directors
UNION SANITARY DISTRICT

ATTEST

~~Anjali Lathi~~ Tom Handley
Secretary, Board of Directors
UNION SANITARY DISTRICT

**UNION SANITARY DISTRICT
CHECK REGISTER
5/02/2015-5/15/2015**

Check No.	Date	Invoice No.	Vendor	Description	Invoice Amt	Check Amt
157528	5/7/2015	3087712112	PETERSON TRUCKS INC	1 2015 INTERNATIONAL 7600 SBA 6X4	\$197,800.94	\$197,800.94
157526	5/7/2015	7359.1	MUKUND PATEL	REFUND # 18063	\$77,169.52	\$80,839.52
	5/7/2015	7359.2		REFUND # 18062	\$3,670.00	
157493	5/7/2015	140839	CAROLLO ENGINEERS	PUMP STATION MASTER PLAN	\$21,100.07	\$37,263.64
	5/7/2015	141009		HIGH SPEED AERATION BLOWER	\$1,170.32	
	5/7/2015	141071		FREMONT & PASEO PADRE LS IMPROVEMENTS	\$14,993.25	
157621	5/14/2015	799461	VALLEY OIL COMPANY	4,958 GALS UNLEADED 10% ETHANOL GAS	\$15,736.32	\$28,767.11
	5/14/2015	799462		4,722 GALS CLEAR DIESEL	\$13,030.79	
157484	5/7/2015	458145	ARCHER NORRIS	LEGAL SERVICES NOV 2014 - FEB 2015	\$27,360.00	\$27,360.00
157610	5/14/2015	19762	RMC WATER AND ENVIRONMENT	IRVINGTON BASIN SEWER MASTER PLAN UPDATE	\$23,465.38	\$23,465.38
157498	5/7/2015	1174595C	DELTA DENTAL SERVICE	APRIL 2015 DENTAL	\$20,399.30	\$23,010.41
	5/7/2015	1174595A		APRIL 2015 DENTAL	\$2,611.11	
157503	5/7/2015	232814	FRANK A OLSEN COMPANY	REPLACEMENT OF MOTORIZED ACTUATORS AT BOYCE	\$22,784.33	\$22,784.33
157534	5/7/2015	19666	RMC WATER AND ENVIRONMENT	HAYWARD MARSH REHABILITATION OPTIONS	\$2,329.25	\$20,204.75
	5/7/2015	19674		AS NEEDED SUPPORT FOR PRETREATMENT PROGRAM	\$1,080.00	
	5/7/2015	19693		ALVARADO TREATMENT PLANT SITE USE STUDY	\$16,795.50	
157620	5/14/2015	533620150422	US BANK CORP PAYMENT SYSTEM	MONTHLY CAL-CARD STMT - APR 2015	\$19,039.82	\$19,039.82

**UNION SANITARY DISTRICT
CHECK REGISTER
5/02/2015-5/15/2015**

Check No.	Date	Invoice No.	Vendor	Description	Invoice Amt	Check Amt
157522	5/7/2015	761520150428	PACIFIC GAS AND ELECTRIC	SERV TO 04/28/15 NEWARK PS		
	5/7/2015	224720150424		SERV TO 04/23/15 CS TRAINING TRAILER	\$13,812.21	\$13,833.12
					\$20.91	
157570	5/14/2015	88456	CDW GOVERNMENT LLC	1 MICROSOFT MSDN SOFTWARE ASSURANCE	\$1,937.00	\$13,615.30
	5/14/2015	60080		200 SHAVLIK COMPUTERUPDATING SOFTWARE RENEWAL	\$1,960.00	
	5/14/2015	91586		FY15 SWITCH R&R	\$9,718.30	
157510	5/7/2015	9017444230	KEMIRA WATER SOLUTIONS, INC.	8.14 DRY TONS FERROUS CHLORIDE	\$5,323.56	\$10,359.36
	5/7/2015	9017443642		7.70 DRY TONS FERROUS CHLORIDE	\$5,035.80	
157544	5/7/2015	13933	TRC ENERGY SERVICES INC	PLANT-WIDE LIGHTING STUDY	\$10,337.54	\$10,337.54
157586	5/14/2015	902139751	EVOQUA WATER TECHNOLOGIES	2,213 GALS HYDROGEN PEROXIDE	\$10,321.43	\$10,321.43
157502	5/7/2015	902131963	EVOQUA WATER TECHNOLOGIES	1,945 GALS HYDROGEN PEROXIDE	\$9,071.48	\$9,071.48
157566	5/14/2015	11239673	BROWN & CALDWELL CONSULTANTS	ODOR CONTROL STUDY UPDATE	\$8,575.16	\$8,575.16
157527	5/7/2015	201504	NICHOLAS J PEROS	SCADA MASTER PLAN & SCADA STANDARDS	\$8,562.03	\$8,562.03
157583	5/14/2015	13971	EEC ENVIRONMENTAL INC	CWT & PRETREATMENT PROGRAM ASSISTANCE	\$8,133.06	\$8,133.06
157552	5/7/2015	3448694	WESTERN ENERGY SYSTEMS	100 SPARK PLUG WASHERS	\$411.44	\$8,105.12
	5/7/2015	3448301		COGEN TRAINING, WI - STRASBURG	\$3,695.00	
	5/7/2015	3456781		1 VALVE, TECJET CREDIT	\$-7,881.32	
	5/7/2015	3448300		EXTENDED MAINTENANCE TRAINING - CHAPARRO & NICOLETTI	\$11,880.00	
157582	5/14/2015	23410	DOUGLAS PRODUCTS AND PACKAGING	24 SAMAFOAM VAPOROOTER II, GALLON	\$7,909.10	\$7,909.10
157512	5/7/2015	37432220150501	LINCOLN NATIONAL LIFE INS COMP	LIFE & DISABILITY INSURANCE - MAY 2015	\$7,508.32	\$7,508.32

**UNION SANITARY DISTRICT
CHECK REGISTER
5/02/2015-5/15/2015**

Check No.	Date	Invoice No.	Vendor	Description	Invoice Amt	Check Amt
157546	5/7/2015	677652	UNIVAR USA INC	5,009 GALS SODIUM HYPOCHLORITE		
					\$2,325.73	\$6,973.93
	5/7/2015	678570		5,000 GALS SODIUM HYPOCHLORITE		
					\$2,321.55	
	5/7/2015	678450		5,011 GALS SODIUM HYPOCHLORITE		
					\$2,326.65	
157576	5/14/2015	255205	CURTIS & TOMPKINS LTD	18 LAB SAMPLE ANALYSIS		
					\$955.00	\$5,970.00
	5/14/2015	255163		2 LAB SAMPLE ANALYSIS		
					\$315.00	
	5/14/2015	255262		16 LAB SAMPLE ANALYSIS		
					\$230.00	
	5/14/2015	255256		4 LAB SAMPLE ANALYSIS		
					\$630.00	
	5/14/2015	255290		50 LAB SAMPLE ANALYSIS		
					\$3,315.00	
	5/14/2015	255203		20 LAB SAMPLE ANALYSIS		
					\$525.00	
157529	5/7/2015	959870	POLYDYNE INC	42,000 LBS CLARIFLOC WE-539		
					\$5,544.00	\$5,544.00
157542	5/7/2015	143701	THE LIGHTHOUSE INC.	STROBES, BEACONS, ADVISORS		
					\$1,067.86	\$5,236.54
	5/7/2015	138505		ASTD STROBES, BEACONS, ADVISORS		
					\$3,994.05	
	5/7/2015	141775		ASTD STROBES, BEACONS, ADVISORS		
					\$174.63	

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157556	5/14/2015	5115859	ALL INDUSTRIAL ELECTRIC SUPPLY	ASTD PARTS & MATERIALS	\$170.82	\$5,219.34
	5/14/2015	5115612		ASTD MGM XFMR 75KVA 480-120/208 COPPER	\$1,984.40	
	5/14/2015	5115841		ASTD PARTS & MATERIALS	\$179.28	
	5/14/2015	5115843		ASTD PARTS & MATERIALS	\$115.42	
	5/14/2015	5115760		ASTD PARTS & MATERIALS	\$38.22	
	5/14/2015	5115550		ASTD MGM XFMR 75KVA 480-120/208 COPPER	\$251.02	
	5/14/2015	5115842		1 MGM XFMR 75KVA 480-120/208 COPPER	\$2,480.18	
157600	5/14/2015	9017445201	KEMIRA WATER SOLUTIONS, INC.	7.62 DRY TONS FERROUS CHLORIDE	\$5,006.34	
157523	5/7/2015	74408360	PACIFIC GAS AND ELECTRIC	FREMONT & PASEO PADRE LS IMPROVEMENTS	\$5,000.00	\$5,000.00
157524	5/7/2015	74408345	PACIFIC GAS AND ELECTRIC	FREMONT & PASEO PADRE LS IMPROVEMENTS	\$5,000.00	\$5,000.00
157618	5/14/2015	679899	UNIVAR USA INC	4,900 GALS SODIUM HYPOCHLORITE	\$2,275.12	\$4,625.00
	5/14/2015	679732		5,061 GALS SODIUM HYPOCHLORITE	\$2,349.88	
157490	5/7/2015	513716	BRENNTAG PACIFIC, INC.	2564 LBS SODIUM HYDROXIDE	\$1,416.95	\$4,250.84
	5/7/2015	514188		5128 LBS SODIUM HYDROXIDE	\$2,833.89	
157517	5/7/2015	20150430	LUPE MERCADO	THIRD PARTY CLAIM SETTLEMENT	\$4,248.03	\$4,248.03
157543	5/7/2015	6160	THORNTON ENVIRONMENTAL CONST	SB989 SECONDARY CONTAINMENT TESTING	\$3,750.00	\$3,750.00
157482	5/7/2015	5115452	ALL INDUSTRIAL ELECTRIC SUPPLY	2,190 MGM XFMR 75KVA 480-120/208 COPPER	\$3,213.39	\$3,483.10
	5/7/2015	5115272		6 HELEN LAMP VERTICAL 4000K	\$269.71	
157479	5/7/2015	31509	ABACUS PRODUCTS INC	3000 PLACEMATS FOR PUBLIC OUTREACH	\$3,370.69	\$3,370.69

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157487	5/7/2015	7597	BEST WAY PLUMBING	REFUND # 18074	\$3,300.00	\$3,300.00
157515	5/7/2015	7846	WALI MAYAR	REFUND # 18064	\$3,300.00	\$3,300.00
157588	5/14/2015	7478	FLETCHER JONES MOTOR CAR	REFUND # 18083	\$3,300.00	\$3,300.00
157549	5/7/2015	20150501	VISION SERVICE PLAN - CA	MAY 2015 VISION STMT	\$3,204.93	\$3,204.93
157486	5/7/2015	806	AUTOMATED NETWORK CONTROLS	SCADA / PLC PROGRAMMING SERVICES	\$3,079.10	\$3,079.10
157494	5/7/2015	279364	CENTERVILLE LOCKSMITH	ASTD PARTS & MATERIALS	\$18.07	\$3,003.35
	5/7/2015	278972		SWAP LOCKSETS & INSTALL DOOR CLOSERES - COGEN	\$2,985.28	
157595	5/14/2015	20150512	HASLER INC.	POSTAGE BY PHONE - TMS 35928	\$3,000.00	\$3,000.00
157554	5/14/2015	63573	3T EQUIPMENT COMPANY INC	4 PIPEPATCH KIT - WINTER	\$2,879.08	\$2,879.08
157531	5/7/2015	140311	RAFTELIS FINANCIAL CONSULTANTS	SSC COST OF SERVICE STUDY	\$2,810.75	\$2,810.75

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157572	5/14/2015	54432004	CINTAS CORPORATION	UNIFORM LAUNDERING SERVICE	\$319.76	\$2,739.93	
	5/14/2015	54429718		UNIFORM LAUNDERING SERVICE	\$301.50		
	5/14/2015	54427432		UNIFORM LAUNDERING SERVICE	\$319.76		
	5/14/2015	54427434		ASTD DUST MOPS, WET MOPS & TERRY TOWELS	\$88.00		
	5/14/2015	54434297		UNIFORM LAUNDERING SERVICE	\$301.50		
	5/14/2015	54432006		ASTD DUST MOPS, WET MOPS & TERRY TOWELS	\$88.00		
	5/14/2015	54427433		UNIFORM LAUNDERING SERVICE	\$314.46		
	5/14/2015	54432005		UNIFORM LAUNDERING SERVICE	\$301.50		
	5/14/2015	54429717		UNIFORM LAUNDERING SERVICE	\$321.75		
	5/14/2015	54434296		UNIFORM LAUNDERING SERVICE	\$319.76		
	5/14/2015	54427435		1 JACKET - ELDREDGE	\$63.94		
157559	5/14/2015	6498209	AT&T	SERV: 03/20/15 - 04/19/15	\$2,611.09		\$2,628.10
	5/14/2015	6503921		SERV: 03/20/15 - 04/19/15	\$17.01		
157507	5/7/2015	313112	HARRINGTON INDUSTRIAL PLASTICS	1 EA STRAINER BASKET	\$2,457.06	\$2,457.06	
157611	5/14/2015	70764445	ROSEMOUNT MEASUREMENT INC	1 MAGNETIC FLOWMETER FLOWTUBE	\$2,257.24	\$2,257.24	
157505	5/7/2015	1075486	GROENIGER AND COMPANY	ASTD PARTS & MATERIALS	\$2,256.30	\$2,256.30	
157513	5/7/2015	32C74FZC	MANCHESTER GRAND HYATT	PREPAY LODGING: YUNG LU 5/31 - 6/5/15	\$1,120.43	\$2,240.86	
	5/7/2015	32C74FTZ		PREPAY LODGING: WILSON WONG 5/31 - 6/5/15	\$1,120.43		
157581	5/14/2015	557861	DIAMOND DIESEL SERVICE, INC.	ASTD IPS GEN RACOR FILTERS	\$2,233.55	\$2,233.55	

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157511	5/7/2015	10939089	KRONOS INC	KRONOS TRNG-ADMIN THE APPLICATION: DESTAFNEY	\$540.00	\$2,160.00
	5/7/2015	10939087		KRONOS TRNG-ADMIN THE APPLICATION: HOLSLAG, ROJO, & WE:	\$1,620.00	
157565	5/14/2015	516072	BRENNTAG PACIFIC, INC.	1282 LBS SODIUM HYDROXIDE	\$708.46	\$2,125.41
	5/14/2015	516073		2564 LBS SODIUM HYDROXIDE	\$1,416.95	
157483	5/7/2015	5041577	ALPHA ANALYTICAL LABORATORIES	2 LAB SAMPLE ANALYSIS	\$1,985.00	\$1,985.00
157609	5/14/2015	916002400209	REPUBLIC SERVICES #916	RECYCLE & ROLL OFF - APRIL 2015	\$1,977.27	\$1,977.27
157491	5/7/2015	11239161	BROWN & CALDWELL CONSULTANTS	ALVARADO POTABLE WATER TANK/USE STUDY	\$1,745.39	\$1,745.39
157538	5/7/2015	1649261002	SAN LEANDRO ELECTRIC SUPPLY	ASTD PARTS & MATERIALS	\$409.57	\$1,569.26
	5/7/2015	1649261003		3 POWERSONIC PS12120 F2 12V	\$136.10	
	5/7/2015	1649261001		ASTD PARTS & MATERIALS	\$552.28	
	5/7/2015	1644656002		ASTD PARTS & MATERIALS	\$105.22	
	5/7/2015	1644656003		7 CONTACT CLEANER	\$366.09	
157500	5/7/2015	8568	EAST BAY MUNI UTILITY DISTRICT	16 LAB SAMPLE ANALYSIS	\$1,455.70	\$1,455.70
157548	5/7/2015	8575921	VERIZON WIRELESS	1 APPLE IPAD AIR 2 & 1 SAMSUNG GALAXY NOTE PRO	\$1,419.91	\$1,419.91
157535	5/7/2015	20150506	JOSE RODRIGUES JR	EXP REIMB: CWEA ANNUAL CONFERENCE	\$1,401.87	\$1,401.87
157601	5/14/2015	150419	KL BRAJENOVICH CONSULTING	PHYS STDS - UTILITY WORKER	\$1,387.31	\$1,387.31
157489	5/7/2015	20150504	LAURIE BRENNER	EXP REIMB: LODGING & AIRFARE WEF	\$1,346.09	\$1,346.09
157518	5/7/2015	538872	MISSION CLAY PRODUCTS LLC	36 EA ASTD CLAY COUPLINGS	\$1,218.34	\$1,218.34
157617	5/14/2015	127529932001	UNITED RENTALS NORTHWEST INC	FORKLIFT VARIABLE REACH 6000# 1 WEEK RENTAL	\$1,177.19	\$1,177.19

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157616	5/14/2015	20077422	TELEDYNE INSTRUMENTS INC	ASTD PARTS & MATERIALS		
					\$1,163.36	\$1,163.36
157567	5/14/2015	84152	BRUCE BARTON PUMP SERVICE INC	1SUMP PUMP & FLOATS		
					\$1,152.47	\$1,152.47
157564	5/14/2015	10700150	BLAISDELL'S	1 HP LSR TONER		
					\$131.99	\$1,135.85
	5/14/2015	10696380		ASTD OFFICE SUPPLIES		
					\$11.32	
	5/14/2015	10697761		1 DZ PENS		
					\$16.49	
	5/14/2015	10703150		ASTD OFFICE SUPPLIES		
					\$9.89	
	5/14/2015	10703760		OFFICE & BREAK ROOM SUPPLIES		
					\$594.02	
	5/14/2015	10697760		ASTD OFFICE SUPPLIES		
					\$40.11	
	5/14/2015	10696800		ASTD OFFICE SUPPLIES		
					\$44.53	
	5/14/2015	10699500		ASTD OFFICE SUPPLIES		
					\$43.32	
	5/14/2015	10701280		1 TONER		
					\$189.19	
	5/14/2015	10703151		ASTD OFFICE SUPPLIES		
					\$54.99	

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157488	5/7/2015	10686310	BLAISDELL'S	1 DZ PENS	\$21.44	\$1,130.74	
	5/7/2015	10686471		1 STAMP	\$10.58		
	5/7/2015	10686470		ASTD OFFICE SUPPLIES	\$12.32		
	5/7/2015	10694740		ASTD OFFICE SUPPLIES	\$131.88		
	5/7/2015	10677360		2 CHAIRS	\$751.80		
	5/7/2015	10688080		ASTD OFFICE SUPPLIES	\$50.58		
	5/7/2015	10688050		ASTD OFFICE SUPPLIES	\$25.83		
	5/7/2015	10690330		1 WALL CALENDAR	\$13.19		
	5/7/2015	10689950		1 RM COPY PAPER	\$18.14		
	5/7/2015	10666671		20 PK ECO FORKS	\$54.53		
	5/7/2015	10695500		ASTD OFFICE SUPPLIES	\$40.45		
157520	5/7/2015	20150430	SHAWN NESGIS	EXP REIMB: 5 EASY-UP 10 X 10 CANOPIES FOR OPEN HOUSE	\$1,094.95		\$1,104.95
	5/7/2015	20150506		EXP REIMB: MSA E COMMITTEE LUNCH MTG	\$10.00		
157591	5/14/2015	9705896083	GRAINGER INC	2 EA LINEAR EMERGENCY BALLAST	\$106.30		\$1,027.76
	5/14/2015	9710097156		ASTD PARTS & MATERIALS	\$341.04		
	5/14/2015	9707110269		12 EA DANGER TAGS	\$538.56		
	5/14/2015	9708069365		1 EA EXIT SIGN COMBO	\$41.86		
157558	5/14/2015	506827	A-PRO PEST CONTROL INC	APR PEST CONTROL	\$1,005.00	\$1,005.00	

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157541	5/7/2015	4868173042315	SIERRA SPRING WATER COMPANY	WATER SERVICE 03/27/15 - 04/23/15		
					\$756.29	\$995.29
	5/7/2015	8122768042315		BOTTLESS COOLERS RENTAL		
					\$239.00	
157624	5/14/2015	90407075	WEF-WATER ENVIRONMENT FEDERATI	WATER LEADERSHIP INSTITUTE TUITION - BRENNER		
					\$995.00	\$995.00
157603	5/14/2015	20150506	MATTHEW LUBINA	EXP REIMB: CWEA CONF LODGING, PARKING & MEALS		
					\$940.19	\$982.19
	5/14/2015	20150513		EXP REIMB: COMMERCIAL DRIVERS LICENSE FEE		
					\$42.00	
157516	5/7/2015	29231767	MCMASTER SUPPLY INC	ASTD PARTS & MATERIALS		
					\$931.77	\$931.77
157496	5/7/2015	20150505	RICHARD CZAPKAY	TRAVEL REIMB: LODGING/MEALS/TRANSPORTATION		
					\$930.31	\$930.31
157547	5/7/2015	29958	VALLEY OIL COMPANY	2 DRS AW 46 OIL		
					\$905.15	\$905.15
157521	5/7/2015	467148400	NEW PIG CORPORATION	30 BAGS RECYCLED RAGS		
					\$900.05	\$900.05
157615	5/14/2015	3264472734	STAPLES CONTRACT & COMMERCIAL	ASTD JANITORIAL SUPPLIES - INVENTORY		
					\$34.28	\$844.71
	5/14/2015	3264472721		ASTD JANITORIAL & BREAKROOM SUPPLIES - INVENTORY		
					\$367.09	
	5/14/2015	3264472731		ASTD JANITORIAL SUPPLIES - INVENTORY		
					\$443.34	
157501	5/7/2015	4023	EUROFINS AIR TOXICS INC	3 LAB SAMPLE ANALYSIS		
					\$825.00	\$825.00
157485	5/7/2015	6468987	AT&T	SERV: 03/13/15 - 04/12/15		
					\$627.11	\$765.11
	5/7/2015	6482126		SERV: 03/13/15 - 04/12/15		
					\$41.87	
	5/7/2015	6478160		SERV: 03/13/15 - 04/12/15		
					\$96.13	
157584	5/14/2015	20150513	PAUL ELDREDGE	EXP REIMB: OPEN HOUSE SUPPLIES		
					\$762.00	\$762.00

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157604	5/14/2015	29468128	MCMASTER SUPPLY INC	1 EA VINYL EXIT SIGN	\$15.99	\$738.02
	5/14/2015	29487108		ASTD ALUMINUM ENGRAVING PLATES	\$44.13	
	5/14/2015	29868031		ASTD PARTS & MATERIALS	\$677.90	
157504	5/7/2015	9699785730	GRAINGER INC	1 EA BENCH VISE	\$186.63	\$734.50
	5/7/2015	9704133769		3 EA BREAKER KIT, VACUUM	\$7.03	
	5/7/2015	9703525064		ASTD SAFETY SUPPLIES	\$540.84	
157497	5/7/2015	20150506	ANTHONY DEJESUS	TRAVEL REIMB: LODGING/PARKING	\$719.36	\$719.36
157560	5/14/2015	87896581204252015 AT&T		SERV: 03/18/15 - 04/17/15	\$677.25	\$677.25
157562	5/14/2015	64737	BARNETT MEDICAL SERVICES LLC	70 LBS PHARMACEUTICAL WASTE REMOVAL	\$85.00	\$668.00
	5/14/2015	65040		50 LBS PHARMACEUTICAL WASTE REMOVAL	\$85.00	
	5/14/2015	65425		80 LBS PHARMACEUTICAL WASTE REMOVAL	\$85.00	
	5/14/2015	64284		100 LBS PHARMACEUTICAL WASTE REMOVAL	\$164.00	
	5/14/2015	64546		80 LBS PHARMACEUTICAL WASTE REMOVAL	\$85.00	
	5/14/2015	65170		150 LBS PHARMACEUTICAL WASTE REMOVAL	\$164.00	
157551	5/7/2015	4557	WATER WORKS ENGINEERS LLC	PRIMARY DIGESTER #5 REHABILITATION	\$632.08	\$632.08
157590	5/14/2015	77790	GORILLA METALS	ASTD METAL, STEEL, STAINLESS, AND ALUMINUM	\$625.39	\$625.39
157606	5/14/2015	20150430	NAPA AUTO PARTS	MONTHLY AUTO PARTS STMT - APR 2015	\$595.67	\$595.67
157571	5/14/2015	20150512	DEREK CHIU	TRAVEL REIMB: AIRFARE/LODGING/MEALS	\$585.03	\$585.03

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157545	5/7/2015	5893	TURNER RISK CONSULTING INC	CONFINED SPACE TRAINING - BULLIS	\$250.00	\$550.00
	5/7/2015	5894		FALL PROTECTION TRAINING - BULLIS	\$300.00	
157594	5/14/2015	20150511	WILLIAM HARRIS	EXP REIMB: CWEA CONF - AIRFARE, LODGING & MEALS	\$541.27	\$541.27
157575	5/14/2015	20150506	RICHARD CORTES	EXP REIMB: ASCE & WEF MEMBERSHIP RENEWALS	\$514.00	\$514.00
157563	5/14/2015	4811	BAY AREA COATING CONSULTANT	COATING INSPECTION SERVICES	\$494.45	\$494.45
157508	5/7/2015	522249	HULBERT LUMBER SUPPLY	ASTD LUMBER & LUMBER SUPPLIES	\$304.83	\$476.40
	5/7/2015	522470		ASTD LUMBER SUPPLIES	\$158.85	
	5/7/2015	522150		1 BUNDLE DOUGLAS FIR STAKES	\$12.72	
157605	5/14/2015	717371	MOBILE MODULAR MANAGEMENT CORP	FMC TRAILER RENTAL - MAY 2015	\$469.70	\$469.70
157506	5/7/2015	1556304	HANSON AGGREGATES INC	6.15 TONS 1/2 MED TYPE A AC-R	\$466.14	\$466.14
157622	5/14/2015	9744314793	VERIZON WIRELESS	WIRELESS SERV 03/21/15-04/20/15	\$448.93	\$448.93
157536	5/7/2015	20150505	THERESA RODRIGUEZ	EXP REIMB: 2 POP UP CANOPIES FMC DEPT	\$439.98	\$439.98
157539	5/7/2015	20150421	SARSIES PARTIES	6 BALLOON COLUMNS	\$420.00	\$420.00
157625	5/14/2015	2136882	WHAT'S HAPPENING INC	AD NAME: EARTH DAY	\$415.00	\$415.00
157593	5/14/2015	1560278	HANSON AGGREGATES INC	5.03 TONS 1/2 MED TYPE A, AC-25R	\$382.75	\$382.75
157597	5/14/2015	944720150427	HOME DEPOT CREDIT SERVICES	MONTHLY HARDWARE STMT - APR 2015	\$379.95	\$379.95
157525	5/7/2015	20150504	VICTOR PADILLA	EXP REIMB: CWEA ANNUAL CONFERENCE	\$379.18	\$379.18
157561	5/14/2015	237018	AUTO BODY TOOLMART	ASTD PARTS & MATERIALS	\$355.52	\$355.52

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157514	5/7/2015	20150504.2	EDDA MARASIGAN	EXP REIMB: MEALS & HOTEL PARKING FEES FOR CWEA CONF	\$153.31	\$349.31
	5/7/2015	20150504.1		EXP REIMB: MILEAGE IN LIEU OF AIRFARE TRAVEL TO CWEA CON	\$196.00	
157537	5/7/2015	2583900003	S & S SUPPLIES & SOLUTIONS	48 PRS G-TEK MAXIFLEX II GLOVES	\$182.16	\$322.96
	5/7/2015	2583900002		1 CS EVOLUTION LATEX GLOVES MEDIUM	\$140.80	
157573	5/14/2015	180409	CLARK'S HOME AND GARDEN INC	6 FILL SAND	\$316.80	\$316.80
157557	5/14/2015	330579	ALLIANT INSURANCE SERVICES INC	SPECIAL EVENT INS-DISTRICT OPEN HOUSE	\$306.00	\$306.00
157596	5/14/2015	601576598	HILLYARD/SAN FRANCISCO	ASTD JANITORIAL SUPPLIES	\$305.78	\$305.78
157587	5/14/2015	1111751	FASTENAL	ASTD PARTS & MATERIALS	\$299.17	\$299.17
157509	5/7/2015	20150505	TODD JACOB	EXP REIMB: CAL-TRAIN, MEALS & BOOKS FOR RSA CONFERENCE	\$272.63	\$272.63
157585	5/14/2015	1140	ELITE ANALYTICAL LABORATORIES	2 LAB SAMPLE ANALYSIS	\$270.00	\$270.00
157579	5/14/2015	20150506	MANUEL DEL TORO	TRAVEL REIMB: MEALS/PARKING/TIPS	\$253.75	\$253.75
157519	5/7/2015	24843302	MOTION INDUSTRIES INC	1 EA SWITCH	\$247.96	\$247.96
157623	5/14/2015	8041075242	VWR INTERNATIONAL LLC	2 CS TUBES CULT DSP & 2 CS WEIGHING DISH 57MM	\$240.09	\$240.09
157574	5/14/2015	20150511	SOL COOPER	EXP REIMB: CERTIFICAITON RENEWAL	\$230.00	\$230.00
157614	5/14/2015	20150501	SPOK INC	MAY 2015 PAGER SERVICE	\$217.42	\$217.42
157589	5/14/2015	1183510602	GLACIER ICE COMPANY INC	156 EA 7-LB BAGS OF ICE	\$216.84	\$216.84
157555	5/14/2015	1321	ALAMEDA COUNTY TREASURER	63 ASSESSOR'S MAPS	\$189.00	\$189.00
157578	5/14/2015	201504.10	DALE HARDWARE INC	04/15 - ASTD PARTS & MATERIALS	\$183.47	\$183.47
157602	5/14/2015	20150507	DAVID LEATH	EXP REIMB: CWEA CONF - MEALS & PARKING	\$176.64	\$176.64

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157577	5/14/2015	20150512	CWEA-NRTC	SEMINAR REG: 4 CS EMPLOYEES & M. MARZANO	\$175.00	\$175.00
157613	5/14/2015	20150512	ROBERT SIMONICH	EXP REIMB: CWEA ANNUAL CONFERENCE	\$152.48	\$152.48
157607	5/14/2015	20150513	SHAWN NESGIS	EXP REIMB: EASELS & DISPLAY BOXES -OPEN HOUSE	\$146.49	\$146.49
157530	5/7/2015	16713	R & S ERECTION OF S ALAMEDA	PM SERVICE ON ALL GATES	\$142.00	\$142.00
157532	5/7/2015	8200000008308	RED WING SHOE STORE	SAFETY SHOES - FERNANDEZ, C	\$136.86	\$136.86
157608	5/14/2015	20150513	MICHELLE POWELL	EXP REIMB: COGEN RIBBON CUTTING REFRESHMENTS	\$129.13	\$129.13
157612	5/14/2015	7566862000	RS HUGHES CO INC	36 PRS DUECE CLEAR AF SAFETY GLASSES	\$121.02	\$121.02
157495	5/7/2015	255103	CURTIS & TOMPKINS LTD	1 LAB SAMPLE ANALYSIS	\$120.00	\$120.00
157540	5/7/2015	862263541	SHARP BUSINESS SYSTEMS	MTHLY MAINTENANCE BASED ON USE	\$115.88	\$115.88
157492	5/7/2015	20150506	STATE OF CALIFORNIA	PE LICENSE RENEWAL - R. PIPKIN	\$115.00	\$115.00
157569	5/14/2015	20150511	STATE OF CALIFORNIA	PE LICENSE RENEWAL - S. GHOSAIN	\$115.00	\$115.00
157598	5/14/2015	5530781	HOSE & FITTINGS ETC	ASTD PARTS & MATERIALS	\$114.18	\$114.18
157580	5/14/2015	20150512	KATHRYN DESTAFNEY	EXP REIMB: OPEN HOUSE SUPPLIES	\$109.45	\$109.45
157568	5/14/2015	20150513	AL BUNYI	EXP REIMB: WEBINAR REGISTRATION	\$99.50	\$99.50
157533	5/7/2015	72475	REMOTE SATELLITE SYSTEMS INT'L	IRIDIUM SVC FEE MAY 2015	\$97.90	\$97.90
157553	5/7/2015	11333	WESTERN MACHINE & FAB INC	RE-TAP NUT & RE-CUT BOLT TO FIT	\$85.00	\$85.00
157550	5/7/2015	8040974984	VWR INTERNATIONAL LLC	1 ANTIFOAM B SILICONE EMUL 500ML	\$78.94	\$78.94
157599	5/14/2015	20150511	MIKE HOVEY	EXP REIMB: CALLOUT MILEAGE	\$59.55	\$59.55
157619	5/14/2015	9853165.0	UPS - UNITED PARCEL SERVICE	SHIPPING CHARGES W/E 04/18/15	\$51.70	\$51.70

**UNION SANITARY DISTRICT
CHECK REGISTER
5/02/2015-5/15/2015**

Check No.	Date	Invoice No.	Vendor	Description	Invoice Amt	Check Amt
157499	5/7/2015	615320150418	DISH NETWORK	MAY 2015 - SERVICE FEE	\$50.90	\$50.90
157480	5/7/2015	20150508	ALAMEDA COUNTY TREASURER	FREMONT & PASEO PADRE LS IMPROVEMENTS	\$50.00	\$50.00
157481	5/7/2015	4088644120150424	ALAMEDA COUNTY WATER DISTRICT	SERV TO: 04/24/15 - BOYCE ROAD	\$39.62	\$39.62
157592	5/14/2015	257763	HANIGAN COMPANY INC	1 LOT BUSINESS CARDS: J. RODRIGUES	\$37.55	\$37.55
157626	5/14/2015	79136729	XEROX CORPORATION	MTHLY MAINTENANCE BASED ON USE	\$22.24	\$22.24

Invoices:

Credit Memos :	1	-7,881.32
\$0 - \$1,000 :	156	42,491.89
\$1,000 - \$10,000 :	69	216,595.24
\$10,000 - \$100,000 :	15	318,225.46
Over \$100,000 :	1	197,800.94
Total:	242	767,232.21

Checks:

\$0 - \$1,000 :	76	29,308.36
\$1,000 - \$10,000 :	57	198,921.20
\$10,000 - \$100,000 :	14	341,201.71
Over \$100,000 :	1	197,800.94
Total:	148	767,232.21

TUESDAY, MAY 5, 2003

CONTRA COSTA

Water district offers rebates to ditch lawns

An East Bay water district is touting the benefits of lawn-free yards and offering cash incentives for residents to do away with theirs.

Contra Costa Water District is offering

rebates to those in its service area — which includes Bay Point, Pittsburg, Antioch, Oakley and parts of Brentwood — who replace their front lawns with drought-friendly landscaping.

The agency said it will pay residents \$1 for every square foot of grass they remove up to \$1,000; commercial and municipal customers, as well as homeowners associations, can claim up to \$10,000.

Participants also are eligible to receive two hours of free advice from professional landscape designers on how to beautify their front yard.

More details about the program are available

at <http://www.cwater.com/l2g-cgi/index57.asp>.

— Rowena Coetsee, Staff

California Drought: Century-Old Fight Over Hetch Hetchy Simmers On

BY MATTHEW DELUCA
MAY 5, 2015

Deep under the shimmering waters of the Hetch Hetchy reservoir in California there's a valley that rivals the beauty of Yosemite, a jewel in the crown of the national park system.

Some are calling, again, for the reservoir flooded nearly 100 years ago to be drained and the valley that naturalist John Muir called a "mountain temple" to emerge.

There's one major problem, critics say: The reservoir is a major source of water for 2.4 million Bay Area citizens even as the state struggles with one of the worst droughts in modern history.

A California activist group's petition challenging the legality of Hetch Hetchy has set off the latest battle in a century-old fight over the reservoir and the Yosemite valley that it fills.

"Draining the reservoir, an essential part of the [Hetch Hetchy] System, could be a serious threat to the users who depend on it and to the California economy," Nicole Sandkulla, CEO of the Bay Area Water Supply and Conservation Agency, said in a statement. BAWSCA was named as a co-defendant in the recent court filing by Restore Hetch Hetchy.

Often considered a sibling to the larger Yosemite Valley, the Hetch Hetchy Valley lies entirely within the bounds of Yosemite National Park, and its grassy floor and granite walls were widely admired before the federal government gave the go-ahead in 1913 to build the O'Shaughnessy Dam. The fight around the original dam proposal was one of the first major environmental causes in American history.

The petition filed by Restore Hetch Hetchy in Tuolumne County Superior Court on April 21 seeks to challenge the existence of the dam and the reservoir by saying they violate California's state constitution, which requires that the supply of water be divvied up for "the greatest number of beneficial uses which the supply can yield."

"Operating a dam and reservoir in an iconic valley within Yosemite National Park is not, in 2015, a reasonable method of diverting water for municipal uses," the petition states. It also asks for San Francisco to come up with engineering and financial plans that would make it possible to drain the reservoir and restore the valley.

The San Francisco Public Utilities Commission thinks the new suit is "baseless," spokesman Tyrone Jue said. He emphasized that the entire Hetch Hetchy system supplies water to about 7 percent of the state's population, and that reports have outlined costs of between \$3 billion and \$10 billion to take down the dam and restore the valley.

<http://www.nbcnews.com/science/environment/california-drought-century-old-fight-over-hetch-hetchy-simmers-n354081>

"The idea that you would be encouraging a study looking at draining the water supply for that number of people during California's worst drought doesn't make a lot of sense," Jue said.

The idea of draining Hetch Hetchy will likely strike many others the same way, as the state endures the fourth year of a drought that shows no sign of slowing down. The reservoir was at 75 percent capacity as of May 5, totaling 269,963 acre-feet of water (an acre-foot is nearly 326,000 gallons). For that same date, California's Department of Water Resources said the snowpack -- an important measure that helps determine how much water the state may have down the road -- was at 1 percent of normal.

"There are real challenges in California when it comes to keeping our rivers healthy, keeping the Bay Delta healthy, and determining how much water gets diverted to rivers and farms," said Restore Hetch Hetchy executive director Spreck Rosekrans. "Hetch Hetchy is not that sort of issue. Not one drop of water needs to be lost, it can all be captured downstream. It's not really about water use, it's about land use."

Rosekrans said that with some additional upgrades the rest of the Hetch Hetchy System, which includes 8 other reservoirs, could handle the water currently stored behind O'Shaughnessy Dam. In 2006, graduate student Sarah Null and Jay Lund, a professor at the University of California, Davis, published a report that found the dam could be removed without much effect on the water supply -- though San Francisco would have to hash out deals with the water agencies that manage those other reservoirs.

"You could take out this dam with really negligible water scarcity to urban and agricultural users," said Null, now assistant professor of water resource management at Utah State University.

There would be other costs that would come with removing the dam, however, including the loss of approximately \$12 million in hydropower a year, according to their study. It could also result in a spike in Bay Area water bills, in part due to the loss of a rare filtration waiver that comes with Hetch Hetchy's unusually pure waters. Null said that their work shows that it would be possible to take down the dam without losing significant amounts of water -- and that more dams don't always guarantee a greater water supply.

"At some point, and California is learning this in particular now, the challenges have to do with simply not having enough water," Null said. "So having lots of dams, you basically have a lot of cups that might stay empty. More cups don't necessarily mean more water."

Over the years, the idea of removing the dam has been entertained by people from across the political spectrum, from the Sierra Club to Republican White Houses. In the 1980s, President Ronald Reagan's Interior Secretary, Donald Hodel, was in favor of draining the reservoir and restoring Hetch Hetchy to its natural state, telling the Los Angeles Times in 1987 that it could open up "a second Yosemite Valley." President George W. Bush put a line in his fiscal year 2008 budget proposal that would have given the National Park Service \$7 million to look at draining Hetch Hetchy, but that idea was scuttled by the House of Representatives.

<http://www.nbcnews.com/science/environment/california-drought-century-old-fight-over-hetch-hetchy-simmers-n354081>

But in San Francisco, proposals to pull down the dam have been consistently sunk. Nearly 77 percent of voters in San Francisco County voted against a 2012 ballot proposition that would have allocated \$8 million toward Hetch Hetchy restoration plans. Senior California Senator Dianne Feinstein has opposed the idea of draining Hetch Hetchy since she was mayor of San Francisco in the 1980s. The senator's office declined to comment for this article.

If these objections are ever overcome and a decision is made to remove the dam, what would that process even look like?

Objective information around reclamation for the Hetch Hetchy Valley is scattered, but some does exist. A 1988 analysis by the Bureau of Reclamation investigated possible replacements for the water and power-generating capacity of the O'Shaughnessy Dam, and found options that "appeared promising for further study." Another report, this one published in 2004 by researchers at the University of Wisconsin, looked at whether the reservoir could be drained in stages over many years, giving plants and other wildlife time to take root against invasive species.

And the idea of removing a dam has become increasingly accepted in recent decades. More than 1,000 dams have come down across the United States in the past four decades, and in a recent review published in the journal *Science* researchers from the U.S. Geological Survey and U.S. Forest Service found that most rivers recover within a matter of years.

For now, Rosekrans said he thinks RHH has a "strong case," and that he is waiting for San Francisco to respond to the suit.

"It's our hope that we get a declaratory ruling and that San Francisco decides they don't want to be out of compliance with California law and they develop and implement a plan that will restore the valley and return it to the American people," Rosekrans said.

<http://www.nbcnews.com/science/environment/california-drought-century-old-fight-over-hetch-hetchy-simmers-n354081>

May 6, Reuters – (California) California approves first statewide seawater desalination rules. The California State Resources Control Board approved May 6 the first Statewide rules for authorizing seawater desalination projects, which include the allowance of regional decisions to be appealed to the State board for review if individuals oppose permits given to the State's regional water boards to build seawater treatment plants, and specific guidance for meeting Federal and State clean water standards. Source: <http://www.reuters.com/article/2015/05/07/us-usa-drought-desalination-idUSKBN0NR21J20150507>

California approves first statewide seawater desalination rules

SACRAMENTO, Calif. By Sharon Bernstein

California regulators on Wednesday adopted the first statewide rules for the permitting of seawater desalination projects that are expected to proliferate as drought-stricken communities increasingly turn to the ocean to supplement their drinking supplies.

The action, which sets uniform standards for minimizing harm to marine life, was welcomed by developers of the state's two largest desalination projects as bringing much-needed certainty and clarity to the regulatory approval process.

"It reaffirms that the Pacific Ocean is part of the drinking water resources for the state of California," Poseidon Water executive Scott Maloni told Reuters after the rule was enacted on a voice vote in Sacramento by the State Water Resources Control Board.

The measure leaves the permitting process in the hands of the state's regional water boards while establishing a single framework for them to follow in evaluating applications to build seawater treatment plants, expand existing ones and renew old permits.

But regional decisions could now be appealed to the state board for review if opponents of a project felt a permit was wrongly approved.

Before Wednesday's action, developers and regulators of desalination plants had no specific guidance for meeting federal and state clean water standards, complicating review of the projects, state water board spokesman George Kostyrko said.

Desalination has emerged as a promising technology in the face of a record dry spell now gripping California for a fourth straight year, depleting its reservoirs and aquifers and raising the costs of importing water from elsewhere.

Critics have cited ecological drawbacks, such as harm to marine life from intake pipes that suck water into the treatment systems and the concentrated brine discharge from the plants.

The newly approved plan sets specific brine salinity limits and rules for diffusing the discharge as it is pumped back into to the ocean.

It also requires seawater to be drawn into the plants through pipes that are sunk into beach wells or buried beneath the sea floor, where possible. Such subsurface intakes are viewed as more environmentally friendly.

The Western Hemisphere's biggest desalination plant, a \$1 billion project under construction since 2012 in the coastal city of Carlsbad, California, is due to open in November.

It will deliver up to 50 million gallons (190 million liters) of water a day to San Diego County, enough to supply roughly 112,000 households, or about 10 percent of San Diego County's drinking water needs, according to Poseidon.

Approval is being sought for a final permit to begin construction of a second plant of similar size in Huntington Beach, south of Los Angeles, next year.

About a dozen much smaller desalting plants have already been built along the coast, state water officials said.

On Tuesday, the state water board enacted California's first rules for mandatory statewide cutbacks in municipal water use . The emergency regulations, which require some communities to trim water consumption by as much as 36 percent, were approved unanimously just weeks after Democratic Governor Jerry Brown stood in a dry mountain meadow and ordered statewide rationing.

(Reporting by Sharon Bernstein; Writing and additional reporting by Steve Gorman in Los Angeles; Editing by Bill Trott, Mohammad Zargham and Peter Cooney)



Things to Know About New Water Rules in California Drought

Things to know about new water rules in California drought

By FENIT NIRAPPIL

The Associated Press

SACRAMENTO, Calif.

Brown lawns, dusty cars and idle sprinklers loom this summer under Gov. Jerry Brown's mandate to reduce urban water use by 25 percent to get through the drought. The State Water Resources Control Board approved new restrictions Tuesday that include a mandatory target for each local water agency to reduce consumption.

Here are some things to know about this plan:

Why is the state doing this?

California is far from running out of water, but it's not clear when the drought is going to end. Regulators say saving urban water is the cheapest and most efficient way make sure communities have enough water if the drought persists and to avert more drastic cuts later.

Who does it affect?

It's up to the state's hundreds of local water agencies to enforce the rules to meet the local targets. Water experts say that letting lawns go brown is the single most important step that can be taken, but state regulators also want water conservation to be top of mind when people are doing laundry or taking showers.

How will California reach 25 percent conservation?

Each community has a water reduction mandate of between 8 percent and 36 percent, depending on past use. The state believes it's easier for water-guzzling cities and desert resorts to make huge cuts by neglecting big lawns. Water-frugal communities with few lawns such as San Francisco are less able to conserve even more.

Is everyone on board?

Dozens of cities have blasted the water reduction targets as unfair and unrealistic. The plan also has highlighted regional tensions. Diverse regions of the state, from wealthy beach towns to rural Central Valley communities, are jockeying for limited water. Some agencies that have conserved for years complain that they are lumped in with cities that just started metering water use. Others say they are being punished with large cuts even after preparing for the drought by building local storage supplies and water-saving technology.

What if communities don't meet their targets?

Communities with pitiful savings face hefty fines, although the water board says that's a last resort. The board says it will focus on helping communities find ways to drive down use. The state does have the power to intervene, including compelling new restrictions and raising local water rates, but has never done so. Gov. Jerry Brown wants to give local agencies the authority to issue fines up to \$10,000, but more than half of communities that reported their enforcement efforts have not issued any fines at all.

What's next?

The board says it expects to see large cuts immediately. The approaching summer season is the peak time for water use and the best opportunity to save by letting lawns go thirsty. Communities will report their water use monthly, and regulators say they'll investigate agencies that lag in conservation.

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Getting Creative on Saving Water: Tips from Experts and Listeners

By Amanda Stupi May 7, 2015

California's new statewide water restrictions take effect on June 1. Depending on where you live, your water district could be asked to cut urban water use by as much as 36 percent compared with usage in 2013. And with maximum fines now set at \$10,000 and the citation process a bit more streamlined, many Californians are going to have to move from merely thinking about conserving water to actually doing it.

Some who already let yellow mellow and take "military showers" may be wondering if it's even possible to further reduce their water use. Still others may balk at residential conservation, given how much water agriculture uses.

Australians Do it Better

But during a discussion on KQED's *Forum*, Heather Cooley, water program director for the Pacific Institute, said that households in California "have a lot of potential to be doing better."

Cooley points to Australia, where average household water consumption is 54 gallons per person per day. In California, the average is about 140 gallons per person per day.

If you take a long-term view of the drought, a lot of the new demands for water are in residential and commercial use, or what's referred to as "urban" use in water policy vernacular. According to Cooley, urban conservation not only improves the situation for the current drought, but also reduces the state's "need to develop new, more expensive water supplies in the future," she said.

One way that Californians can get closer to Australians in water consumption is to install water-efficient appliances.

Even if you have replaced fixtures as recently as the past decade, new models on the market may be more efficient.

"Look in particular for the WaterSense label," said Cooley. That's a program that's run by the U.S. Environmental Protection Agency.

And as far as cost, it's worth checking with your water district to see if they offer rebates or free showerheads (we've included a list of agencies and rebates below). And even if no rebate is available, Cooley said the investment is still worthwhile: "A lot of these appliances and fixtures have a little bit of a higher upfront cost, but if you look at the savings over the lifetime, they're very cost-effective."

<http://ww2.kqed.org/news/2015/05/07/getting-creative-on-saving-water-tips-from-experts-and-listeners>

If You Change One Thing

A listener during *Forum's* discussion asked our experts what single appliance they would replace to save on water.

“If you have a clothes washer that is a top-loader, go out and get a front-loader washing machine,” said Stephanie Nevins, water conversation supervisor with the Alameda County Water District. “They are incredibly efficient these days. You could be saving 30-plus gallons per load.”

Cooley added that “an old toilet, particularly a 6-gallon per flush” one, is definitely worth replacing.

If you're not sure how many gallons per flush your toilet uses, consider its color — if it's painted a pastel color, there's a good chance it uses a lot of water.

“We still do see some of the pink and green toilets in San Francisco, and those can be flushing 3.5 gallons, 5 gallons, or more,” said Julie Ortiz, water conservation manager with San Francisco's Public Utilities Commission. “That's a considerable amount of water wasted that can be saved.”

Chris Dundon of the Contra Costa Water District noted that for many households, the biggest water hog is outside the home. “The lawn is the biggest water-using fixture,” Dundon said. “And if we remove that, you're going to save more than any of them.”

Rebates Offered by Local Water Districts

Many water districts offer rebates to replace old appliances or to replace lawns with drought-friendly plants. If you're not sure which Bay Area water district supplies your water, you can use this map to find out. Most districts list their rebate offerings under the “conservation” tab. Here's a list of rebates offered by local water districts:

Alameda County Water District: Rebates offered for water barrels, high-efficiency toilets and urinals, high-efficiency clothes washers, water-efficient landscape and weather-based irrigation

City of Hayward: Rebates for high-efficiency toilets, high-efficiency clothes washers, cooling tower conductivity controllers, water-saving landscaping, lawn conversion

City of Napa: Rebates for turf replacement, rain gardens and rain barrels and cisterns

Contra Costa County Water District: Rebates for residential high-efficiency clothes washers, commercial high-efficiency clothes washers, smart sprinkler timers, commercial irrigation equipment

<http://ww2.kqed.org/news/2015/05/07/getting-creative-on-saving-water-tips-from-experts-and-listeners>

East Bay Municipal Utility District: Rebates for high-efficiency toilets and clothes washers, lawn replacement, irrigation, graywater system three-way diverter valves. According to the district's website, "high-efficiency showerheads, faucet aerators, and other water-saving devices are available free of charge to eligible EBMUD customers."

Marin Municipal Water District: high-efficiency toilets and urinals, high-efficiency clothes washers, and smart irrigation controllers. \$50 rebates (for up to a total of \$250) for each of the following: pool covers, hot water recirculating systems, organic mulch, laundry-to-landscape system components, rain barrels

Solano County Water District: Rebates for clothes washers, turf replacement

Sonoma County Water Agency: Rebates for high-efficiency toilets and urinals; high-efficiency faucet aerators and showerheads are offered free.

California drought: New water rules may not work

Water "is somewhat similar to electricity, where prices don't go up even when you have scarcity," says one expert.

Robert Ferris | @RobertoFerris

Friday, 8 May 2015 | 12:17 PM ETCNBC.com

California is adopting unprecedented, statewide water conservation rules for its nearly 40 million residents.

But some experts say the regulations will be tough to enforce and don't address the state's primary problem—that California's water rights and rules systems are broken and obsolete.

The State Water Resources Control Board—the agency that implements conservation rules and ensures that local water suppliers meet conservation targets—announced this week an "emergency regulation" that requires a mandatory 25 percent reduction in water use. The rule came in response to an order Gov. [Jerry Brown](#) made on April 1.

The voluntary conservation efforts adopted last July cut water use by only about 9 percent, compared with the governor's target of a 20 percent reduction. California used only 3.6 percent less water in March than it did in the same month in 2013. That's also a less than 1 percentage point increase in saved water over February's number.

What the new rules look like

The new regulation is unprecedented in California history, according to a press release from the State Water Resources Control Board.

The target, if met, will amount to about 1.2 million acre-feet of water saved over the next nine months—roughly the amount currently in Lake Oroville, the statement said. The lake is California's second-largest reservoir, though its current water level is roughly half of its total capacity of 3.5 million acre-feet, according to the [Association of California Water Agencies](#).

The regulations divide all the communities in the state into nine tiers. Those in higher tiers are required to conserve more. The city of Arcata, for instance, far north in the state's wetter redwood forests, has to conserve only 8 percent of its total residential use.

However, Myoma Dunes Water Co., the local water agency for many communities in Southern California's Riverside County, falls into tier nine, and thus has to cut its water use by 36 percent.

The State Water Resources Control Board says the average California resident should require no more than 55 gallons of water per day for "indoor use," which includes needs such as bathing, washing and cooking.

Residents in some parts of the state currently use several times that—between 216 and 614 gallons of water per person per day during the months of July, August and September. The water board says outdoor water use accounts for about half of the residential total, and it can run as high as 80 percent.

<http://www.cnbc.com/id/102658791>

Even the relatively stiff 36 percent cut will still leave those residents with a minimum of 138, and as much as 393 gallons of water per person per day, "far more than the accepted standard of 55 gallons per person per day," according to the agency.

"Today we set a high but achievable bar, with the goal of stretching urban California's water supply," said Felicia Marcus, State Water Resources Control Board chair, in a press release issued by the agency. "We have to face the reality that this drought may continue and prepare as if that's the case."

Why they may not work

But Michael Wara, a professor of environmental law at Stanford University, doubts the new rules can be enforced effectively. Any meaningful solution to an increasingly desperate drought, he said, will have to overhaul California's legal structure for allocating water, provide incentives for users to cut water use and build cooperation among the state's many local water agencies.

The state's system for choosing who gets how much water is antiquated, Wara said. It lacks a system for monitoring how much water is being used by many users—especially agricultural ones. Moreover, water consumers lack real incentives to conserve water the same way they conserve other resources, such as gasoline.

Water "is somewhat similar to electricity, where prices don't go up even when you have scarcity," he said, "and that is like almost nothing else that we have in limited quantities and that is so valuable."

Others have expressed similar misgivings about whether Californians are inclined to conform to new, aggressive rules. Dave Bolland, who manages special projects for the [Association of California Water Agencies](#), this week told California NPR affiliate KQED that he doubts people will embrace a "new water use ethic."

Another problem is that the responsibility for managing water across the state is spread out among a fragmented collection of agencies, with varied levels of funding.

Large cities such as Los Angeles have made progress in cutting water use over recent decades, but many smaller water agencies lack the resources to take the same kinds of steps, he said.

"I am very skeptical that the water agencies and the State Water Resources Control Board can enforce any of this," Wara said.

In theory, any peace officer can cite violators, according to the State Water Resources Control Board statement. Fines for violations can run up to \$500 a day for individual residential users and \$10,000 a day for water suppliers.

The state is handing out big fines for users it says are not complying with existing regulations. Public records show, for instance, that state authorities fined a dairy in Turlock \$73,000 last week for failing to provide annual water usage reports.

But Wara points out that the state is putting the mandatory cuts in place largely because the voluntary cuts did not work at all. That suggests many Californians either don't care enough to conserve, or don't want to make the cuts for some other reason.

San Jose to face mandatory water rationing with monthly allotments

By Paul Rogers progers@mercurynews.com

Updated: 05/12/2015 06:37:10 AM PDT

MercuryNews.com

- Your guide to living with California's drought - water conservation tips, drought monitor maps and more

SAN JOSE -- In a dramatic sign of the increasing severity of California's drought, Silicon Valley's largest water company will impose mandatory water rationing on 1 million people next month, marking the first time in more than 20 years that South Bay residents will be given monthly water allotments and face fines if they exceed them.

The water rationing plan, unveiled late Monday by the San Jose Water Company, will make San Jose the largest city in California so far to embrace strict rationing as the drought drags into its fourth year.

Under the rules, every business and homeowner in San Jose Water Company's service area will be given a month-by-month water allocation, based on the average amount used in 2013 by all the company's customers.

Customers must reduce water use 30 percent from that two-year-old average.

The plan will take effect in mid-June if approved by the state Public Utilities Commission, as expected, and will affect the 80 percent of San Jose's residents whose water is provided by San Jose Water, a privately held firm that was founded in 1866. The rules also apply to the company's customers in Los Gatos, Saratoga, Monte Sereno, Campbell and parts of Cupertino.

"We're going to need to save more," said John Tang, a spokesman for San Jose Water Company. "We're going to need to conserve more to make sure there is enough water in 2016 and possibly beyond, because we don't know when this drought is going to end."

Tang declined Monday to provide details about the size of the financial penalties.

The rules will mark the first time since the 1987-1992 drought that San Jose Water has gone to mandatory water rationing with fines for customers who use more than a set amount.

Tang said customers will be sent a letter later this month spelling out the details, and the company will then hold a public meeting in late May or early June, with the rules taking effect shortly after.

The other large private water company in San Jose, Great Oaks Water Company, which serves 100,000 people in South San Jose, the Santa Teresa and Almaden neighborhoods, also will be releasing a similar mandatory rationing program in the next few weeks calling for fixed water allocations with 30 percent reductions based on a 2013 baseline, said Tim Guster, vice president and general counsel for Great Oaks.

"This is the first time that urban water users are feeling the pain, so to speak," Guster said, "but that's because the request for voluntary conservation went unheeded."

News of the tougher water rules was met with mixed reaction.

"Go look at some reservoirs. Go look at the snow pack. It's prudent. You don't want to start conserving

when you are at the last drop," said Gary Kremen, chairman of the Santa Clara Valley Water District, the region's wholesale water provider.

But the coming rules sent a chill through Michelle Wallace, 38, who shares her San Jose townhouse with her three daughters, including two teenagers who enjoy long, hot showers.

"Not everyone is on board in the household, and it's going to cost me quite a bit more I'm sure," Wallace said. "I never really paid attention to the drought before, and now I'll have to. When the bill does come and we're over -- because I know we're going to be -- I'm going to be very upset about it."

Meanwhile, the state's largest privately held water company, California Water Service Company, which serves 2 million people in 25 communities from Chico to Palos Verdes, also is rolling out a mandatory rationing program starting next month with penalties of up to \$10 per unit of water -- 748 gallons -- for customers who use more than their rationed allocation.

"We're responding to an emergency," said Martin Kropelnicki, president and CEO of the company, which is based in San Jose.

"While it is different from an earthquake, there is still an emergency declaration from the governor," he added. "What happens if we have another dry winter? We are really going to be in trouble. A little conservation goes a long way."

All of the proposals are similar to water restrictions that the city of Santa Cruz put in place last year. The city's strict rationing limits have drawn statewide attention and led to some of the lowest per-capita use in California. Santa Cruz residents scurried to learn how to read their water meters and carefully monitor their monthly water use to avoid going over their allocation and paying steep fees.

About 15 percent of California residents are served by private water companies, but most receive water from public agencies. In the Bay Area, almost no public agencies have announced plans yet to impose mandatory water rationing with monthly water budgets, as Santa Cruz has, although some cities may have to do so to meet the state's mandatory conservation targets. The private water companies said Monday they have little choice, because they are required to meet mandatory conservation targets imposed earlier this month by the administration of Gov. Jerry Brown, or face fines of up to \$10,000 a day. Both Great Oaks and San Jose Water Company must cut their water use 20 percent from 2013 levels, and Great Oaks last year reduced by 16 percent while San Jose Water reduced by 12 percent. The companies said Monday they are aiming for 30 percent to be in line with a target set by the city of San Jose and to conserve the area's dwindling groundwater supply.

Kristin Strellis, of San Jose, is already instilling a water conservation mentality in her two school-age sons.

"We're taking a 5-minute shower," Scott, 6, said.

"Or less," chimed in Owen, 8.

Strellis said she supports the water penalties, confident that her family will stay within its allotment. She ripped out her front lawn in October and replaced it with a drought-tolerant landscape. She made a trip Monday to Orchard Supply Hardware to pick up three more bags of mulch to spread around her backyard plants to deter evaporation.

"We want to show our kids we are doing all we can to help the drought," she said.

Nestle Turns Milk Into Water as California Drought Rages

by Thomas Mulier Corinne Gretler

3:00 PM PDT

May 12, 2015

Nestle SA, facing protests in drought-stricken California for bottling water, is spending millions to turn wastewater from milk into a liquid it can use to clean up its factories -- and burnish its corporate image.

The U.S.'s largest water bottler is installing new filtration systems at a plant in Modesto, 90 miles east of San Francisco, so it can reuse waste left over from making Carnation condensed milk rather than pour it down the drain. The treated liquid will be used for cleaning and cooling instead of local freshwater, according to Jose Lopez, head of Nestle's operations.

"We're not going to greenwash you," Lopez said in an interview in his office in Vevey, Switzerland. "It doesn't make economic sense to do this, obviously. The drought this year is teaching us you have to think of ways to adapt. What seems today not fully advisable from an economic standpoint will become a necessity."

The move bolsters Nestle against criticism as California endures a fourth year of drought. A group of as many as 24 protesters with plastic pitchforks blocked the entrance of Nestle's water-bottling facility in Sacramento for half a day in March and the company stopped sending trucks in and out. More than 82,000 people have signed a petition asking Nestle to stop bottling from a spring in southern California.

The Carnation factory's \$7 million revamp will reduce water usage by 71 percent when the first phase is complete next year, Lopez said.

White Water

The plant will save about 63 million gallons a year, the equivalent of 9 percent of the water Nestle uses in the state to produce under the Arrowhead and Pure Life bottled-water brands. The upgrade is part of the Swiss company's plan to reduce the water it uses globally by 40 percent in the 10 years through 2015.

The Modesto project is similar to a factory Nestle renovated last year in the Mexican town of Jalisco. That plant is entirely water free, recycling liquid that's left over when milk is dried into Nido brand powder.

Nestle's bottled-water operation has been a particular target of protests.

“It’s the worst drought we’ve seen in a long time, and it’s irresponsible of the state to allow Nestle to bottle water that’s supposed to be a public resource,” said Adam Scow, California director at Food & Water Watch, a non-profit organization. “We’re calling for a moratorium on bottling water for private profit.”

While Starbucks Corp. said May 7 it would stop sourcing Ethos water from California and shift production to Pennsylvania, Nestle rejects the notion it should stop bottling in California because of the drought. The Swiss company uses 4 million cubic meters of water in the state each year, less than 0.008 percent of California’s total use.

Not Everywhere

“Hydration is absolutely necessary,” Lopez said. “The reason why this thing exists is because there is urbanization. People are moving around, and the infrastructure does not supply you with water at every point.” Improvements this year at its water plants in the state will cut usage by almost 8 percent a year, Nestle says.

Lopez said agriculture has more potential to save water than Nestle. One kilogram of meat requires thousands of liters of water, and better irrigation practices represent the biggest potential savings, according to the executive.

“Bottled water is the easy one to see,” said the 62-year-old, who has worked almost four decades at Nestle. “It’s nearby you, it has a brand. Water is very emotional. You cannot escape from that. We have to understand people.”

Nestle is also starting a project to reduce water usage at ice cream plants in Bakersfield and Tulare by 12 percent by using bacteria to digest wastewater to make it fit for use in refrigeration. The company also plans waste-water treatment projects in South Africa and Pakistan.

“We shouldn’t be bottling water, and we should look at the other uses of water as well, like soda and certain crops, or the crazy amount of water that goes into watering golf courses,” said Eddie Kurtz, Oakland-based executive director at Courage Campaign, a non profit organization.

Nestle is urging governments to improve aqueducts and reduce incentives to waste water. Big water users are likely to increase pumping if they expect mandatory cuts are coming, which is a counter-incentive, Lopez said.

“In California, the infrastructure is not there,” Lopez said. “You’re not going to look at me and make me responsible for that the infrastructure is not there to cope with the situation today, are you? It’s easy to demonize something like that.”

Here's how California golf courses are responding to the historic drought

AP

— GILLIAN FLACCUS, Associated Press
May 13, 2015, 11:28 AM

LAGUNA NIGUEL, Calif. (AP) — At first glance, nothing seems amiss at this lush, members-only golf club in one of the priciest communities in Orange County. A bubbling fountain gurgles out of an artificial lake. Emerald-green fairways stretch into the distance. Golf carts zoom across the grass like white ants.

But behind the man-made stream and arcing sprinklers, California's epic drought is reshaping the course at El Niguel Country Club and dozens of others statewide.

Pressed by the four-year dry spell and state-mandated water cuts, some of the finest courses in California are taking such steps as tearing out the grass in places where it won't affect the game, planting drought-resistant vegetation, letting the turf turn brown in spots and installing smart watering systems.

"The new buzzword in the industry is 'Brown is the new green.' We can't provide the same kind of product as we'd like to anymore," said Mike Williams of Hidden Valley Golf Club in Norco. "Everybody can't play on a lush green surface like the Masters."

It's a move the golf industry says is necessary for its long-term survival as the drought drags on.

Last week, state regulators ordered a 25 overall cut in the use of drinkable water in California, leaving it up to local water agencies to decide how to achieve it. Golf courses are starting to find out what that will mean for them — cuts in their water allocations, tough sprinkler restrictions and perhaps higher water rates.

In California, an average 18-hole golf course sprawls over 110 to 115 acres and conservatively uses almost 90 million gallons of water per year, enough to fill 136 Olympic-size swimming pools, said Mike Huck, a water management consultant who works with golf courses statewide.

Some golf courses already are spending up to \$500,000 a year on water to maintain that oasis look. Country clubs also realize that the sight of great expanses of perfect grass won't sit well with the public when people are being asked to take four-minute showers, flush less and let their own lawns wither.

As a result, many of California's more than 860 golf courses have jumped at turf reduction rebate programs run by water agencies. The programs offer \$2 to \$3 for every square foot of turf removed.

A golf course can easily tear out up to 25 acres of grass next to the fairways and around the clubhouse without affecting the game, said David Fleming, a golf course architect whose business is booming.

El Niguel Country Club applied for rebates last year to rip up 22 acres, and the final phase is now underway. The project will save 12 million gallons a year, just in time for cuts to the course's water allocation that begin in June, said Brian Archbold, golf course supervisor.

On a recent spring day, golfers playing in a charity tournament at El Niguel putted their way around dozens of orange-shirted landscapers who were gouging out dead grass and planting buckets of drought-tolerant species such as firecracker plants, acacias, primavera and golden grass.

Golfer Keith Stribling has seen similar redesigns at several courses around Southern California and doesn't mind it.

"The way most courses are doing it, you can see they're not putting it right in the middle of the golf course," he said. "They're just removing turf where you shouldn't be hitting it over there anyway."

Rancho Santa Fe Golf Club, down the road in San Diego County, tore out almost 19 acres late last year and replaced it with sandy beds dotted with brightly colored yellow, purple and white desert plants for an eventual water savings of 13 million to 15 million gallons a year, Fleming said.

The rebates have become so popular with the industry in Southern California that the regional Metropolitan Water District is talking about creating a lifetime rebate cap and taking other measures to avoid maxing out its funds.

Other courses are investing in wireless soil probes that can provide real-time feeds to groundskeepers on their cellphones. The readouts indicate exactly where to water and exactly how much, to within a fraction of an inch, eliminating the need for sprinklers that drench large areas.

Some golf courses are installing liners in their artificial lakes, turning off sprinklers in areas of less foot traffic and considering on-site facilities that treat wastewater from the sewers — a strategy Australian golf courses used to survive a recent 10-year drought.

Ed Osann, a water use expert at the Natural Resources Defense Council, said the golf course industry must shift away from using drinkable water over the next decade or risk its future.

"We may not be at the most severe part of this drought yet," he said. "This could get worse before it gets better."

In the face of a drought

TOUGH TO SWALLOW

Critics are choking back anger over a company's decision to use fresh water — yes, drinking water — to control dust during Candlestick demolition



KARL MONDON/STAFF PHOTOS

"Millions of gallons": As cranes continue to level Candlestick Park on Tuesday, crews using fire hoses spray fresh drinking water over the rubble to keep potentially harmful clouds of dust from affecting neighbors.



"A misunderstanding?" Lennar is tapping into SFPUC water instead of using recycled water from a facility 2 miles away.

100
Number of gallons of water per minute a standard fire hose is capable of spraying.

"This is outrageous. I didn't know they were even still allowed to do that."

— Jennifer Clary, who monitors San Francisco water use for the watchdog group Clean Water Action

By Thomas Peele

tpeele@bayareanewsgroup.com
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SAN FRANCISCO — California's historic drought is so bad people are banned from even hosing dirt off their front steps, but as iconic Candlestick Park is being demolished, thousands of gallons an hour of drinking water — fresh from the Hetch Hetchy reservoir — are being dumped on the rubble to hold down dust.

The daylong dousing with some of the state's most pristine water has been going on for about eight weeks as the Lennar Corp. razes "The Stick" to build a major retail and housing development.

Yet all along, the company could have been taking truckloads of free recycled water from a sewage treatment plant less than 2 miles away, as part of a drought conservation program the San Francisco Public Utilities Commission has been offering construction crews since last year.

"It's drinking water? Really? Oh,

Water

Continued from Page 1

Lord have mercy, that really P's me off," said Linda Smith, as she walked her dog nearby earlier this week. "I figured it was (recycled) water."

Nope, the water comes from the region's largest water provider, the SFPUC, which also supplies parts of Alameda, Santa Clara and San Mateo counties. When this newspaper questioned Lennar on Thursday why it isn't using recycled water, its development director, B.H. Bronson Johnson, responded with a written statement, claiming the SFPUC said it could not.

He said the utility sent the company an email explaining that recycled water "is not authorized for larger demolition dust-control purposes during construction."

But SFPUC spokesman Tyrone Jue said Thursday that Lennar apparently misinterpreted that email — the water can be used for dust control. "That's why we promote it," he said. "It's perfectly fine to use."

Using so much water during a drought to tear down a stadium once known for The Catch may seem like a Catch-22. Demolition crews are required to wet down the plumes of dust to protect nearby residents in a place so windy a Giants pitcher was once blown off the mound.

Lennar switched its ini-

tial plan to implode the stadium after residents from the nearby Bayview-Hunters Point neighborhood convinced the developer to tear it down instead, fearing a massive dust cloud from an implosion could endanger the neighborhood.

But that meant water would be needed to wet down the debris over the course of months as the stadium slowly comes down. The dust control is mandated in environmental approvals of the stadium demolition, but Helen Kang, a Golden Gate University law professor who worked with nearby residents, said there was no discussion about the type of water that would be sprayed.

She said she was shocked to learn it's drinking water. "We are in an extreme situation," she said. "It's not like the drought started yesterday."

Water conservation advocates used words like "reprehensible" to describe the situation.

"It's inexcusable to be using potable water when recycled water is available," said John Coleman, president of the Association of California Water Agencies. "It's millions of gallons. It could affect rationing in the future if the drought continues into next year."

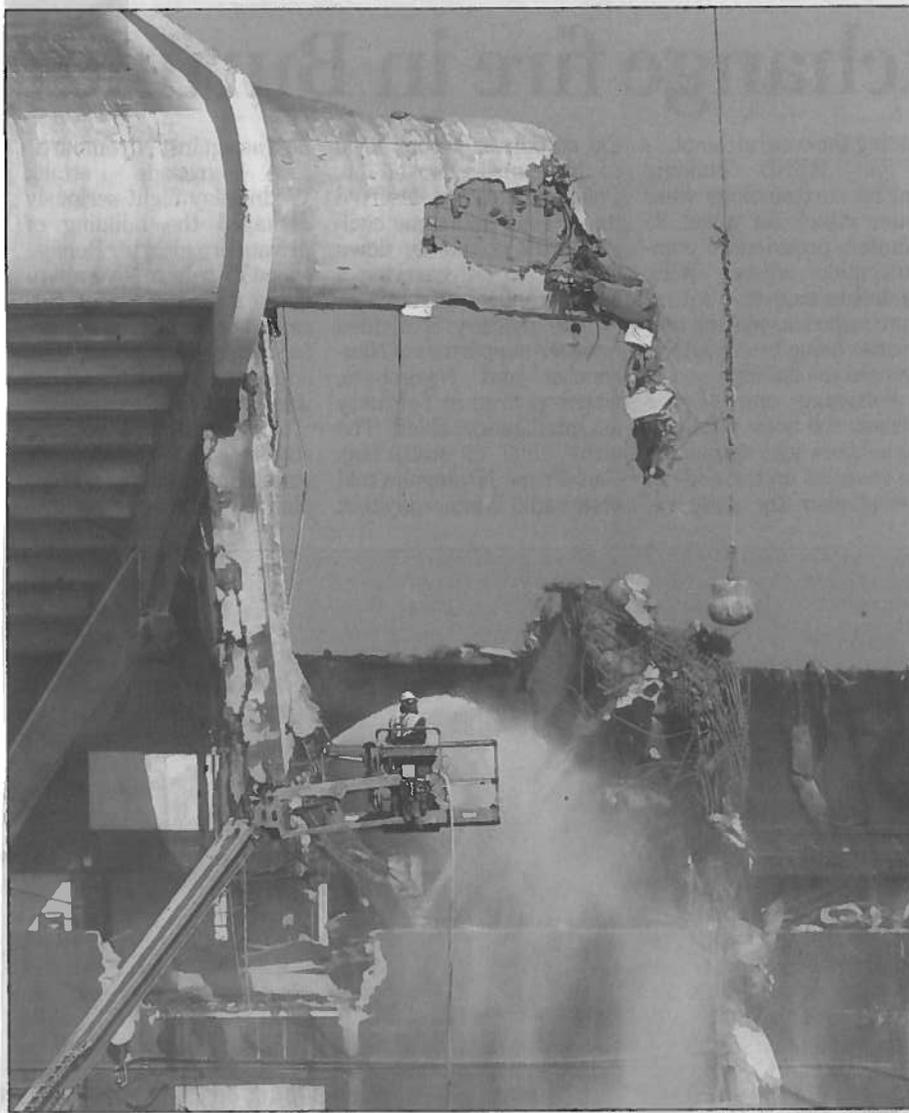
Jue said it is unlikely Lennar would face fines. "Hopefully, this is a misunderstanding," he said. "We're going to reach out again to them, though," about using recycled water for the rest of the project. A

Lennar spokesman said the company would have no further response Thursday.

Neither Lennar nor the SFPUC could say how much

water is being used at the site, saying the first billing cycle has yet to elapse. But after nearly eight weeks of demolition, the amount seems vast.

By 8:30 Wednesday morning, workers were spraying water from five fire hoses as cranes tore at



KARL MONDON/STAFF

The president of the Association of California of Water Agencies says it is "inexcusable to be using potable water" for dust suppression when recycled water is available.

the former home of the Giants and 49ers. Standard fire hoses are capable of spraying more than 100 gallons per minute under high pressure. Water also gushed from two heavy sprinklers on the ground near where Willie Mays once patrolled center field, and a water truck wet the area nearby.

All the way around the outside of the old ball yard, asphalt was dark with runoff and water dripped from a labyrinth of hoses and pipes connected to an SFPUC water main that provided water to the stadium. Near a statue of St. Francis that once greeted visitors to sporting events was a puddle the size of a small pond. The spraying continued with occasional short pauses until after 3 p.m.

"This is outrageous," said Jennifer Clary, who monitors San Francisco water use for the watchdog group Clean Water Action. "I didn't know they were even still allowed to do that," she said. She called for the demolition to be suspended until the use of recycled water could be guaranteed.

The executive director of a Los Angeles group, the Courage Campaign, which criticized Gov. Jerry Brown this week for not doing more to curtail corporate water use, called the candlestick situation "abhorrent." The director, Eddie Kurtz, added: "There are a million alternatives for a corporation that big if it has the moral direction and ethics to do the right things."

**MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS OF
UNION SANITARY DISTRICT
May 11, 2015**

CALL TO ORDER

President Fernandez called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Manny Fernandez, President
Jennifer Toy, Vice President – arrived at 7:04 p.m.
Tom Handley, Secretary
Pat Kite, Director
Anjali Lathi, Director

STAFF: Paul Eldredge, General Manager
Dave O'Hara, District Counsel
Rich Cortés, Business Services Manager
Sami Ghossain, Technical Services Manager
James Schofield, Collection Services Manager
Armando Lopez, Treatment & Disposal Services Manager
Robert Simonich, Fabrication, Maintenance, & Construction Manager
Laurie Brenner, Operational Performance Program Manager
Kristina Silva, CIP Administrative Specialist
Regina McEvoy, Assistant to the GM/Board Secretary

GUESTS: Karen Murphy, Attorney
Leah Castella, Attorney

APPROVAL OF THE MINUTES OF APRIL 27, 2015

It was moved by Director Kite, seconded by Director Lathi, to Approve the Minutes of the Board of Director's Meeting held April 27, 2015. Motion carried unanimously.

MONTHLY OPERATIONS REPORT

This item was reviewed by the Budget & Finance Committee.

- a. Third Quarter FY15 District-wide Balanced Scorecard Measures – Operational Performance Program Manager Brenner reported the following: The District has exceeded the annual target for total accidents resulting in lost days with four such injuries in FY 15 to date. One employee experienced a hand injury during the third

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quarter of FY 15. The X-Mod for the District is just above target at 1.01. The average percentage of employees trained (78%) versus planned (90%) will not meet its annual target. Due to the time dedicated to transitioning from the recently retired Collection Services Workgroup manager to the current WGM, Collection Services Assessments will fall below the annual target of 52. The public website upgrade is the only third quarter public relations activity behind schedule.

b. Technical Services Scorecard – Technical Services Manager Ghossain reported the following:

- The Capital Improvements Projects Team (CIP Team) is responsible for the implementation of the 10-year Capital Improvement Program. The CIP Team develops the scope of projects and contracts for consulting services, and controls costs through effective management of consultants and construction projects. The CIP Team received 100% positive responses for customer surveys issued for the eight projects completed in the last four quarters, above the 90% minimum satisfaction goal. The goal for percent of design and construction management costs to construction cost exceeded the goal of 20% maximum for the Newark Backyard SS Relocation Phase 1, Jarvis Avenue SS Replacement, and Cogeneration Project. The measure for percent of total contract change order amounts to construction cost was exceeded for four of the twenty four measures targeted.
- The Customer Service Team (CST Team) is focused on meeting the needs of the District's commercial, residential, and internal customers. CST Team measures are focused on timely completion of plan reviews, dispatching trouble calls and collection of fees, providing quality construction inspection of sewer facilities, and providing high-quality customer service to both external and internal customers. The goal to issue a maximum of five refunds per year has been reached with one refund issued in the second quarter and one in the third quarter. CST Team staff have met and exceeded the 90% minimum goals for plans checked within 10 working days, and dispatching trouble calls within 10 minutes.
- The Environmental Compliance Team (EC Team) is responsible for the implementation of the District's Industrial Pretreatment, Pollution Prevention, and Public Outreach Programs required as part of our NPDES Permit, as well as for the contract with the City of Fremont for the Clean Water Program. The duties of the EC Team include site inspections of the 81 permitted Class I and II industries, sampling of industrial dischargers for compliance with user permit conditions, review of permit applications of new industries, education and training on industrial production and treatment processes, enforcement of Ordinance 36 and other regulations, and a school outreach program. The EC Team's objective to deliver quality public outreach programs has reached the target of 100% positive responses from teacher surveys. The City of Fremont contract is on track with 10% of the annual budget unspent, and is on track to meet or exceed the targeted goal of monitoring compliance of commercial businesses per the contract. The EC Team will continue to exceed goals for conducting sampling of industrial sites.

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WRITTEN COMMUNICATIONS

There were no written communications.

ORAL COMMUNICATIONS

There were no oral communications.

APPROVE THE REVISED CLASS DESCRIPTION FOR BUSINESS SERVICES MANAGER/CHIEF FINANCIAL OFFICER

This item was reviewed by the Personnel Committee. General Manager Eldredge stated staff revised the existing Business Service Manager class description per previous Board direction. The Personnel Committee proposed non-substantive edits to the class description. The redline class description was added as an attachment to the Board meeting packet.

It was moved by Director Lathi, seconded by Vice President Toy, to Approve the Revised Class Description for Business Services Manager/Chief Financial Officer with the non-substantive changes recommended by the Personnel Committee. Motion carried unanimously.

SELECT BOARD MEMBERS TO REPRESENT USD ON EXTERNAL COMMITTEES FOR FY 16

This item was reviewed by the Personnel Committee. General Manager Eldredge stated the Board represents the District on the following external committees: East Bay Dischargers Authority (EBDA), Alameda County Chapter of the California Special Districts Association (CSDA), and the Southern Alameda County Geographic Information System Joint Powers Authority (GIS). General Manager Eldredge stated the Personnel Committee meeting included a discussion regarding amending existing policy to conduct the selection process for Board representatives earlier in the year. The Board directed staff to prepare said amendment to Board Policy No. 3070.2.

It was moved by Director Lathi, seconded by Director Kite, to make no changes to the existing External Committee appointments and to Select the Following Board Members to Represent USD on External Committees for FY 16:

EBDA	Secretary Handley as representative, and President Fernandez as alternate
CSDA	Director Kite as representative, and President Fernandez as alternate
GIS	Vice President Toy as representative, and Director Lathi as alternate

Motion carried unanimously.

RESOLUTION NO. 2756, AUTHORIZE EXECUTION OF CONTRACT WITH NEW LEGAL COUNSEL

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This item was reviewed by the Legal/Community Affairs Committee. District Counsel O'Hara stated a contract for the Burke, Williams & Sorensen firm had been negotiated, and submitted to the Board of Directors for review. Director Lathi presented edits to the agreement via redlined copies to the Board. General Manager Eldredge stated Attorneys Karen Murphy and Leah Castella had been consulted and agreed to the proposed edits. The redline agreement was added as an attachment to the Board meeting packet.

It was moved by Director Kite, seconded by Vice President Toy, to authorize the General Manager to revise the agreement per suggested edits and Adopt Resolution No. 2756, Authorizing the General Manager to Execute the Contract with New Legal Counsel. Motion carried unanimously.

RESOLUTION NO. 2757, ACCEPT CONSTRUCTION OF THE PRIMARY DIGESTER NO. 5 REHABILITATION PROJECT FROM D.W. NICHOLSON CORPORATION AND AUTHORIZE THE ATTORNEY FOR THE DISTRICT TO RECORD A NOTICE OF COMPLETION

This item was reviewed by the Construction Committee. Technical Services Manager Ghossain stated Primary Digester No. 5 was constructed during the 1985 plant upgrade project. In June 2014, Primary Digester No. 5 was taken out of service and cleaned. A condition assessment of the digester and its appurtenances was conducted after it was cleaned. The assessment revealed the interior epoxy coating of the digester's dome and the polyurethane foam insulation on the exterior of the dome were in need of replacement, and some areas of the dome's steel skirt were in need of reinforcement. The Board awarded the construction contract for the Primary Digester No. 5 Rehabilitation Project to D.W. Nicholson Corporation, and Water Works Engineers completed the design for the Project. The District has assumed beneficial occupancy of Primary Digester No. 5 and the digester was placed back into operation on March 5, 2015.

It was moved by Secretary Handley, seconded by President Fernandez, to Adopt Resolution No. 2757, Accepting Construction of the Primary Digester No. 5 Rehabilitation Project from D.W. Nicholson Corporation and Authorize the Attorney for the District to Record a Notice of Completion. Motion carried unanimously.

AUTHORIZE THE GENERAL MANAGER TO EXECUTE TASK ORDER NO. 6 WITH WEST YOST ASSOCIATES FOR DESIGN OF THE NEWARK BACKYARD SANITARY SEWER RELOCATION PROJECT – PHASE 3

This item was reviewed by the Construction Committee. Technical Services Manager Ghossain stated the purpose of the Newark Backyard Sanitary Sewer Relocation Project is to improve the existing gravity sewer system within the residential neighborhood located northerly of the intersection of Dairy Avenue and Cherry Street in the city of Newark. Phase 1 of the project included the relocation of 33 sewer laterals from the backyard of homes on Dairy Avenue and Cherry Street in the project area, and West Yost Associates completed the design. Phase 2 of the project will include construction of approximately 3,800 feet of new sewer mains and relocation of approximately 95 sewer laterals from the backyard to the public street. The

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third and final phase of the project will complete the relocation of backyard sewer mains and sewer laterals for the neighborhood. Design of Phase 3 will include construction of approximately 3,000 feet of new sewer mains located in backyard easements and relocation of approximately 80 sewer laterals from the backyard to the public street. The scope of services for Task Order No. 6 includes project management, public outreach, drafting of legal descriptions, design, and bid support services. Director Kite inquired if other neighborhoods in the District's service area would require this type of project. Technical Services Manager Ghossain stated no such projects are on the horizon at this time. President Fernandez asked if there would be any cost to the affected homeowners. Technical Services Manager Ghossain stated there would be no cost to the homeowners for this project, and further stated the project will allow easier access for District staff to perform maintenance.

It was moved by Director Lathi, seconded by Director Kite, Authorizing the General Manager to Execute Task Order No. 6 with West Yost Associates for Design of the Newark Backyard Sanitary Sewer Relocation Project – Phase 3. Motion carried unanimously.

INFORMATION ITEMS:

Check Register

All questions were answered to the Board's satisfaction.

Board Expenditures, 3rd Quarter, FY 15

This item was reviewed by the Budget & Finance Committee. Business Services Manager Cortes stated LISTEN TO TAPE—Chapter 8 at the end of the third quarter, Board expenditures totaled \$4,449.86 with an available balance of \$20,550.14.

COMMITTEE MEETING REPORTS:

The Legal/Community Affairs, Construction, Budget & Finance, and Personnel Committees met.

GENERAL MANAGER'S REPORT:

General Manager Eldredge reported the following:

- The District's Open House welcomed an estimated 1,142 guests on Saturday, May 9, 2015. District staff will be debriefing over the next several weeks, and finalizing total costs associated with the event to present to the Board.
- Discussions are ongoing with ACWD regarding reclaimed water and opportunities for partnering. One such opportunity is a feasibility study that will take a look at challenges and solutions for reclaimed water in our service area, specifically indirect potable reuse. Staff are in discussions regarding a scope of work and will provide an update to the Board.
- The USD/ACWD service area winner for the Alameda County Science and Engineering Fair will be recognized at the ACWD Board meeting on May 14, 2015.
- Per Board direction, new Dropbox folders have been created and populated.
- Recruitment for Human Resources Manager is scheduled to close May 15, 2015, and interviews will be held in June.
- Recruitment for Wastewater Operation Night Coach is scheduled to close May 21, 2015.

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- Recruitment for Business Services Work Group Manager is scheduled to begin June 1, 2015, and interviews are scheduled to be held in July.
- Recruitment for the Receptionist position will open May 13, 2015.

OTHER BUSINESS:

Director Kite stated she will attend a Biosolids & Renewable Energy Workshop, hosted by CASA and CWEA, with Treatment & Disposal Services Manager Lopez and Research and Support Team Coach Grillo on May 12, 2015.

ADJOURNMENT:

The meeting was adjourned at 8:04 p.m. to the next Regular Board Meeting in the Boardroom on Tuesday, May 26, 2015, at 7:00 p.m.

SUBMITTED:

ATTEST:

REGINA McEVOY
SECRETARY TO THE BOARD

TOM HANDLEY
SECRETARY

APPROVED:

MANNY FERNANDEZ
PRESIDENT

Adopted this 26th day of May, 2015