CITY OF LOMPOC
WASTEWATER DIVISION

WASTEWATER DISCHARGE PERMIT

Class I – Significant Industrial User

This wastewater discharge permit is granted in accordance with Chapter 13.16 of the City of Lompoc (City) Municipal Code and may be suspended or revoked by the Director of the Utility Department (Director) for cause.

PERMIT NUMBER: I-0013

EFFECTIVE DATE: May 8, 2019
EXPIRATION DATE: May 7, 2024

BUSINESS NAME: Lompoc Artificial Kidney Center (LAKC)
127 W. Pine Ave. Lompoc CA, 93436

TYPE OF BUSINESS: Outpatient Dialysis Clinic

PERMIT RECEIVED BY: _____
Thomas R. Allyn, CEO
LAKC Authorized Representative

CONTACT INFORMATION: Thomas Allyn
tallyn@sbakc.com
805-682-9942

PERMIT ISSUED BY: _____
Brad Wilkie, Utility Director
City of Lompoc

Call **(805) 736-5083** to reach the wastewater treatment plant by telephone.

This permit is non-transferable and must be posted in a conspicuous location.

STANDARD CONDITIONS WITH ADDITIONAL SPECIAL CONDITIONS:

In consideration of the granting of this permit, Lompoc Artificial Kidney Center (hereinafter designated as the User) agrees to:

1. Furnish any additional information on industrial wastewater discharges as required by the Director;
2. Accept and abide by applicable provisions of Chapter 13.16, Sewer System, of the City Municipal Code (Appendix B);
3. Operate and maintain any and all required pretreatment devices in a satisfactory approved manner;
4. Cooperate with City personnel, or their representatives, in the inspection and sampling of industrial facilities and discharge;
5. Notify the wastewater treatment plant by telephone, **(805) 736-5083**, immediately in the event of any accident, negligence, or other occurrence that results or could result in discharge to the sewer of any material whose nature and quantity might be reasonably judged to constitute a hazard to City personnel, the wastewater system, wastewater treatment plant, or the environment;
6. Pay the City any required surcharge or use charge fees for wastewater treatment;
7. Submit, as required by the Director, accurate data on industrial wastewater discharge flows and constituents;
8. Accept and abide by the terms and conditions of the permit as specified herein.

Site Address

Mailing Address:
127 W. Pine Ave.
Lompoc, CA 93436

Site Discharge Location:
127 W. Pine Ave.
Lompoc, CA 93436

Diagrams of process / sample site(s) are in Appendix C.

Section I – Wastewater Discharge Limitations

A. Discharge Location 001 – General Discharge

The User shall not discharge wastewater containing constituents greater than the quantities specified below (discharge limitations taken from Chapter 13.16.340 of the City's Municipal Code, Subsection B):

Constituent	Limit[A, B]	Type of Limit
Flow	12,250 gallons per day	Maximum monthly average[C]
pH[D]	6 – 9 standard units	Instantaneous maximum
Ammonia	55	Maximum daily average
Arsenic	2.0	Maximum daily average
Beryllium	3.0	Maximum daily average
Cadmium	0.2	Maximum daily average
Chloride	250	Maximum daily average
Chromium (Total)	2.0	Maximum daily average
Copper	2.0	Maximum daily average
Cyanide (Total)	1.0	Instantaneous maximum
Lead	1.0	Maximum daily average
Mercury	0.01	Maximum daily average
Nickel	3.0	Maximum daily average
Oil and Grease (Total)	100	Instantaneous maximum
Phenol	25.0	Instantaneous maximum
Selenium	0.4	Maximum daily average
Silver	1.5	Maximum daily average
Sodium	270	Maximum daily average
Zinc	1.0	Maximum daily average
Total Dissolved Solids	1,100	Maximum daily average

[A] All concentrations are in mg/L unless otherwise specified, and sample concentrations shall be determined by analytical procedures specified by 40 CFR Part 136.

[B] Local limits apply at the location as designated on the site map in Appendix C.

[C] The highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.

[D] pH must be analyzed within 15 minutes of sample collection.

Section II – Special Conditions/Compliance Schedules

A. General Waste Discharge

1. The User is required to install a flow meter to measure the effluent discharge at the facility. The meter shall monitor and record flow and conductivity data, which shall be available to City staff upon request.

2. The appropriate flow measurement devices and methods consistent with approved scientific practices must be selected and used to ensure the accuracy and reliability of measurement of the volume of monitored discharges. The devices must be installed, calibrated, and maintained to ensure that the accuracy of the measurements is consistent with the accepted capability of that type of device. The devices selected must be capable of measuring flows with a maximum deviation of less than 10 percent from true discharge rates throughout the range of expected discharge volumes.

3. The User shall submit any regulated pollutant monitoring, regardless of frequency, conducted at the appropriate sampling location, which shall be included in the corresponding report for that reporting period.

4. The User shall participate in Pretreatment Compliance Inspections and Audits and shall comply with all applicable requirements specified by regulatory agencies pursuant to these regulatory reviews.

5. The User is subject to all applicable Pretreatment Requirements in 40 CFR 403.

6. Additional fees/rates/fines may apply if discharges exceed specific discharge limits.

7. All self-monitoring records shall be retained and preserved on-site for three (3) years and made available for City staff inspection upon request.

8. The User shall not use dilution of wastewater to meet discharge limits.

9. All pretreatment devices shall be maintained and operated according to the manufacturers' specifications.

10. Requests for modifications to the permit that include a substantial change in the permitted waste stream shall be made at least 90 days prior to discharge of waste.

B. Slug Discharge Control Plan

1. The User is not required at this time to develop and implement a slug discharge control plan (also known as the accidental spill prevention plan).

2. A slug discharge control plan must include:

a. A description of discharge practices, including non-routine batch discharges;
b. A description of stored chemicals;
c. Procedures for immediately notifying the City 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; and
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.

3. As applicable, the User will review the slug discharge control plan every two (2) years and submit any changes or updates to the City.

Section III – Self-Monitoring/Sampling Requirements, Procedures, and Self-Reporting Requirements

A. Self-Monitoring Requirements

1. Monitoring of the follow parameters shall be conducted on a continuous basis:

Constituent	Frequency	Type[A]	Location[B]
Flow	Continuous	Meter	001
Conductivity	Continuous	Meter	001

[A] Monitoring to be conducted during operating hours (if not 24 hours).
[B] Sample location (001) at the effluent tank in LAKC's pretreatment area as shown in Appendix C.

2. Quarterly monitoring of the following parameters shall take place in January through March, April through June, July through September, and October through December of each year:

Constituent	Frequency	Type[A]	Location[B]
Chloride	Quarterly	24-hour composite	001
Sodium	Quarterly	24-hour composite	001
Total Dissolved Solids (TDS)	Quarterly	24-hour composite	001
pH[C]	Quarterly	Grab	001

[A] Based on a composite sample of the working day (if not 24 hours).
[B] Sample location (001) at the effluent tank in LAKC's pretreatment area as shown in Appendix C.
[C] pH must be analyzed within 15 minutes of sample collection.

3. All meters and other measurement devices (e.g., flow meters, pH meters) must be installed, maintained, used, and calibrated according to manufacturer's instructions. All meter maintenance and calibration activities shall be documented in an on-site log that shall be made available to the City or the City's authorized representatives upon request.

4. Any discharge violation shall be reported to the Wastewater Division [**(805) 736-5083**] within 24 hours of the User becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the Wastewater Division within 30 days after becoming aware of the violation. Subsequent sampling and analysis of all constituents violating the limitations, as specified, shall be conducted until consistent compliance is proven. All reports shall include the signatory statement.

5. The User shall submit any regulated pollutant monitoring, regardless of frequency, conducted at the appropriate sampling location and this information shall be included in the corresponding report for that reporting period.

B. Self-Monitoring/Sampling Requirements and Procedures

1. Sampling – Shall be conducted on all required discharges according to 40 CFR Part 136. Analyses shall be performed by a state-certified laboratory in accordance with 40 CFR 136. Proper documentation shall be completed in order to confirm Quality Control, Quality Assurance and Chain-of-Custody procedures. This will also include analysis methods, extraction, and preparation dates for each applicable analysis.

2. Samples and measurements taken as required herein must be representative of the volume and nature of the monitored discharge. All samples must be taken at the monitoring points specified in this permit and, unless otherwise specified, before the effluent joins or is diluted by any other wastestream, body of water or substance. All equipment used for sampling and analysis must be routinely calibrated, inspected and maintained to ensure their accuracy. Monitoring points must not be changed without notification to and the approval of the City.

C. Self-Reporting Requirements

1. Compliance Reporting – Shall be submitted to the City of Lompoc's Wastewater Division as necessary:
    a. Process Installation Progress Report – Written progress reports will include:
        i. List of equipment that has been installed;
        ii. Any proposed timeline change(s), include the reason(s).
    b. Written progress reports on the Pretreatment System upgrade.

2. Monthly Compliance Reports – Shall be submitted to the City of Lompoc's Wastewater Division as follows:

Reporting Requirements		
Time Period Covered	**Report Name**	**Report Due By**
January	Monthly	February 15th
February	Monthly	March 15th
March	Monthly	April 15th
April	Monthly	May 15th
May	Monthly	June 15th
June	Monthly	July 15th
July	Monthly	August 15th
August	Monthly	September 15th
September	Monthly	October 15th
October	Monthly	November 15th
November	Monthly	December 15th
December	Monthly	January 15th of the following year

Monthly reports shall be submitted using the form included in Appendix A and shall be typewritten or written legibly in ink. Reports must address increments of progress that relate to Section III.C.1. Each report shall indicate the minimum, maximum, and average flow and conductivity measured via continuous meter and include all other sampling results received during the reporting period.

These reports should also include the following, at a minimum, unless otherwise authorized by the Utility Director:

a. Results of all analyses, regardless of whether the water is further treated or discharged;
b. Any significant changes in production rate, raw materials, discharge quantity or quality, or facility operations;
c. Proposed changes affecting discharge flow or constituent concentrations;
d. Any violations, including date, time, and duration;
e. Monthly water usage (City water billing may be used in lieu of metering the volume of wastewater discharged, with the fire/domestic usage reported separately from the process waste stream when flow meter is out of service for repairs);
f. Signatory requirement, as specified in Section IV.J;
g. Reports shall be submitted to:

   City of Lompoc Wastewater Division
   ATTN: Water Resources Protection Tech
   1801 W. Central Ave.
   Lompoc, CA 93438

3. General – The User shall comply with all applicable reporting requirements of 40 CFR 403.12. All reports required by this Section shall be submitted to the City of Lompoc's Wastewater Division as required. The following are some examples of the required reports contained in 40 CFR 403.12:
    a. **Notice of Pretreatment By-Pass** – Notification of Wastewater Division [**(805) 736-5083)**] must be made within 24 hours of any occurrence, either accidental or non-accidental, that results in the by-pass of the pretreatment system to the sewer of any process waste stream. In addition, a written report must follow this verbal notification within five (5) days of the occurrence. This report shall contain a description of the by-pass and its cause; the duration of the by-pass, including exact dates and times; if the by-pass has not been corrected, the anticipated time it is expected to be corrected; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the by-pass. If the User knows in advance of the need for a by-pass, it shall submit prior notice to the City, if possible, at least ten (10) days before the date of the by-pass. [40 CFR 403.17(c)]
    b. **Notice of Upset** – To establish an affirmative defense of upset the User shall demonstrate through properly signed, contemporaneous operating logs, or other logs, or other relevant evidence that:
        i. an upset occurred and the User can identify the cause(s) of the upset;
        ii. the facility was at the time being operated in a prudent and workmanlike manner and in compliance with applicable operation and maintenance procedures;
        iii. the User has submitted the following information to the City within 24 hours of becoming aware of the upset; if this information is provided orally, a written submission must be provided within five (5) days containing:
            A. a description of the indirect discharge and cause of noncompliance;
            B. the period of noncompliance, including exact dates and times or, if not corrected, the anticipated time the noncompliance is expected to continue; and
            C. steps being taken and/or planned to reduce, eliminate and prevent recurrence of the noncompliance.

    c. **Hazardous Waste Discharge to Sewer** – Hazardous waste discharged to sewer is prohibited. In the event hazardous waste is discharged to the sewer, the User shall immediately notify the Wastewater Division of hazardous waste discharged into the sewer. The User shall also notify the Wastewater Division, EPA Regional Waste Management Division Director, and State Hazardous Waste authorities in writing within 180 days of any discharge into the City's POTW to a substance, which, if otherwise disposed would be a hazardous waste as set forth in 40 CFR 261. Written notification shall include:

i. EPA hazardous waste number;
ii. type of discharge (continuous, batch, or other);
iii. an identification of the hazardous constituents contained in the wastes;
iv. an estimation of the mass and concentration of such constituent in the wastestream discharged during that calendar month;
v. an estimation of the mass of constituents in the wastestream expected to be discharged during the following twelve (12) months; and
vi. 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.

All notifications shall take place within 180 days following discharge of a 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 pursuant to 40 CFR 403.12(j). 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).

d. **Slug Load Notification** (City Municipal Code, Chapter 13.16.380) – The User shall immediately notify the Wastewater Division by telephone [**(805) 736-5083**] of any accidental or slug load discharge (as defined in City Municipal Code, Chapter 13.16.030) to the wastewater system.

e. **Spills** – The User shall immediately notify the Wastewater Division by telephone [**(805) 736-5083**] of any emergency draining, accidental spill, or slug load of compatible or incompatible constituents to the sanitary sewer (City Municipal Code, Chapter 13.16.380). The User shall complete and submit the Accidental Spill Reporting Form (in Appendix A) to the Wastewater Division within fifteen (15) days of the spill. Completion of the form does not relieve the user of any liabilities due to the accidental discharge.

f. **Significant Change in Discharge** – According to 40 CFR 403.12(j): The User shall promptly notify the Wastewater Division in advance of any substantial change in the volume or character of pollutants in their discharge, including the listed or characteristic hazardous wastes for which the User has submitted initially notification under 40 CFR 403.12(p).

g. **Slug Potential Notification** – The User shall immediately notify the Wastewater Division of any changes at its facility affecting potential for a slug discharge.

Section IV - Standard Conditions

A. Prohibited Discharges – The User shall comply with the discharge prohibitions specified in Chapter 13.16.240 through Chapter 13.16.250 of the City's Municipal Code.

B. Proper Operation and Maintenance – The User must at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes the following: effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

C. Duty to Halt or Reduce Activity – Upon reduction of efficiency of operation, or loss or failure of all or part of the treatment facility, the User must, to the extent necessary to maintain compliance with its permit, control its production or discharges (or both) until operation of the treatment facility is restored or an alternative method of treatment is provided. Such a requirement applies, for example, when the primary source of power of the treatment facility fails or is reduced. It will not be a defense for a User in an enforcement action that it would have been necessary to halt or reduce the permitted activity to maintain compliance with this permit.

D. Right of Entry – The User shall allow the City or its representatives, exhibiting proper credentials and identification, to enter upon the premises of Users, at all reasonable times, for the purposes of inspection, sampling, or records examination and copying (City Municipal Code, Chapter 13.16.090). Reasonable hours in the context of inspection and sampling include any time the User is operating any process which result in, or may result in, a process wastewater discharge in the City sewerage system.

E. Records Retention –

1. The User shall retain and preserve for three (3) years any records, books, documents, memoranda, reports, correspondence and all summaries thereof, relating to monitoring, sampling, chemical analysis, transport, and disposal of reclaimed wastes made by or on behalf of the user in connection with its discharge.

2. All records that pertain to matters that are the subject of special orders or any other enforcement or litigation activities brought by the City shall be retained and preserved by the User until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

F. Confidential Information – Except for data determined to be confidential, defined by City Municipal Code, Chapter 13.16.110, all reports required by this permit shall be available for public inspection at the Lompoc Regional Wastewater Reclamation Plant.

G. Sampling and Analysis – Recording of results – Sampling protocol shall be established by City staff and specified in wastewater discharge permits. All sampling and analysis shall be in accordance with 40 CFR 136. For each measurement or sample taken pursuant to the requirements of this permit, the User shall record the following information:

1. The exact place, date, and time of sampling;
2. The dates the analyses were performed;
3. The person(s) who performed the sampling;
4. The person(s) who performed the analyses;
5. The analytical techniques or methods used; and
6. The results of all required analyses.

H. Dilution – The User shall not increase the use of process water, or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment in order to achieve compliance with the limitations contained in this permit (City Municipal Code, Chapter 13.16.330).

I. Proper Storage and Disposal of Hazardous Materials, Pretreatment Sludges, and Spent Chemicals – The storage and disposal of hazardous materials, sludges, spent chemical, and other wastes recovered from pretreatment devices shall be done in accordance with Section 405 of the Clean Water Act, Subtitles C & D of the Resource Conservation and Recovery Act, and all other applicable codes and regulations. All records relating to such disposal shall be maintained by the User for a minimum of three (3) years.

J. Signatory Requirements – All reports required by this permit shall be signed by an authorized representative of the user. Any person signing a report shall make the following written certification:

> *"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."*

K. Revocation of Permit – In accordance with Chapter 13.16.230 of the City's Municipal Code, the wastewater discharge permit issued to the User by the City may be revoked when, after inspection, monitoring, or analysis, it is determined that the discharge of wastewater to the sanitary sewer is in violation of Federal, State or local laws, ordinances or regulations. In addition, permit revocation may result from:

1. Failure to factually report wastewater constituents and characteristics;
2. Failure to report significant changes in operations or wastewater constituents and characteristics, including slug loads;
3. Knowingly submitting false statements, false representations, records, plans or other documents to the City;
4. Tampering with or knowingly rendering inaccurate any monitoring device;
5. Refusal of, or obstruction to, access to the User's premises for inspection and/or monitoring and surveillance; and
6. Violation of permit terms and conditions.

L. Knowing Violations – In accordance with Chapter 13.16.470 of the City's Municipal Code, the following actions may result in criminal prosecution as well as civil penalties and injunctive relief:

1. Willful or negligent violation of applicable requirements;
2. Knowingly making false statements on any report or document; or
3. Knowingly rendering any monitoring device or method inaccurate.

M. Right of Revision – The terms and conditions of wastewater discharge permits may be subject to modification by the City at any time, as limitations or requirements as identified in the City's Municipal Code are modified, or other just cause exists (Chapter 13.16.190). Any permit modifications which result in new conditions in the permit shall include a reasonable time schedule of compliance, if necessary.

N. Non-transferability – Wastewater discharge permits are issued to a specific User for a specific operation and shall not be reassigned, transferred, or sold (City Municipal Code, Chapter 13.16.200).

O. Re-issuance of Permit (Renewal) – The User shall notify the City, at a minimum, 90 days prior to its existing permit expiration and apply for permit renewal. If application for permit renewal (re-issuance) is not submitted within this time period, the User must apply for a new wastewater discharge permit. The User shall be responsible for permit renewal, regardless of notification by the City (City Municipal Code, Chapter 13.16.210).

P. Appeals – Any action, decision, or determination made by the Director interpreting or implementing the provisions of this Permit and/or of Chapter 13.16 of the City's Municipal Code may be appealed in accordance with Chapter 13.16.140.

Q. Severability – The provisions of wastewater discharge permits are severable, and if any provision of a permit, or the application of any provision of a permit to circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of the permit, shall not be thereby affected.

R. Enforcement/Penalties – Any User found to be violating terms or conditions specified in wastewater discharge permits shall be subject to administrative penalties, civil penalties, criminal penalties, and preliminary or permanent injunction (City Municipal Code, Chapter 13.16.430 through 13.16.500)

S. Civil Penalties – In accordance with Section 309(d) of the Act, any user who violates this Article may also be liable in a sum not to exceed $25,000 per day in which such violation occurs (33 USC 1319).

T. Criminal Penalties – The City Attorney may prosecute violations of this Article in accordance with the General Penalty provisions of Section 1.24.010 of this Code. Violations shall be subject to fines of up to $1,000 and imprisonment not exceeding six months. Every day any violation continues to exist shall constitute a separate offense.

Section V – Abandonment of Processes or Premises

A. Notification of Sale or Change of Owner – The User will notify the Wastewater Division prior to change of ownership of the process waste stream and/or the facilities permitted by this document.

B. Wastewater Treatment Unit Removal Reporting Requirements –

1. The User will notify the Wastewater Division in writing, 60 working days prior to the removal of any wastewater treatment unit.
2. Any waste stream discharged to the Wastewater System during the removal process must be collected and analyzed prior to discharge. It must comply with the permit limits.
3. The User will complete the regularly required self-monitoring report for the Wastewater Division, including the procedures followed and the analysis of any discharge.

C. Closure Procedures – The User will notify the Wastewater Division, in writing, when selling or going out of business. Notifications must be made at least 30 days prior to closure. Written notification must include, but is not limited to:

1. Disposal procedures of equipment, raw materials, products, etc.;
2. Name, address, and telephone number of person purchasing the property (either equipment or real estate); and
3. Date of closure.

APPENDIX A

Forms

Accidental Spill Report

Current Semi-Annual Report

Lompoc Wastewater Division

ACCIDENTAL SPILL REPORTING FORM

All Users must report **IMMEDIATELY** to the Wastewater Division [**(805) 736-5083**] any accidental spill or slug load of compatible or incompatible constituents to the sanitary sewer (City Code Section 13.16.380). Upon notification by the Director, this form must be completed and submitted to the Wastewater Division within fifteen (15) days of the spill. Completion of this form does not relieve the User of any liabilities due to the accidental discharge. Prompt and accurate reporting does reflect that the User is attempting to address the problem.

Company Name:		
Site Location:		
Contact Phone Number:		
Person Completing This Form:		
Accidental Discharge	Began: am/pm	On: (date)
	Ended: am/pm	On: (date)

Type of material spilled (attach Safety Data Sheet):

Volume of Spill (specify units):

Chemical analysis of representative sample of the spilled material. Show concentration of all compounds in the spilled material. If a sample of the spilled material is not available, list all known or suspected contents present in the discharged material.	
COMPOUND	**CONCENTRATION** (mg/L or mg/kg)

Location/area of accidental discharge:

Plant Process _____ Material Storage_____

Shipping/receiving _____ Other (specify)_____

Is spill containment present in the area where the accidental spill occurred?
Yes __ No __

Is spill containment present in other areas within the facility?
Yes __ No __ If yes, where?

Describe the cause of the reported discharge:

Did the spill receive any type of treatment? Yes __ No __ If yes, describe how that waste was disposed:

Was any part of the spill contained and prevented from discharge to the sanitary sewer? Yes __ No __
If yes, describe how that waste was disposed:

Describe fully what measures will be taken to prevent similar accidents in the future (attach additional sheets as necessary):

Anticipated time schedule by which the above stated procedures will be completed:

This accidental discharge was reported to the Wastewater Division on _____ (date)
at _____ _____am/pm by_____(name)
_____(title).

" 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."

Signature of Authorized Representative: _____

Representative Name and Title: _____

Date: _____

City of Lompoc
Wastewater Division, Utility Department
Monthly Report Form

Date:_____

Lompoc Artificial Kidney Center Facility	
Site Address:	
Contact Name/Title:	
Contact Phone Number:	

Monthly Report (indicate reporting period)			
From:		To:	

Monthly General Reporting		
If none reports of the following were made during this period (check here)		
Notice of Pretreatment By-Pass	Date:	Resolved: Y N
Describe		
Notice of Upset	Date:	Resolved: Y N
Describe		
Hazardous Waste Discharge to Sewer	Date	Resolved: Y N
Describe		
Slug Load Notification	Date:	Resolved: Y N
Describe		
Spills	Date	Resolved: Y N
Describe		

Monthly Report for _____ (reporting period) Page 2 of 3

Wastewater Sampling Results (Circle any permit limit violations and discuss in comments section; attach additional pages as necessary)			
Pollutant	**Daily Minimum** (indicate units)	**Daily Maximum** (indicate units)	**Monthly Average** (indicate units)
Flow			
Conductivity			
Pollutant	**Concentration** (indicate units)	**Date/Time Sampled**	**Analytical Method**
Chloride			
Sodium			
TDS			
pH			

City Water Usage				
Reporting period begins	Reporting period ends	Meter Number	Monthly Total Units of Water (indicate units)	Monthly Total Water Usage (gallons)

Comments:

Monthly Report for _____ (reporting period) Page 3 of 3

Certification for Self-Monitoring Requirements	
Signatory 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.	
Date:	
Representative Name and Title:	
Signature:	

APPENDIX B

City of Lompoc
Municipal Code, Sewer System

(Chapter 13.16)

Article 1. General Provisions

13.16.010 Title.

This Chapter shall be known as the "Sewer System Ordinance of the City of Lompoc." (Prior code § 3332)

13.16.020 Purpose and Policy.

This Chapter shall apply to the discharge of all wastes to the City's sewerage system, and shall provide for regulation of wastewater discharge in accordance with 40 CFR Part 403.2., Objectives of General Pretreatment Regulations, to:

A. Prevent the introduction of pollutants which will interfere with the operation of the City's wastewater system, including interference with its use or disposal of municipal sludge;

B. Prevent the introduction of pollutants which will pass through the treatment works or otherwise be incompatible with such works;

C. Improve other opportunities to recycle and reclaim municipal and industrial wastewaters and sludges; and

D. Prevent the exposure of wastewater system workers to chemical hazards. (Prior code § 3333)

13.16.030 Definitions and Abbreviations.

A. Abbreviations. The following abbreviations shall have the designated meanings:

Act	Clean Water Act
ASPP	Accidental spill prevention plan
BOD	Biochemical oxygen demand
CCR	California Code of Regulations (California Administrative Code)
CERCLA	Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 USC 9601 et seq.)

CFR	Code of Federal Regulations
EO	Enforcement order
EPA	United States Environmental Protection Agency
Et seq.	And following
Gal/d	Gallons per day
IU	Industrial user
LEL	Lower explosive limit
Mg/L	Milligrams per Liter
NPDES	National Pollutant Discharge Elimination System
NOV	Notice of violation
NPS	National Pretreatment Standard
O&M	Operations and maintenance
POTW	Publicly owned treatment works
Ppm	Parts per million
RCRA	Resource Conservation and Recovery Act (42 USC 6901 et seq.)
RWQCB	The California Regional Water Quality Control Board
SIC	Standard Industrial Classification
SIU	Significant industrial user
SNC	Significant noncompliance
SWDA	Solid Waste Disposal Act (42 USC 3251 et seq.)
SWRCB	California State Water Resources Control Board
TRC	Technical review criteria
TOMP	Toxic organics management plan
TSCA	Toxic Substances Control Act (15 USC 2601 et seq.)
TSS	Total suspended solids
UPC	Uniform Plumbing Code
USC	United States Code

B. Definitions. Unless the particular provision or the context otherwise requires, definitions and provisions contained in this Section shall govern the construction, meaning, and application of words and phrases used in this Chapter. The definition of each word or phrase shall constitute, to the extent applicable, the definition of each word or phrase which is derived from it, or from which it is a derivative, as the case may be.

"Act" or "the Act" means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 22 USC 1251, et seq.

"Administrative hearing" means a due process hearing at a specified time, date, and place at which a user, authorized representatives of the user, and/or interested persons shall have the opportunity to submit statements, documentary evidence, and/or arguments orally and/or in writing.

"Applicable regulations, standards and limitations" means all local, State, and Federal regulations, standards, and limitations to which a discharge or related activity is subject under the Act, effluent limitations, water quality standards, standards of performance, toxic effluent standards or prohibitions, best management practices, and pretreatment standards under Sections 301, 304, 306-308, 403, and 405 of the Act.

"Authorized representative of industrial user" means either of the following:

a. A principal executive officer of at least the level of vice-president if the IU is a corporation;

b. A general partner or proprietor, if the IU is a partnership or sole proprietorship, respectively;

c. A duly authorized representative of the individual designated above if such representative is responsible for the overall operation of the facilities from which the discharge originates.

"Biochemical oxygen demand (BOD)" means the quantity of oxygen, expressed in ppm by weight, utilized in the biochemical oxidation of organic matter under standard laboratory conditions for five days at a temperature of 20 degrees Celsius (58 degrees Fahrenheit). The laboratory determination shall be made in accordance with procedures established by the EPA and specified in 40 CFR Part 136, as amended.

"Building sewer lateral" means the sewer from the premises of a user to the public sewer main.

"Categorical pretreatment standard" means NPS or pretreatment standard, as defined herein, which applies to a specified industrial category.

"Chlorine requirement" means the amount of chlorine, in mg/L, which must be added to wastewater to produce a specified residual chlorine content or other specified objective.

"City" means the City of Lompoc or the City Council of the City of Lompoc.

"City sewer" means a sewer owned and operated by the City, which is tributary to the wastewater treatment plant.

"Class I user" means any IU who discharges 10,000 gal/d (average annual daily flow) of process wastewater or is otherwise determined to be a SIU as defined herein. Waste haulers, as defined herein, shall also be Class I users.

"Class II user" means any user who discharges industrial wastes of less than 10,000 gal/d (average annual daily flow) and whose discharge may:

a. Contain unusual amounts of compatible pollutants, or

b. Exceed applicable regulations, standards or limitations, or

c. Contain incompatible pollutants, or

d. Be judged to have any other special characteristics requiring site specific discharge limits.

"Compatible pollutant (compatible constituent)" means a combination of BOD, TSS, pH, coliform bacteria, plus other pollutants in amounts the wastewater treatment plant is designed to accept and/or remove. Some otherwise compatible pollutants may be considered incompatible when discharged in excessive quantities

"Composite sample" means a series of grab samples collected at equal intervals and combined proportional to flow, or a sample collected continuously proportional to flow, or a series of equal volume grab samples taken at varying time intervals, in order to determine the average pollutant concentration during the compositing period.

"Cooling water" means the water discharged from any use such as air conditioning, cooling, or refrigeration, or to which the only pollutant added is heat.

"Director" means the City of Lompoc Utilities Director or designated representative(s).

"Discharger" means any person or entity introducing pollutants into the wastewater system from any non-domestic source regulated under Section 307(b), 307(c), or 307(d) of the Act. For the purposes of this Chapter, Discharger also means any person or entity introducing industrial waste to the wastewater system.

"Domestic wastewater" means wastewater from residences and other premises derived from personal use of water for washing or sanitary purposes.

"EPA" means the U.S. Environmental Protection Agency, or, where appropriate, the term may also be used as a designation for the Administrator or other duly authorized official of the EPA.

"Equalization of discharge" means the control of flow rate in a manner designed to protect the wastewater system.

"Existing source" means any source which is not a new source.

"Extra strength concentration" means any wastewater discharges containing concentrations of TSS or BOD greater than 300 mg/L.

"Fixture" means any appurtenance connected to a building sewer lateral.

"Fomites" means any inanimate objects that can carry disease-causing organisms.

"Grab sample" means a sample which is taken from a waste stream on a one-time basis with no regard to the flow in the waste stream and without consideration of time.

Hazardous Substance" means any substance capable of creating imminent endangerment to health or the environment including, but not limited to, those substances defined under Section 309 (c) of the Act (33 USC 1251 et seq.) as follows:

a. Any substance designated under 40 CFR Part 116 pursuant to Section 311(b)(2)(A) of the Act;

b. Any element, compound, mixture, solution, or substance designated pursuant to Section 102 of the CERCLA;

c. Any hazardous waste having the characteristics identified under or listed pursuant to Section 3001 of (41 U.S.C. 3251 et seq.) but not including any waste the regulation of which under the SWDA has been suspended by the Act; d. Any toxic pollutant listed under Section 307(a) of the Act;

e. Any imminently hazardous chemical substance or mixture with respect to which the EPA has taken action pursuant to Section 7 of the TSCA (15 USC 2601 et seq.); and

f. Any waste determined to be hazardous or extremely hazardous in accordance with Title 22 of the CCR, as amended.

"Helminth" means a worm classified as a parasite, i.e. a disease-causing organism that lives on or in a human or another animal and derives its nourishment from its host.

"Holding tank waste" means any waste from holding tanks such as vessels, chemical toilets, campers, trailers, septic tanks, and vacuum-pump tank trucks.

"Incompatible pollutant/incompatible constituent" means any pollutant which is not a compatible pollutant as defined herein.

"Indirect discharge" means the introduction of pollutants into the wastewater system from any non-domestic source regulated under Section 307(b), 307(c), or 307(d) of the Act. For the purposes of this Chapter, indirect discharge also means the introduction of any industrial waste to the wastewater system.

"Industrial user" means, generally, any discharger of industrial waste, or a source of indirect discharge.

"Industrial waste" means any solid, liquid or gaseous substance discharged or permitted to flow into a City sewer from any industrial, manufacturing, agricultural, commercial, or business establishment or process, or from the development, recovery, or processing of any natural resource.

"Infectious waste" means:

a. Laboratory wastes, including cultures of etiologic agents, which pose a substantial threat to health due to their volume and virulence;

b. Pathologic specimens, including human or animal tissues, blood elements, excreta, and secretions which contain etiologic agents, and attendant disposable fomites;

c. Surgical specimens, including human or animal parts and tissues removed surgically or at autopsy which contain etiologic agents, and attendant disposable fomites;

d. Equipment, instruments, utensils, and other disposable materials, which are reasonably believed to transmit etiologic agents from the rooms of humans, or the enclosures of animals, which have been isolated because of suspected or diagnosed communicable disease;

e. Human dialysis waste materials including arterial lines and dialyzable membranes;

f. Carcasses of animals infected with etiologic agents which may present a substantial hazard to public health if improperly managed; or

g. Any other material which in the determination of the Director presents a significant danger of infection because it is contaminated with or may reasonably be expected to be contaminated with, etiologic agents (etiologic agent" means, for the purposes of this Chapter, a type of micro-organism, helminth, or virus which causes, or significantly contributes to the cause of, increased morbidity or mortality of human beings).

"Instantaneous maximum" means the highest allowable pollutant/constituent concentration in any single grab sample.

"Interference" means a discharge which, alone or in conjunction with a discharge or discharges from other sources, both:

a. Inhibits or disrupts the City's wastewater sewerage system, its treatment processes or operations, or its sludge processes, uses or disposal; and

b. Therefore, is a cause of a violation of the City's NPDES permit (including an increase in the magnitude or duration of the violation) or 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 Act (33 USC 1345) the SWDA including Title II, more commonly referred to as the 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 TSCA and the Marine Protection, Research and Sanctuaries Act.

"Lower explosive limit (LEL)" means the minimum concentration of a combustible gas or vapor in air which will ignite if an ignition source is present.

"Mass emission rate" means the weight of material discharged to the sewerage system during a given time interval. Unless otherwise specified, the mass emission rate shall mean pounds per day of a specific pollutant.

"Maximum allowable headworks loading" means the calculated maximum quantity of a given pollutant (generally expressed in pounds per day) which can be accepted by the City's wastewater treatment plant without the occurrence of interference or pass through.

"Medical facility" means any hospital, clinic, medical laboratory, office of a doctor or dentist, convalescent home or related medical or therapeutic facility.

"Milligram per liter (mg/L)" means a unit of the concentration of a water or wastewater pollutant. It is 0.001 grams of the pollutant in one liter of water, generally considered equivalent to ppm.

"National Pollutant Discharge Elimination System" or "NPDES Permit" means a permit issued to a POTW pursuant to Section 402 of the Act (33 USC 1342).

"National Pretreatment Standard (NPS)" or "pretreatment standard" means any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Act (33 USC 14347), which applies to IUs. NPS includes prohibitive discharge limits established pursuant to 40 CFR Part 403.5, and categorical standards specified in 40 CFR Parts 401-471.

"National Prohibitive Discharge Standard" or "prohibitive discharge standard" means any regulation developed under the authority of Section 307 (b) of the Act and 40 CFR Part 403.5.

"New source" means any building, structure, facility or installation from which there is or may be a discharge, the construction of which commenced after the publication of proposed Pretreatment Standards under Section 307 (c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with Section 307(c), subject to the provisions of 40 CFR Part 403.3 (k).

"Pass through" means a discharge which exits the City's wastewater treatment plant 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 City's NPDES permit (including an increase in the magnitude or duration of a violation).

"Permit" means wastewater discharge permit issued by the City, unless otherwise indicated by context.

"Person" means any individual, partnership, firm, company, trust, estate, governmental entity, or any other legal entity, or their respective legal representatives, agents, or assigns. The masculine gender shall include the feminine, and the singular shall include the plural where indicated by context.

"pH" means the logarithm (base 10) of the reciprocal of the hydrogen ion concentration expressed in moles per liter of solution. It is used in expressing both acidity and alkalinity on a scale ranging from zero to 14 where seven represents neutrality, numbers lower than seven represent increasing acidity, and numbers higher than seven represent increasing alkalinity.

"Pollutant" means any dredged soil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, high temperature waste, wrecked or discharged equipment, rock, sand, cellar dirt, and industrial, municipal, and agricultural waste discharged into water, or any pollutant or characteristic of wastewater on which a discharge limitation may be imposed either by the City or by other regulatory agencies.

"Pretreatment" means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into the wastewater system.

"Pretreatment requirement" means any substantive or procedural requirement related to pretreatment, other than a National Pretreatment Standard, imposed on an IU.

"Publicly owned treatment works (POTW)" means a treatment works as defined by Section 212 of the Act, (33 USC Section 1292), including any sewers that convey wastewater to the POTW treatment plant, and any devices and systems used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature (see also wastewater system).

"POTW treatment plant" means that portion of the POTW which is designed to provide treatment (including recycling and reclamation of municipal sewage and industrial waste). (See also wastewater treatment plant.) "Public sewer" means City sewer.

"Regulatory agencies" means those agencies having jurisdiction to regulate the operation of, and having appropriate jurisdiction over the City's wastewater system and/or IU, including but not limited to the EPA, the SWRCB, and the RWQCB.

"Sanitary sewer" means a sewer that conveys sewage or industrial wastes or a combination of both, but into which storm, surface, or ground waters or other unpolluted waters are not intentionally admitted.

"Service charge" means those charges specified in the City's wastewater service rates and charges for furnishing the service of wastewater collection and disposal, and includes charges for extra-strength sewage (TSS and BOD greater than 300 mg/L) but does not include additional

fees such as noncompliance fees and administrative penalties, which may be imposed upon any IU discharging wastewater in violation of this Chapter.

"Sewage" means wastewater.

"Sewer" means a pipe or conduit for conveying domestic and/or industrial wastewater.

"Sewer main" means a portion of the public sewer lying in a public easement or street and does not mean a building sewer lateral.

"Sewerage system" means the systems of sewers and appurtenances for the collection, transportation, and pumping of sewage.

"Significant industrial user (SIU)" means any IU that:

a. Is subject to Federal categorical pretreatment standards; or

b. Discharges 25,000 gal/d or more of process wastewater (average annual daily flow); or

c. Contributes a process wastestream which makes up five percent or more of the average dry weather hydraulic or organic loading capacity of the wastewater treatment plant; or

d. Has a reasonable potential, in the opinion of the Director, to adversely affect the wastewater treatment plant (e.g., cause interference, pass-through, or endangerment to employees of the wastewater system).

"Significant noncompliance (SNC)" means any IU violations which meet one or more of the following criteria:

a. Violations of wastewater discharge limits:

i. Chronic violations. 66 percent or more of the measurements exceed the same daily maximum limit or the same average limit in a six-month period, ii. Technical Review Criteria (TRC) violations. 33 percent or more of the measurements exceed the same daily maximum limit or the same average limit by more than the TRC in a six-month period, iii. Any other violation(s) of a discharge limit that the director believes has caused, alone or in conjunction with other discharges, interference or pass-through; or endangered the health of the general public or employees of the wastewater system, iv. Any discharge that has caused imminent endangerment to the general public or the environment, resulting in the exercise of emergency authority in accordance with Section 3374B;

b. Violations of permit compliance schedule milestones by 90 days or more after the schedule date;

c. Failure to provide reports for compliance schedules or self-monitoring data, or any other reports required by this Chapter or established as a permit requirement, by 30 days or more from the due date;

d. Failure to accurately report noncompliance;

e. Any other violation(s) the Director considers to be significant.

"Significant violation" means a violation which:

a. Remains uncorrected 45 days after notification of noncompliance, which is part of a pattern of noncompliance over a 12-month period; or

b. Results in the POTW exercising its emergency authority under 40 CFR Part 403.8(f)(1)(vi)(B) and Section 13.16.430(B) of this Chapter.

"Slug load" means any:

a. Discharge of wastewater which in concentration of any pollutant or in quantity of flow exceeds for any period of duration longer than 15 minutes, more than five times its average concentration or flow, on a normal workday, said average being calculated over a two week period. As to quantity of flow, this definition shall apply to discharges greater than 10,000 gal/d; or

b. Willful discharge of concentrated incompatible pollutants in a manner or method that is not approved by the Director.

"Spill containment" means a protective system installed by a user to prevent the accidental discharge of incompatible pollutant to the sewer. (See Section 13.16.380)

"Standard Industrial Classification (SIC)" means a classification pursuant to the Standard Industrial Classification Manual, as most recently amended and issued by the Executive Office of the President, Office of Management and Budget.

"State" means the State of California.

"Storm drain" means a pipe or conduit that carries storm, surface, or groundwater drainage, but excludes domestic and industrial wastewater.

"TRC" or "technical review criteria" includes the following:

a. 1.4 times the applicable limit for BOD, TSS, oil, grease and fats; or

b. 1.2 times the applicable limit for any other noncompatible pollutant.

"Temporary user" means any person or entity granted temporary permission by the Director to discharge unpolluted water to the sewerage system, when no alternate method of disposal is reasonably available.

"Total suspended solids (TSS)" means those solids, expressed in ppm by weight, which are retained on a glass fiber filter and dried to a constant weight at 103—105 degrees Celsius (217—221 degrees Fahrenheit). The laboratory determination shall be made in accordance with procedures established by the EPA and specified in 40 CFR Part 136, as amended.

"Toxic pollutant" means any pollutant or combination of pollutants listed as toxic in regulations promulgated by the EPA under Section 307(a) of the Act.

"Trap/interceptor" means any gravity separation interceptor designed to remove floatable and/or settleable material from a waste prior to its discharge to a City sewer.

"Unpolluted water" means water to which no pollutant has been added either intentionally or accidentally.

"Upset" means any exceptional incident in which unintentional and temporary noncompliance with NPS or pretreatment requirements occurs because of factors beyond the reasonable control of the IU. An upset does not include noncompliance to the extent caused by an

operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or negligent or wrongful operation.

"User" means any person entity contributing, causing, or permitting the contribution of wastewater to the wastewater system.

"Waste" means wastewater and any and all other waste substances, whether liquid, solid, gaseous, or radioactive, associated with human habitation.

"Wastehauler" means any person or entity engaging in vehicular transport of waste as part of, or incidental to, any business for the purpose of disposal of such waste.

"Wastewater" means the liquid and water-borne industrial or domestic wastes from dwellings, commercial buildings, industrial facilities, and institutions, together with any ground water, surface water, and storm water that may be present, whether treated or untreated, which is contributed into or permitted to enter the wastewater system.

"Wastewater discharge permit" means a permit issued by the Director authorizing the discharge of wastewater in accordance with terms and conditions specified therein.

"Wastewater system" means all facilities for collecting, pumping, treating, or disposing of wastewater, and includes the sewerage system as well as the wastewater treatment plant.

"Wastewater treatment plant" means the POTW treatment plant of the City. (Prior code § 3334)

13.16.040 Connection to Public Sewer Required.

The owner or occupier of any property used for human occupancy abutting any street or easement in which there is located a sewer main, is required, at his or her expense, to construct a building sewer lateral serving waste discharge fixtures in or on said property, and to connect said lateral to the sewer main in accordance with the provisions of the applicable plumbing code, construction standards of the City, and provisions of this Chapter within 120 days after notice from the Director to do so, provided that such main is within 200 feet of the property. No person shall tap a building sewer lateral into a City sewer main unless advance written permission has been granted by the City. (Prior code § 3335)

13.16.050 Disconnection from Public Sewer.

The Director is hereby empowered to revoke a user's Wastewater Discharge Permit, or to order the disconnection of the user's building sewer lateral(s) from the sewer main, or to order the severance or plugging of any such lateral(s) as necessary in the opinion of the Director to terminate a discharge in violation of this Chapter in order to protect the health and safety of the community. The Director's decision may be appealed in accordance with Section 13.16.140 of this Chapter. The premises shall not be reconnected until all wastewater discharge permits required in accordance with this Chapter are obtained, and all applicable charges and fees for disconnection and reconnection have been paid. (Prior code § 3336)

13.16.060 Tampering with Public Sewer.

No person shall willfully break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the wastewater system. (Prior code § 3337)

13.16.070 Maintenance of Private Sewer.

Any person owning or controlling any premises connected to the public sewer shall keep all building sewer laterals and fixtures in good working order and repair at all times at his or her own expense. (Prior code § 3338)

13.16.080 Right of Discharge Limited.

No user shall discharge any sanitary sewage, industrial wastes, or polluted water into any place other than a public sewer. No user shall construct, excavate, or install within the corporate limits of the City any installation, tank, leach line, or pit commonly known, described, and referred to as a "septic" tank or any similar device or installation designed to be used for the disposal of wastewater, without advance written authorization from the Director and the RWQCB. (Prior code § 3339)

13.16.090 Right of Inspection.

All users shall allow authorized representatives and agents of the City, at all reasonable times, to enter the premises of the user in which a permitted discharge source or treatment system is located, or in which records required to be kept in response to pretreatment requirements are located, in order to carry out the inspection, records examination, copying, monitoring, and surveillance procedures necessary to determine compliance with this Chapter. For the purposes of this Chapter, all reasonable times include not only normal working hours, but at any time a discharge to the wastewater system, is occurring, or may occur. Where a user has security measures in force which would require proper identification and clearance before entry, the user shall make necessary arrangements with user's security personnel so that, upon presentation of suitable identification, authorized representatives and agents of the City will be permitted to enter, without delay, for the purposes of performing their specific responsibilities. Refusal or obstruction of access for the purposes of inspection, monitoring, and surveillance in accordance with this Chapter may result in revocation of permit (Section 13.16.230), or other appropriate enforcement action. (Prior code § 3340)

13.16.100 Sampling and Analysis.

All sampling and analysis performed under provisions of this Chapter shall be in accordance with procedures established by the EPA pursuant to Section 304 (g) of the Act and contained in 40 CFR Part 136, as amended. Where 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, sampling, and analysis shall be performed in accordance with validated analytical methods approved by the City and EPA. All analyses shall be performed by a reliable laboratory certified by the State and approved by the Director. (Prior code § 3341)

13.16.110 Confidential Information.

User information and use of data obtained from reports, questionnaires, permit applications, permits, monitoring programs, and inspections shall be available to the general public without restriction, unless the user specifically requests otherwise, and demonstrates to the satisfaction of the Director that the release of such information would divulge information entitled to protection as user's trade secrets. In no case, however, shall information concerning discharge quality or quantity be considered confidential, and in no case shall any information be withheld from governmental agencies or from the public. Government agencies shall handle confidentiality claims in accordance with the procedures specified in 40 CFR Part 403.14 (Confidentiality) and/or 40 CFR Part 2 (Public Information) and subject to applicable State statutes. (Prior code § 3342)

13.16.120 Responsibility of Private Utility.

It is the responsibility of private and public utilities connected to the City's wastewater system to ensure that wastewater discharged to the wastewater system is in strict compliance with the provisions of this Chapter, all contractual agreements, and all applicable laws, regulations, standards, and limitations. (Prior code § 3343)

13.16.130 National Pretreatment Standards.

Upon the promulgation of NPS, the NPS, if more stringent than the limitations imposed under this Chapter, shall immediately supersede the limitations imposed under provisions of this Chapter. The Director shall notify all affected users of the promulgation of applicable pretreatment standards, and of the applicable reporting requirements of 40 CFR Part 403.12. (Prior code § 3344)

13.16.140 Appeals.

The Director is hereby empowered to enforce the rules, regulations, and limitations established in this Chapter, to implement the provisions of this Chapter. Any user, permit applicant, or permit holder affected by any decision, action, or determination made by the Director interpreting or implementing the provisions of this Chapter or any wastewater discharge permit issued pursuant to this Chapter, may file for reconsideration in writing within 15 working days. The Director shall render a decision within 15 working days after receipt of the request. If the user is dissatisfied with the ruling of the Director, the user may, within ten working days after the Director's ruling, file a written appeal with the City Clerk. The appeal shall be heard and decided by the City Council within 60 days after receipt of the request and Council's ruling shall be final. (Prior code § 3345)

13.16.150 Special Agreements.

Nothing in this Chapter shall be construed as prohibiting any special agreement or arrangement between the City and any user whereby a waste of unusual strength or character may be admitted to the wastewater system, either before or after pretreatment, provided that such waste is in compliance with all applicable State and Federal requirements; provided, however, that no impairment to the functioning of the wastewater system will occur by reason of admission of such wastes, and that no extra costs are incurred by the City without being fully reimbursed by the user. (Prior code § 3346)

Article 2. Wastewater Discharge Permits

13.16.160 Permits Required.

In accordance with this Article, permits for the use of the City's sewerage system shall be required of Class I users, Class II users, temporary users, and any other user discharging into or proposing to discharge into a City sewer shall obtain permits as required by Director based upon the need to achieve the objectives set forth in Section 13.16.020 and to protect the public health and safety. Applications for permits under this Section shall be submitted as required by the Director. (Prior code § 3347)

13.16.170 Applications and Fees.

A. Applications. Wastewater discharge permit applications (baseline reports) shall be submitted in the form prescribed by the City. Appropriate permit applications shall be completed and filed with the Director, accompanied by all applicable fees.

1. Application Information. The applicant shall submit the following information:

a. Identifying Information.

i. Name and address of facility; ii. SIC code number(s); iii. Names of all owner(s) and operator(s).

b. Operation Description.

i. Description of facilities, activities, and plant processes, including all materials which are or could be discharged;

ii. Type and amount of raw materials processed (average and maximum per day); iii. Each product produced by type, amount, and rate of production; iv. Number and type of employees, and hours of operation of plant (including proposed or actual hours of operation of pretreatment system);

v. Site plans, floor plans, mechanical plans, and plumbing plans, including details to show all sewers, sewer connections, and appurtenances described by size, location, and elevation.

c. Discharge Description.

i. Wastewater pollutants and characteristics as required by the Director, and determined in accordance with Section 13.16.100 of this Chapter; ii. Average daily and three minute peak wastewater flow rates, including daily, monthly, and seasonal variations, if any.

d. Control Permits List any environmental control permits held by or for the facility, including, as applicable:

i. EPA hazardous waste facility identification number; ii. EPA hazardous waste number(s).

e. Certification. A statement, by an authorized representative of the IU, indicating whether applicable pretreatment standards and pretreatment requirements are met on a consistent basis, and, if not, whether additional O&M and/or additional pretreatment are required to meet applicable regulations, standards, and limitations.

f. Compliance Schedules. If additional pretreatment and/or O&M will be required to meet applicable regulations, standards and limitations, include the shortest schedule by which the user will achieve compliance. In the case of NPS, the completion date in this schedule shall be not later than the compliance date established for the applicable pretreatment standard. The following conditions shall apply to compliance schedules:

i. The schedule shall contain specific increments of progress 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 standards.

ii. No increment of progress referred to in Subsection (A)(1)(f)(i) of this Section shall exceed nine months.

iii. In no case shall the final compliance date exceed three years from the date of permit issuance.

iv. Detailed descriptions of facilities/procedures to be constructed/implemented in order to achieve compliance shall be provided.

g. Compliance Report. 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 IU subject to pretreatment standards and requirements shall submit to the City a report containing the information as follows:

i. Flow Measurement The user shall submit information showing the measured average daily and maximum daily flow, in gal/d, to the City from any regulated process streams. Verifiable estimates of these flows will be acceptable upon approval of the Director.

ii. Measurement of Pollutants.

(A) The user shall identify the pretreatment standards applicable to each regulated process.

(B) The user shall submit the results of sampling and analysis identifying the nature and concentration of regulated pollutants in the discharge from each regulated process. Both daily maximum and average concentration shall be reported. The sample shall be representative of daily operations; sampling will be in accordance with Section 13.16.100 of this Chapter.

(1) The user shall take a minimum of one representative sample to compile those data necessary to comply with the requirements of this Section.

(2) Samples should be taken immediately downstream from pretreatment facilities, if such exist, or immediately downstream from the regulated process, if no pretreatment exists.

(C) The Director may allow submission of a baseline report which utilizes only historical data, so long as the data provides information sufficient to determine the need for industrial pretreatment measures; this report shall include, at a minimum:

(1) The time, date, and place of sampling;

(2) Methods of analysis; and

(3) User certification that such sampling and analysis is representative of normal work cycles and expected pollutant discharges to the POTW.

iii. Certification. Certification shall follow the guidelines in Subsection (A)(1)(e) of this Section.

h. Any other information required by the Director to evaluate the application.

2. Permit Issuance.

a. The Director shall evaluate the data furnished by the user and may require additional information. Upon review and acceptance of the application, the City may issue a wastewater discharge permit subject to the terms and conditions provided therein.

b. All users subject to Categorical Pretreatment Standards shall provide baseline report information Subsection (A)(1)(a) through (h) of this Section, as required by the Director, at least 90 days prior to commencement of discharge. All other users shall submit baseline reports as required by the Director, by the date specified by the Director.

B. Fees: See Section 13.16.410. (Prior code § 3348)

13.16.180 Permit Terms and Conditions.

Wastewater discharge permits are subject to all provisions of this Chapter and all other applicable regulations, standards, and limitations. In addition, permits may contain the following conditions:

A. Limits on average and maximum wastewater pollutant concentrations and mass emission rates;

B. Limits on rate and time of discharge and/or requirements for flow equalization;

C. Requirements for the installation and maintenance of facilities in accordance with Article 4 of this Chapter;

D. Specifications for monitoring and reporting programs which may include sampling locations, frequency of sampling, number, types and standards for tests, and reporting schedule;

E. Requirements for maintaining and retaining plant records relating to wastewater discharge as specified by the City, and affording the City access thereto;

F. Requirements for notification of the City of any new introduction of wastewater pollutants or any significant change in the volume or character of the wastewater pollutants discharged to the wastewater system, or any discharge that could cause problems to the POTW and its treatment works;

G. Requirements for notification of accidental discharge in accordance with Section 13.16.380(D);

H. Requirements for the notification, in writing, of any waste discharge to the POTW that would be considered hazardous (if disposed of by any other means) according to 40 CFR Part 261.

I. Requirements for development of ASPP, TOMP, and plans for the transport and disposal of hazardous materials or materials recovered from pretreatment facilities;

J. Requirements for evaluating the need for an ASPP and/or evaluating current ASPP and TOMP every two years;

K. Compliance schedules (See Section 3348 13.16.170(A)(1) (f));

L. Closure Procedures. Requirements for notification, in writing, to the Wastewater Division, City of Lompoc, when selling or going out of business. Notification must be made at least 30 days prior to closure. Written notification must include, but is not limited to:

1. Disposal procedures of equipment, raw materials, products, etc.;

2. Name, address and telephone number of person purchasing the property (either equipment or real estate);

3. Date of closure.

M. Other terms and conditions as deemed appropriate by the Director to ensure compliance with this Chapter. (Prior code § 3349)

13.16.190 Modification of Permit Terms and Conditions.

The terms and conditions of wastewater discharge permits may be modified in response to changes in applicable regulations, standards, and limitations, or such terms and conditions may be modified to reflect process changes by the user. Compliance schedules may be modified when, in the opinion of the Director, the user has shown good faith efforts to comply, but requires additional time for the acquisition and/or construction of necessary pretreatment facilities or equipment, provided that no Federal or State requirements are violated by said modifications. The user shall be informed of the proposed permit modifications at least 30 days prior to the effective date of the change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance. (Prior code § 3350)

13.16.200 Permit Transfer.

Wastewater discharge permits are issued to a specific user for a specific operation and shall not be reassigned, transferred, or sold. (Prior code § 3351)

13.16.210 Permit Duration.

Permits shall be issued for a specific time period, not to exceed five years. A permit may be issued for a period less than one year, or may contain a specific expiration date. The user shall apply for permit reissuance a minimum of 90 days prior to the expiration date of the user's existing permit. (Prior code § 3352)

13.16.220 Other Requirements Unaffected.

The issuance of a permit does not waive, modify, or otherwise relieve the user of limitations, restrictions, or conditions imposed by any other regulatory agency or City department. (Prior code § 3353)

13.16.230 Revocation of Permit.

A. Conditions. Any user who violates any of the following provisions of this Chapter, or any applicable State or Federal regulation, standard, or limitation, is subject to permit revocation:

1. Failure to factually report wastewater pollutants and characteristics;
2. Failure to report significant changes in operations or wastewater constituents and characteristics, including slug loads;
3. Knowingly submitting false statements, false representations, records, plans or other documents to the City;
4. Tampering or knowingly rendering inaccurate any monitoring device required by this Chapter;
5. Refusal of, or obstruction to, reasonable access to the user's premises for the purpose of inspection and/or monitoring and surveillance; 6. Violation of permit terms and conditions.

B. Notification. When the Director determines that reason exists for permit revocation, he or she shall notify the user of the reason(s) for permit revocation, and schedule a hearing as set forth in Section 3345 of this Chapter. (Prior code § 3354)

Article 3. Discharge Prohibitions and Limitations

13.16.240 General Discharge Prohibitions.

A. No user may discharge, or cause or allow to be discharged, any pollutant(s), including oxygen demanding pollutants (BOD, etc.), at a flow rate or concentration which causes pass-through or interference (as defined in Section 13.16.030 and 40 CFR Part 403.3) with the wastewater system, or causes or significantly contributes to an exceedance of the calculated maximum allowable headworks loading for any given pollutant.

B. No person may discharge, or cause or allow to be discharged, any pollutant or water containing pollutants onto the ground, public right-of-way, easement, storm drain, or watercourse. (Prior code § 3355)

13.16.250 Specific Discharge Prohibitions.

No user shall discharge, cause, or allow to be discharged any of the following described wastes to a City sewer:

A. Fire or Explosion Hazards. Any solid, liquid, or gas which, by itself or by interaction with other substances, may cause fire or explosion hazards, or in any other manner create imminent endangerment to wastewater personnel, the environment, or the public health. At no time shall the reading on a combustible gas meter, at the point of discharge or at any point in the wastewater system exceed five percent of the LEL of the meter. Prohibited materials include, but are not limited to, gasoline, kerosene, naphtha, benzene, toluene, xylene, ethers, alcohols, ketones, aldehydes, other liquids having a closed cup flashpoint of less than 140 degrees Fahrenheit (65 degrees Celsius), peroxides, chlorates, perchlorates, bromates, carbides, hydrides, sulfides, and any other substance which may represent a fire hazard, health hazard, environmental hazard, or hazard to the wastewater system.

B. pH or Corrosion Hazards. Any wastewater having a pH less than 5.0, or otherwise having any corrosive property capable of causing damage to the wastewater system.

C. Solid or Viscous Waste. Any solid waste that will not pass through a one-half inch mesh opening, ashes, asphalt, dead animals, offal, cinders, sand, mud, shavings, metal, glass, rags, feathers, tar, plastics, wood, whole blood, animal manure, bones, hair or fleshings, entrails, paper products, greases, slurries, petroleum, non-biodegradable cutting oils, mineral oils, refining residues, fuel or oil residues, or viscous materials, of such character or in such quantity that may, in the opinion of the Director, cause an obstruction to the flow in the sewer or interfere with the proper function of the wastewater system.

D. Reactive Materials. Any reactive material(s) capable of producing toxic fumes, or any noxious or malodorous liquids or gases which either singly, or by interaction with other wastes, are sufficient to create a public nuisance or hazard to life or are sufficient to prevent entry into a sewer for maintenance and repair.

E. Heat. Heat in amounts which will inhibit biological activity in the wastewater treatment plant, resulting in interference. In no case shall any discharge to the sewerage system exceed 140 degrees Fahrenheit (65 degrees Celsius) at the point of discharge, or cause the temperature at the influent to the wastewater treatment plant to exceed 104 degrees Fahrenheit (40 degrees Celsius). F. Slug Loads. Slug loads of compatible or incompatible pollutant(s).

G. Color. Any discharge with objectionable color not removed in the wastewater treatment process.

H. Concentration. Any discharge with a concentration of reducing agents or substances which will significantly increase the chlorine requirement or the amount of other disinfecting agent required, or upset biological stabilization, or impose an additional air requirement.

I. Interference. Any substance which may cause the wastewater system, its effluent, or any other product such as residues, sludges, or scums to be unsuitable for reclamation or reuse, or to interfere with the reclamation process. In no case shall any substance discharged to a City sewer cause the City to be in violation of its NPDES permit (including an increase in the magnitude or duration of a violation), or prevent sludge use and disposal in compliance with any statutory provision contained in:

1. Section 405 of the Act;
2. The SWDA (including Title II, more commonly referred to as the RCRA);
3. The Clean Air Act;
4. The TSCA;
5. The Marine Protection, Research, and Sanctuaries Act; and
6. Any State criteria applicable to the sludge management method used by the City.

J. Violations. Any waste which violates any statute, rule, regulation, or ordinance of any public agency having jurisdiction over the discharge of wastewater through the sanitary sewer system.

K. Significant Change. Any significant change in the nature or quantity of wastewater discharged to the wastewater system, unless approved in writing by the Director. For the purposes of this Chapter, a "significant change" is any change which results in a long-term average flow rate change of 20 percent or more, or results in a long-term average change in concentration of any pollutant(s) of 20 percent or more. (Prior code § 3356)

13.16.260 Hazardous Wastes.

The discharge of any hazardous substance is prohibited. Any user that generates, treats, stores, transports, or disposes of hazardous waste must notify the Director and the EPA, and shall be notified by the Director of applicable requirements under Subtitle C of RCRA. (Prior code § 3357)

13.16.270 Trucked or Hauled Waste.

Wastehaulers shall not discharge trucked or hauled waste, either domestic or industrial, to the City's wastewater system except at such City owned facilities as may be constructed and operated specifically to receive such wastes, and as authorized in accordance with the terms and conditions of a Class I user permit. Trucked or hauled wastes include but are not limited to septic tank, chemical toilet, cesspool or seepage pit waste, and any waste recovered from a trap. Recreational vehicles may discharge domestic holding tank waste only at locations designated by the Director and authorized specifically for that purpose. (Prior code § 3358)

13.16.280 Medical Facility Wastes.

A. The following wastes shall not be discharged from a medical facility to the public sewer by any means:

1. Infection wastes;
2. Recognizable portions of the human anatomy;
3. X-ray processing waste and radioactive waste, except as authorized in accordance with the provisions of Section 13.16.290.

B. Infectious waste generated by medical facilities shall be handled in accordance with applicable provisions of CCR Title 22, as amended, and Article V of Chapter 18 of the Santa Barbara County Code, and the applicable provisions of this Chapter. (Prior code § 3359)

13.16.290 Radioactive Wastes.

No user shall discharge, or cause to be discharged, any radioactive waste into a City sewer unless:

A. Discharged in strict conformity with applicable regulations, standards, and limitations;

B. Authorized to use radioactive materials by the State Department of Health and/or other governmental agencies empowered to regulate the use of radioactive materials; and

C. Authorized in and in accordance with the terms and conditions of a Class I or Class II user permit. (Prior code § 3360)

13.16.300 Unpolluted Water.

Stormwater, groundwater, street drainage, surface drainage, subsurface drainage, yard drainage, swimming pool water, and other unpolluted waters such as single-pass cooling water shall not be discharged to a City sewer except as authorized in a temporary user permit secured in accordance with this Chapter. (Prior code § 3361)

13.16.310 Swimming Pool Waste.

Swimming pool water shall not be discharged to a City sanitary sewer. Backwash water, and any waste generated by acid cleaning of a swimming pool are considered polluted water and shall be discharged to a sanitary sewer, provided that the City is notified at least 24 hours prior to the discharge and the pH requirements of this Chapter are not violated. (Prior code § 3362)

13.16.320 Water Softening Waste.

A. It is unlawful to install, replace, or enlarge apparatus for softening all or any part of the water supply to any premises when such apparatus is an ion-exchange softener or demineralizer of the type that is regenerated on the site of use with the regeneration wastes being discharged to the ground, storm drain, or City sewerage system, unless said softener or demineralizer meets or exceeds the standards specified in Chapter 7.8 Water Softening or Conditioning of the California Health and Safety Code, Part I, Division 5, relating to water softening or conditioning. This Section shall not apply to apparatus of the type which is regenerated off-site by a water conditioning company.

B. A person installing or operating a legal water-treating apparatus of any kind shall make such apparatus accessible to the Director for inspection at all reasonable times and shall make such report relative to such apparatus as the Director may request. (Prior code § 3363)

13.16.330 Excessive Discharge.

No user shall ever increase the use of process water, or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment in order to achieve compliance. (Prior code § 3364)

13.16.340 Limitations of Discharge.

A. The Director shall develop discharge limitations as necessary to ensure compliance with the provisions of this Chapter. Discharge limitations may be adopted by ordinance or resolution of the City Council, or may be incorporated into the user's wastewater discharge permit. Discharge limitations shall not be imposed until individual notice is given to persons or groups who have requested such notice, and until such persons or groups are given an opportunity to show cause, if they have any, why discharge limitations should not be imposed upon them. Discharge limitations specified as a condition to Class I or Class II user permits shall superseded the limitations imposed under Subsection B of this Section.

B. Except as authorized in accordance with the terms and conditions of a Class I or Class II user permit, no user shall discharge, after the effective date of the ordinance codified in this Chapter, wastewater containing pollutants in excess of the quantities specified herein.

Constituent	Concentration*	Type of Limit
Ammonia	55	Maximum Daily Average
Arsenic	2.0	Maximum Daily Average
Beryllium	3.0	Maximum Daily Average
Cadmium	0.2	Maximum Daily Average
Chloride	250	Maximum Daily Average
Chromium	2.0	Maximum Daily Average
Copper	2.0	Maximum Daily Average
Cyanide (total)	1.0	Instantaneous Maximum
Lead	1.0	Maximum Daily Average
Mercury	0.01	Maximum Daily Average
Nickel	3.0	Maximum Daily Average
Oil and Grease	100	Instantaneous Maximum
pH (pH units)	acceptable range 6-9	Instantaneous Maximum

Phenol	25.0	Instantaneous Maximum
Selenium	0.4	Maximum Daily Average
Silver	1.5	Maximum Daily Average
Sodium	270	Maximum Daily Average
Total Dissolved Solids	1100	Maximum Daily Average
Zinc	1.0	Maximum Daily Average

*All concentrations are in mg/L, determined in accordance with analytical procedures specified by 40 CFR Part 136.(Prior code § 3365)

Article 4. Facilities Requirements

13.16.350 Pretreatment in General.

A. When the Director determines that it is necessary to modify or eliminate wastes or portions of wastes in order to comply with this Chapter, the user shall provide, operate, and maintain continuously in satisfactory and effective operation at user's expense such pretreatment or processing facilities as may be necessary to ensure compliance with this Chapter.

B. Detailed plans, specifications, and operating procedures, and any other pertinent information relating to the proposed facilities shall be submitted to the Director for approval. No premises and no new facilities may be connected to the public sewer until such approval is obtained in writing. The review and approval by the Director of such plans, specifications, and procedures does not constitute an opinion or evaluation of the adequacy of such plans, specifications, and procedures to perform in a manner that guarantees compliance with applicable regulations, standards, and limitations, nor does such approval relieve the user from the responsibility of modifying the facility in the future, as necessary to ensure compliance with this Chapter.

C. When pretreatment facilities are provided, whether or not required, they shall be maintained continuously in satisfactory and effective operation by the user.

D. Wastes recovered from pretreatment devices and not permitted to be discharged into a City sewer shall be transported to a State-approved disposal site in accordance with applicable regulations, standards, and limitations. (Prior code § 3366)

13.16.360 Equalized Discharges.

A. The Director may require any user to provide, operate, and maintain a flow equalization facility, in accordance with Section 13.16.350, in order to ensure equalization of discharge if, in the opinion of the Director, such action is necessary to protect the wastewater system.

B. This facility shall have a capacity of at least 80 percent of the total normal volume of a 24-hour production period, and the outlet to the sewer shall be equipped with a rate discharge rate controller or other approved device acceptable to the Director. (Prior code § 3367)

13.16.370 Traps/Interceptors.

A. Traps/interceptors to capture grease, oil, lint, hair, and/or sand shall be provided when, in the opinion of the Director, they are necessary for the protection of the wastewater system from liquid wastes containing excessive amounts of grease, flammable wastes, sand, or other harmful ingredients. Such traps/interceptors may be required, for discharges from service stations, restaurants, automobile repair garages, wash racks, laundries, barbershops, beauty shops, and dry cleaning establishments.

B. The Director shall notify any user when he or she has determined that a trap/interceptor is necessary, and the user shall provide, operate, and maintain the trap/interceptor in accordance with Section 13.16.350. The trap/interceptor shall be constructed in accordance with UPC Appendix H.

C. Grease and oil or sand traps/interceptors shall be constructed of impervious materials capable of withstanding abrupt and extreme changes of temperature. Traps/interceptors shall be of substantial construction, water-tight and equipped with easily removable covers which when bolted in place shall be gas-tight and water-tight. All traps/interceptors shall be located as to be readily and easily accessible for cleaning and inspection, and shall be maintained continuously in satisfactory and effective operation by the user. (Prior code § 3368)

13.16.380 Accidental Discharge.

A. All users shall provide protection from accidental discharge of prohibited materials or other substances regulated by this Chapter.

B. Upon notification from the Director, a user shall provide, operate, and maintain facilities designed to preclude the accidental discharge of prohibited materials or other substances regulated by this Chapter in accordance with Section 13.16.350 of this Chapter, and applicable provisions of CCR Title 22.

C. Upon notification from the Director, a user shall develop, submit to the Director for approval, and implement an ASPP. ASPPs may be required prior to permit issuance, or may be required in accordance with a compliance schedule as a condition of the user's wastewater discharge permit.

D. In case of an accidental discharge, the user shall immediately notify the wastewater treatment plant, by telephone, of the incident. The notification shall include location of discharge, type of wastewater, concentration, and volume, and corrective actions taken and planned to prevent reoccurrence.

1. Written Notice. Upon notification by the Director, the user shall submit to the Director, within 15 days following an accidental discharge, a detailed report describing the cause of the discharge and the measures to be taken by the user to prevent similar future occurrences.

2. Notice to Employees. Upon notification by the Director, a user shall permanently post on the user's bulletin board, or other prominent place, a notice advising employees whom to call in the event of an accidental discharge. Employers shall ensure that all employees who may cause or witness such a discharge are advised of the notification procedure. (Prior code § 3369)

13.16.390 Monitoring and Metering Facilities.

A. The Director may require any user to provide, operate, and maintain at user's expense flow monitoring, process monitoring, and/or sampling facilities. Upon notification from the Director, the

user shall provide, operate and maintain such facilities in accordance with Section 13.16.350 of this Chapter.

B. Any sample taken from a sampling facility installed in accordance with this Section is presumed to be discharging to the City sewer.

C. Monitoring or metering facilities may be required to have a security closure that can be locked with a City-provided hasp lock during sampling and monitoring. (Prior code § 3370)

Article 5. Fees and Charges

13.16.400 Purpose.

The City shall recover costs from users of the wastewater system for the implementation of the pretreatment program established herein. The applicable charges and fees shall be as set forth in the City's wastewater service rates and charges, as adopted by resolution or ordinance of the City Council and amended from time to time. (Prior code § 3371)

13.16.410 Fees and Charges.

The City may adopt fees and charges which may include: A.

Wastewater Fees.

1. Reimbursement of costs of developing and operating the City's pretreatment program;
2. Monitoring, inspection, and surveillance procedures;
3. Reviewing accidental discharge procedures and construction;
4. Permit applications;
5. Filing appeals;
6. Non-compliance;
7. Consistent removal (by the City) of pollutants otherwise subject to Federal Pretreatment Standards;
8. Connection to sewer;
9. Other fees as deemed necessary by the City to implement the provisions of this Chapter.

B. Wastewater Charges.

1. Extra-strength;
2. Other charges as deemed necessary by the City to implement the provisions of this Chapter.

C. These fees and charges relate exclusively to matters covered by this Chapter and are separate from all other fees chargeable by the City. (Prior code § 3372)

13.16.420 Payment of Charges.

Unless specified otherwise, all fees, charges and penalties imposed pursuant to this Chapter are due and payable upon receipt of notice thereof, and shall be collected in accordance with the City's utility billing charges and special procedures. (Prior code § 3373)

Article 6. Violation

13.16.430 Harmful Contributions.

A. Liability for Violation. Any user discharging wastewater which causes interference, obstruction, pass through, or damage to the wastewater system shall be responsible for all costs incurred by the City as a result of such discharge, including assessments by other agencies or the court.

B. Emergency Authority. The Director may immediately suspend or terminate wastewater service to a user after notifying the user of violation, if necessary in the Director's opinion, to terminate a discharge which reasonably appears to endanger the health or safety of the community, or threatens to pass through or interfere with the operation of the wastewater system. (Prior code § 3374)

13.16.440 Publishing Lists of IU in Significant Noncompliance.

The City of Lompoc shall publish, at least annually, a list of users that are in significant noncompliance and/or significant violation of applicable pretreatment standards or pretreatment requirements during the previous 12 months. (Prior code § 3375)

13.16.450 Enforcement Orders (EO).

A. Any user found to be violating this Chapter shall be so notified by the Director by personal service or by certified mail with a notice that the user shall, within the period of time stated in the notice or within such extension thereof as may be granted by the Director, correct and cease the violation.

B. The Director may impose administrative penalties at his or her discretion upon any user found to be violating this Chapter. Minimum penalties are specified in the City's wastewater service rates and charges, and shall be collected in accordance with the City's utility billing procedures and special charges.

C. The Director may order any user found to be violating this Chapter to attend an administrative hearing, not less than 15 days after NOV, at which time the user shall have an opportunity to respond. The user may be required to explain corrective actions and/or show cause why further enforcement action should not take place. Upon review of the information submitted by the user, the Director may pursue further enforcement actions at his or her discretion.

D. Violation of this Chapter or of any EO issued pursuant to this Chapter is hereby declared a public nuisance and shall be corrected as directed by the Director. Violation of this Chapter is a misdemeanor. (Prior code § 3376)

13.16.460 Affirmative Defense—Upsets.

Any upset, as defined herein, shall constitute an affirmative defense to an enforcement action taken against a user for noncompliance with this Chapter provided that the user can demonstrate to the satisfaction of the Director that:

A. An upset has occurred and the user can identify the causes of the upset;

B. The facility was being operated in a prudent manner in compliance with applicable operations and maintenance procedures at the time of the upset;

C. The user notifies the Director within 24 hours after the upset, and submits a written report, as specified by the Director, within five days after the upset. In any enforcement proceedings, the user seeking to establish the occurrence of an upset shall have the burden of proof. (Prior code § 3377)

13.16.470 Legal Action.

The City Attorney may commence an action for appropriate legal and/or equitable relief in the Superior Court of Santa Barbara County against any user who violates this Chapter or any EO issued by the Director pursuant to this Chapter, or any permit requirement.

A. Injunction. The City Attorney may commence an action for the issuance of a preliminary or permanent injunction as appropriate to enforce the provisions of this Chapter.

B. Civil Penalties. In accordance with Section 309(d) of the Act, any user who violates this Chapter may also be liable in a sum not to exceed $25,000.00 per day in which such violation occurs (33 USC 1319).

C. Criminal Penalties.

1. The City Attorney may prosecute violations of this Chapter in accordance with the General Penalty provisions of Section 1.24.010 of this Code. Violations shall be subject to fines of up to $1,000.00 and imprisonment not exceeding six months (reference Government Code Section 36901). Every day any violation continues to exist shall constitute a separate offense.

2. In addition, violations may be subject to prosecution pursuant to 33 USC Section 1319, which specifies criminal penalties, as described below, for violation of the Act:

a. Negligent Violations. Any user who negligently violates applicable pretreatment requirements or negligently discharges to the wastewater system any pollutant or hazardous substance which the user knew or reasonably should have known could cause personal injury or property damage shall be subject to fines of not less than $2,500.00 nor more than $25,000.00 per day of violation and/or imprisonment for not more than one year.

b. Knowing Violations. Any user who knowingly violates applicable pretreatment requirements or knowingly discharges to the wastewater system any pollutant or hazardous substance which the user knew or reasonably should have known could cause personal injury or property damage shall be subject to fines of not less than $5,000.00 nor more than $50,000.00 per day of violation and/or imprisonment for not more than three years.

c. Knowing Endangerment. Any person who knowingly violates this Chapter, and who knows at that time he or she thereby places another person in imminent danger of death or serious bodily injury shall, upon conviction, by subject to a fine of not more than $250,000.00 or imprisonment of not more than 15 years, or both.

d. False Statements. Any person who knowingly makes any false statement, representation or certification in any application, record, report, plan or other document or who knowingly tampers with or renders inaccurate any monitoring device or method shall be subject to a fine of not more than $10,000.00 and/or imprisonment for not more than two years.

e. For the purposes of this Subsection, a single operational incident which leads to simultaneous violations of more than one pollutant parameter shall be treated as a single violation.

f. For the purposes of this Subsection, the term "person" means, in addition to the definition in Section 13.16.030, any responsible corporate officer. (Prior code § 3378)

Article 7. Enforcement

13.16.480 Violation of Chapter.

Any discharger found to be violating any provision of this Chapter shall be served by the Director in person or by registered or certified mail with a written notice stating the nature of the violation and providing a reasonable time limit for the satisfactory correction thereof. Any discharger with knowledge of the notice shall, within the period of time stated in the notice, or within such extension thereof as may be granted by the Director, correct and cease the violation. The violation of this Section shall be a misdemeanor. Any discharge of wastewater in violation of the provisions of this Chapter is a public nuisance. (Prior code § 3379)

13.16.490 Disconnection from Public Sewer for Violation of this Chapter Including Nonpayment.

The Director shall have the power to disconnect any building sewer lateral from a sewer main or sever or plug any such building sewer lateral within any easement or public street when the premises connected by such building sewer lateral to a sewer main is the point of the discharge made in violation of this Chapter. The premises shall not be reconnected to the wastewater system and discharge shall not be further allowed, until the Director shall have estimated the cost of disconnection and reconnection, and such costs shall have been paid to the City by the discharger. Any difference between the estimated costs and the actual costs of disconnection and reconnection shall be paid or refunded, as the case may be. (Prior code § 3380)

13.16.500 Liability for Violation.

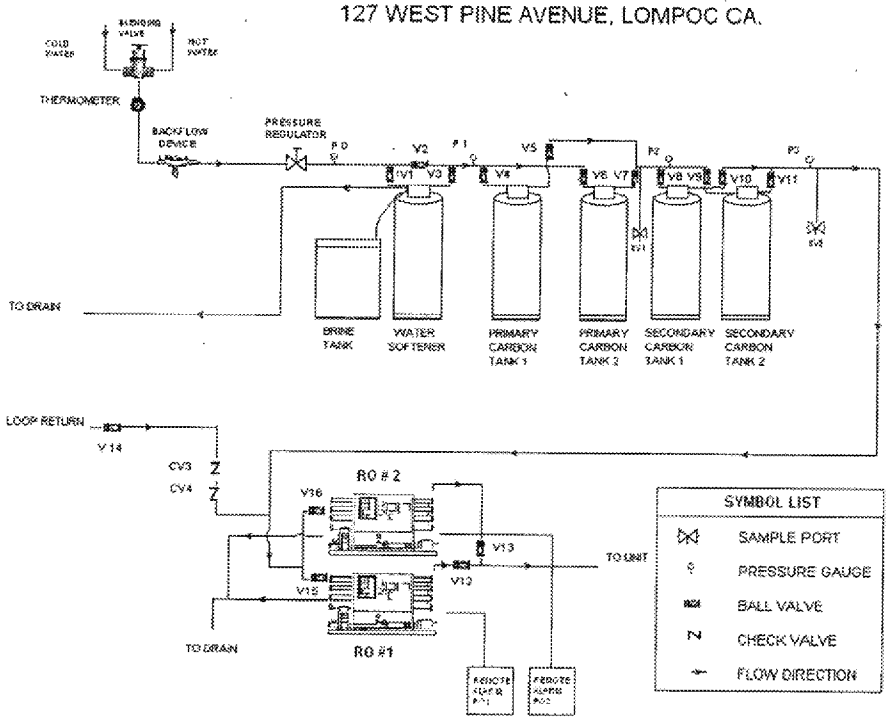
A. Any person violating any of the provisions of this Chapter, or rules, regulations, or standards promulgated by the Director, shall be liable to the City for all expenses, losses, and damage suffered by the City by reason of such violation.

B. Any person violating provisions of this Chapter or any rules, regulations, or standards of the Director, or who violates any State or Federal regulation or permit relating to the operation of the wastewater system, of which he or she has knowledge, shall be liable to the City in a sum equal to the amount of any fine or charge made upon the City by the State or Federal government for such a violation plus reasonable attorneys' fees and costs of suit required to collect such an amount. (Prior code § 3381)

APPENDIX C

Sampling Point Diagram

LOMPOC ARTIFICIAL KIDNEY CENTER, LLC.
127 WEST PINE AVENUE, LOMPOC CA.



LOMPOC ARTIFICIAL KIDNEY CENTER	
DRAWN:	OZ
SCALE:	NONE
DATE:	6-02-07

APPENDIX D

Enforcement Response Plan

Enforcement Response Progressive Action

OPTION	ACTION	CITY RESPONSE (days)**	PERSON RESP	No Response to Action By User use next option within
Category - MINOR (A)				
First	Phone Call	0-7 E	WRPT	1-14 days
Second	Phone Call/Meeting	0-14 E	WRPT/Super	1-21 days
Third	Meeting/Letter	0-14 C	WRPT/Super	as specified
Category - SERIOUS (B)				
First	Letter/Meeting	0-14 E	WRPT/Super	14-21 days
Second	Notice of Violation[2]	0-14 E	Director	30-60 days
Third	Administrative Hearing	0-30 D	Attorney	14-30 days
Fourth	Publication in News[1]	0-30 D	Super/Dirctr	as specified
Category - MAJOR (C)				
First	Notice of Violation[2]	0-7 E	WRPT	30-90 days
Second	Court Hearing	0-30 D	Attorney	60-120 days
Third	Fine[5]	0-60 D	Attny/Dirctr	as specified
Fourth	Revoke[4]/Suspend[3] Permit	0-60 D	Director	as specified
Category - INTOLERABLE (D)				
First	NOV/Administrative Hearing	0-7 E	Director	14-30 days
Second	Court Hearing	0-14 D	Attorney	30-90 days

[1] Significant Non-compliance (SNC) shall be grounds for annual newspaper publication (upon adoption of federal regulations to implement PIRT recommendations) and an administrative hearing.

[2] A written Notice of Violation shall be accompanied by an Enforcement Order.

[3] Any instance of Non-compliance which results in known damage to the POTW or environment (including pass through or interference may result in termination of service.

Third	Fine[5]	0-30 D	Director	as specified
Fourth	Revoke[1]/Suspend[3] Permit	0-30 D	Director	as specified

** E = time period beginning with event
C = time period beginning with first contact
D = time period beginning with the corrective action deadline stated in the previous option.

Enforcement Response Category Examples

Minor

Sampling, Monitoring and Reporting

Failure to submit routine reports - isolated (one in three months)
Failure to report known effluent violation - first or second occurrence and <20% of limit.
Failure to report slug load - within 24 hours - first occurrence and <20% of limit.
Late report - 1-5 days past deadline; once per quarter
Failure to sample representatively and/or handle samples properly

Compliance Schedules

Missed compliance schedule milestone (with on other milestones missed)
Failure to submit progress reports

Effluent Limits

Ordinance or Permit Violation - (not including Categorical Pollutants) infrequent - 50% of the samples in one (1) month
Failure to report slug load volume and quantity

Inspection or Field Investigations

Violation of permit condition - negligence
Violation of analytical procedures (wrong limits cited - no violation)

Major

Sampling, Monitoring and Reporting

- Failure to submit routine report (twice in three months)
- Failure to report known effluent violation - more than twice in three months
- Failure to report slug load
- Second occurrence of failure to report known effluent violations with any one or more of the following: pass through; interference; incompatibility; damage; personnel endangerment and/or SNC

---

[1] Permit violations may result in revocation of permit. [5] Fines will be from $1,000 to $2,500.

NOTE: Section 3345 of the Sewer System Ordinance states: Appeals - The director of Utilities is hereby empowered to enforce the rules, regulations, and limitations established herein, as he may deem reasonably necessary to implement the provisions of this Article. Any user, permit applicant, or permit holder affected by any decision, action, or determination made by the Director interpreting or implementing the provisions of this Article or any Wastewater Discharge Permit issued herein, may file an appeal for reconsideration in writing within 15 working days to the Director. The Director shall render a decision within 15 working days from receipt of the appeal. If the ruling of the Director is unacceptable, the user may, within 10 working days of the Director's ruling, file a written appeal with the City Council. The appeal shall be ruled upon by the City Council within 60 days, and the ruling shall be final.

- Late report 5 days or more for three of three months
- Failure to return BMR - second occasion

Failure to return permit renewal within 6-10 days

Compliance Schedules

- Failure to submit compliance schedules
- Missed compliance schedule resulting in other missed milestones (no good or valid cause) - first and second occurrence (SNC)
- Missed final compliance date - 30-60 days. Or failure or refusal to comply without good or valid cause.
- Failure to submit progress report 3 or more times within one compliance schedule **Effluent Limits**

Ordinance or Permit violation (includes categorical pollutants) - isolated - once every permit issuance (1-5 years according to individual permits)

Slug Loads - volume and quality of violation major

Inspections or Field Investigations

Violation of analytical procedures with no evidence of intent (second occurrence)

Violation of permit condition with no evidence of negligence or intent

Serious

Sampling, Monitoring and Reporting

First occurrence of failure to report known effluent violation with any one or more of the following: pass-through; interference; incompatibility; damage; personnel endangerment; SNC

Failure to report slug load with 72 hours; Minor volume and quantity

Failure to return BMR - first occasion

Failure to return permit renewal within 1-5 days

Compliance Schedules

Missed compliance schedule milestone that will result in other missed milestones (violation for good and valid cause)

Missed final compliance schedule date - violation due to force majeure (strike, fire, earthquake, etc.)

Effluent Limits

Ordinance or Permit violation (not including Categorical Pollutants) frequent - >50% of the samples in one (1) month.

Slug Load volume and quantity not reported

Inspection or Field Investigations

Violation of analytical procedures with no evidence of intent (first occurrence)

Violation of permit condition with no evidence of negligence or intent

Intolerable

Sampling, Monitoring and Reporting

Failure to submit routine report three in tree months

Third occurrence of failure to report known effluent violations with any one or more of the following: pass through; interference; incompatibility; damage; personnel endangerment and/or SNC.

Tampering with samplers, flow meter or monitoring equipment - any occurrence (fines/reassessment of sewer charges)

Late Report - >10 days in four or more months out of six

Failure to return permit renewal within 10+ days or third occurrence.

Compliance Schedules

Missed compliance schedule resulting in other missed milestones - No good or valid cause (SNC)

Missed final compliance date 61+ days outstanding. Failure or refusal to comply without good or valid cause.

Failure to install monitoring or pretreatment equipment - continued - SNC - more than 90 days outstanding.

Effluent Limits

Ordinance or Permit violation (includes categorical pollutants) - frequent more than one incident in a year.

Inspection or Field Investigations

Violation of analytical procedures with no evidence of intent - second occurrence

Violation of analytical procedures with evidence of intent - any occurrence

Violation of permit condition with evidence of negligence or intent - any occurrence