

ORDINANCE NO. 18-06

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAYWOOD
ESTABLISHING THE SANITARY SEWER PROTECTION REGULATION
PURSUANT TO CALIFORNIA STATE WATER RESOURCES CONTROL BOARD
ORDER NO. 2006-0003-DWQ.**

THE CITY COUNCIL OF THE CITY OF MAYWOOD DOES ORDAIN AS FOLLOWS:

Chapter 12 SEWER SYSTEM PROTECTION REGULATION

6-12.010 Purpose.

The overall goal of this chapter and the City's water quality control program is to prevent and control pollution and protect and foster human health and the environment. The specific purpose of this chapter is to prevent the discharge of any pollutant into the sewers which would: (1) obstruct or damage the collection system, (2) interfere with, inhibit, or disrupt Los Angeles County's Carson Joint Water Pollution Control Treatment Plant (the "plant"), its treatment processes, operations, sludge processes, use, or disposal, (3) pass through the treatment system and contribute to violations of the regulatory requirements placed upon the plant, or (4) result in or threaten harm to or deterioration of human health or the environment. It is the intent of the City to update and modify chapter as needed to continue to provide a program for the pretreatment of industrial wastes that is approved by federal and state regulatory agencies. Therefore, this chapter is designed to be no less stringent than the U.S. Environmental Protection Agency's "General Pretreatment Regulations for Existing and new Sources of Pollution" published at Title 40 of the Code of Federal Regulations, Part 403, as applicable and as such regulations may be amended from time to time (hereinafter the "pretreatment regulations").

6-12.020 Definitions.

The following words and phrases, whenever used in this chapter, shall be as defined herein. Words, terms, and phrases used in this chapter not otherwise defined shall be as defined, interpreted, or used in the pretreatment regulations. Terminology for analytical testing shall be that contained in "Guidelines Establishing Test Procedures for the Analysis of Pollutants," published at 40 CFR Part 136.

"Average concentration" of a substance means the total daily discharge weight of the substance divided by the total daily wastewater volume at the point of discharge.

"Berm" means a barrier to the flow of liquid that is not rendered ineffective by the liquid, and is sufficiently high to contain anticipated fluid amounts.

"Cesspool" means a lined or partially lined underground pit into which raw sanitary sewage is discharged.

“Collection system” means the pipes, junction boxes, channels, and other conveyance apparatus used to move stormwater or sewage.

“Contaminated ground water” means water found beneath the earth’s surface which does not meet state or federal standards for drinking water supplies or other specified beneficial uses.

“Contaminated water” means water that does not meet state or federal standards for discharge to navigable waters.

“Cooling water” means water which is used to cool fluids or equipment in commercial or industrial processes or air-conditioning systems.

“Cooling water system” means the pipes, heat exchanger, and other appurtenances used to convey cooling water in cooling towers, direct-contact cooling systems, and similar fixed cooling systems.

“Cycles of concentration” means the flow rate of water added to a cooling tower system divided by the flow rate of water discharged from a cooling system.

“Development” means any activity which requires a permit or approval from the City, and also includes grading, planting of trees and shrubs, and/or erection of fences, piers, or other manmade obstructions which raise the level of flowing water, concentration, impede or accelerate its flow, or cause erosion or anything other than water to be deposited in any watercourse.

“Discharge” means the discharge, addition, placement, deposit, release, or dumping of any pollutant or combination of pollutants to surface waters from any point source. This definition includes, but is not limited to, additions of pollutants into waters from surface runoff and discharges through pipes, sewers, channels, or other conveyances owned by a state, municipality, or other person that does not lead to a treatment work.

“Discharger” means any person who discharges, causes, or permits the discharge of industrial waste into a City sewer.

“Domestic waste” means the liquid and waterborne wastes derived from the ordinary living processes, free from industrial wastes and of such character as to permit satisfactory disposal, without special treatment, into the City’s sewerage system.

“Engineer” means the City Engineer, his or her designee, or any other such person as may be designated by the City Administrator.

“EPA” means the United States Environmental Protection Agency.

“Exceptional waste” means that subset of industrial waste specified in Section 6-12.040(C)(2).

“Fail-safe valve” means an electrically driven valve that is normally closed. The valve can be opened by continuously depressing a switch mechanism that automatically closes the valve when not in use or depressed.

“Food service facility” means any nonresidential establishment that uses or generates grease when preparing food. Food service facility does not mean any facility that prepares food for offsite cooking and consumption, or any facility that does not use or generate grease in cooking or preparing food.

“Grease” means and includes fats, oils, waxes or other related constituents. Grease may be of vegetable or animal origin, including butter, lard, margarine, vegetable fats and oils, and fats in meats, cereals, seeds, nuts, and certain fruits. Grease may also be of mineral origin, including kerosene’s, lubricating oil, and road oil. Grease in the wastewater collection system is generally present as, but need not be, a floatable solid, a liquid, a colloid, an emulsion, or in a solution.

“Grease-generating activity” means any commercial or industrial or industrial activity that uses or produces grease on an ongoing basis.

“Grease removal device” means an interceptor, trap, or other mechanical device designed, constructed, and intended to remove, hold, or otherwise prevent the passage of grease to the sanitary sewer.

“Hazardous material” means any material so designated by Section 25316 of the California Health and Safety Code.

“Hazardous waste” means a material designated as a hazardous waste by 40 CFR Part 261 or California Code of Regulations (CCR) Title 22, Division 4.5, Chapter 11.

“Industrial user” means any person who discharges, causes, or permits the discharge of industrial waste into a City sewer or storm drain.

“Industrial waste” means the waste and wastewater from any production, manufacturing or processing operation of whatever nature including institutional and commercial operations where wastewater is used for the removal of significant quantities of waste other than domestic waste.

“Industrial waste” shall include contaminated water from construction operations, contaminated water from erosion of disturbed land, and contaminated water from irrigation runoff.

“Instantaneous maximum” means the highest concentration or other measure of pollutant magnitude taken at any discrete point in time.

“Instantaneous minimum” means the lowest concentration or other measure of pollutant magnitude taken at any discrete point in time.

“Interceptor” means a receptacle designed and constructed to intercept, separate, and prevent the passage of prohibited substances into the sewer system.

“Machine shop” means a fixed facility which cuts, grinds, polishes, deburrs, or machines metal parts but does not conduct metal finishing as that term is defined by the EPA in 40 CFR Part 433.

“Metal fabrication facility” means a fixed facility that forms, welds, and assembles metal pieces, but does not conduct metal finishing as that term is defined by the EPA in 40 CFR Part 433.

“Monthly average measurement” means the sum of all measurements taken during a month divided by the number of measurements taken during a month. The “monthly average measurement” shall be taken on a minimum of three measurements, provided that if the measured value of any measurement is below the analytic detection limit, then the detection unit shall be used in calculating the monthly average.

“Municipal storm drain system” means and includes, but shall not be limited to, those facilities within the municipality by which stormwater may be conveyed to waters of the United States, including any roads with drainage systems, municipal streets, catch basins (regardless of location), curbs, gutters, ditches, man-made channels, or storm drains, which are not part of the sanitary sewer system.

“NPDES permit” means a valid National Pollutant Discharge Elimination System permit issued by the California Regional Water Quality Control Board, in accordance with regulations promulgated by the U.S. Environmental Protection Agency to implement the requirements of the Federal Clean Water Act.

“Organic solvent” means any solvent which contains carbon in its molecular structure.

“Person” means any individual, partnership, firm, association, corporation, or public agency.

“Plant” means Los Angeles County’s Carson Sewer Treatment Plant.

“Point of discharge” means the point or points designated as such in the permit. Where no designation is made, it shall mean the point where the private sewer.

“Pollutants” means and includes all sewage, sewage sludge, garbage, debris, construction debris, biological materials, radioactive materials, and chemical, industrial,

and agricultural waste discharged into water. "Pollutants" shall include any material potentially harmful to stormwater quality or wildlife or which threatens to contribute to a violation of applicable water quality standards.

"Pretreatment system" means a treatment system at an industrial or commercial facility that is designed to treat water prior to entering the City's sewer system.

"Sanitary sewage" or "sewage" means water-carried wastes from residences, businesses, properties, institutions, and industrial properties excluding ground water, surface water, and stormwater.

"Secondary containment" means and shall have the meaning specified by Section 25316 of the California Health and Safety Code.

"Seepage pit" means a device comprised of one or more pits extending into porous strata, lined with open-jointed masonry or similar walls, capped and provided with a means of access such as a manhole cover, and into which wastewater disposal system effluent is discharged.

"Sewage treatment plant" means any arrangement of devices and structures used for treating sanitary sewage.

"Sewer" means a pipe conduit for carrying sewage.

"Sewer Superintendent" means the manager of the sewer collection system, the director of public works, or his or her designee.

"Sewer system" or "Sanitary sewer system" means all sewers owned or operated by the City and other facilities owned or operated by the City for carrying, collecting, treating, and disposing of sanitary sewage and industrial wastes.

"Simple payback period" means the number of years required to allow the dollar value of an investment in water pollution control to be exceeded by cost savings resulting from the investment.

"Storm drains" or "storm drain system" means the system of pipes and channels used to collect and convey stormwater.

"Stormwater" means all rainfall runoff, surface runoff, and drainage.

"Unpolluted water" means water to which no constituent has been added, either intentionally or accidentally, that would render such water unacceptable for disposal to storm drains or natural drainage or directly to surface waters.

“Watercourses” means and includes all natural waterways and definite channels and depressions in the earth that may carry water, even though such waterways may only carry water during rains and storms and may not carry stormwater at and during all times and seasons.

6-12.303 Responsibility of the City Engineer

The City Engineer shall be responsible for the administration and enforcement of the provisions of this chapter, for conducting an industrial waste source control program, and for promulgating such orders, rule, and regulations as are necessary to accomplish the purpose of this article in accordance with the requirements that are or may be promulgated by the Environmental Protection Agency, the State of California Water Resources Control Board, the State Department of Health Services, the California Regional Water Quality Control Board, or other duly authorized boards or agencies.

6-12.040 Industrial waste discharge permit.

A. It shall be unlawful for any person or organization to discharge or cause to be discharged any industrial waste whatsoever directly or indirectly into the sewer system without first obtaining a permit for industrial waste discharge. Furthermore, it shall be unlawful for any person or organization to discharge any industrial waste in excess of the quantity or quality limitations or to violate any other requirement set forth in this article or in a permit for industrial waste discharge.

B. A discharger may submit an advance written request to discharge prohibited wastes not in conformance with this chapter or wastes containing concentrations of substances or characteristics in excess of those permitted by this chapter. Discharge of such wastes shall not be allowed without an exceptional waste permit duly issued.

C. The City Engineer authorizes a discharger by permit to discharge “exceptional wastes” when the permit will neither result in a violation of any of the provisions effects described in Section 6-12.190 of this chapter nor any violation of the City pretreatment regulations. The City shall be compensated for any costs it incurs in authorizing such discharge including any expense in determining whether such discharge is compatible with the sewer system and is in compliance with the pretreatment regulations.

1. Permission to discharge exceptional waste may either be given as an addendum to a current permit or by a separate permit. In the case of third parties requesting permission to discharge waste generated by another party, or the products of treating waste generated by another party, the waste generator or responsible party must submit a “designation of authorized representative” (DOAR) to the City Engineer to authorize the third party to conduct business and must sign the reports on their behalf. However, certification that the waste as discharged does not constitute a hazardous waste must be submitted as part of the permit. The permit application must be submitted and signed by the waste generator or responsible party.

2. Exceptional wastes are aqueous wastes that may include but are not limited to (i) construction site dewatering where soil or groundwater contamination is present, (ii) groundwater contaminated with organic solvents generated as a result of pump tests in preparation for a groundwater cleanup or water generated during sampling events, (iii) aqueous wastes generated by either permanent or mobile hazardous waste treatment units used to treat hazardous waste at the generator's site. (iv) and aqueous wastes generated as a result of site cleanup activities. A permit must be obtained prior to commencement of discharge, and requests for such permits shall be submitted no later than twenty (20) working days prior to intended discharge. The letter of application shall include the name, address, phone number and title of the responsible party, on-site contact person's name, address, and twenty-four (24) hour contact phone number, analytical data on the contaminants and characteristics of the intended discharge, the intended point of discharge, the duration and volume, dates of intended discharge, and a site plan.

3. A separate charge for processing such requests shall be established by the City Engineer to recover the City's costs in processing and administering such permits.

D. The permit for any industrial waste discharge may include, but is not limited to, requiring pretreatment of wastes before discharge; restriction of peak flow discharges, prohibition of discharge of certain wastewater components; restriction of discharge to certain hours of the day; requiring payment of additional charges to defray increased costs to the City created by the wastewater discharge; requiring sampling and monitoring before and during discharge and other conditions as may be required to effectuate the purpose of this chapter. The permit may also require specific investigations or studies to determine methods of reduction toxic constituents in the discharge.

E. No permit for industrial waste discharge is transferable without the prior written consent of the City Engineer. A change of ownership (including a transfer of the majority of shares in a corporate discharger) of the waste generating facility requires a new permit application.

F. Any person or organization desiring to change the quantity or degree or reduce the quality of waste discharged to the sewer system or to discharge wastes or use facilities which are not in conformance with their industrial waste permit shall apply for and obtain an amended permit prior to any such discharge or use. An application for an amended permit must be filed sixty (60) days in advance of the proposed commencement of such discharge or use of such facilities.

6-12.050 Industrial waste discharge permit procedure.

A. Application for discharge permit and determination of Federal pretreatment category. Applicants for a permit for any industrial waste discharge shall

complete and submit an application form for each point discharge. The City Engineer shall establish the contents of said form and may require additional information the characteristics of the wastewater discharge beyond that required on the application form. Interested parties shall be notified of the filing of the application via posting at City Hall.

Completed application forms shall be filed by the discharger not less than sixty (60) days in advance of commencing discharge. The discharger shall not commence discharge prior to permit approval.

- B. Determination of pretreatment category according to the pretreatment regulations. Prior to approval of a discharge permit, the City Engineer shall determine whether the discharge is subject to the categorical standards provided in the pretreatment regulations. The determination will be made by the City Engineer following the guidelines and procedures of that subpart.
- C. The City Engineer may impose terms and conditions on the permit which the City Engineer deems reasonable or necessary to carry out the purposes of this article. The application shall be approved if: (i) the applicant has complied with all requirements of this chapter and all applicable City ordinances, state and federal regulations; (ii) the applicant has furnished all requested information; (iii) the City determines that there are adequate devices, equipment, chemicals, and other facilities to sample, meter where desirable, convey, treat, and dispose of the industrial wastes; and (iv) the person(s) to be responsible for treatment and control are adequately trained and capable of consistently meeting permit requirements.
- D. Interested parties shall be notified of the issuance of permits via posting at City Hall. Interested parties and other members of the public may appeal the issuance of a permit with forty-five (45) days of issuance and request a hearing on the matter. The hearing procedures contained in Section 6-12.110 shall be followed. The permit effective date shall not be postponed solely because of the filing of an appeal.

6-12.060 Compliance schedule.

In the event that an industrial waste discharge permit holder or applicant should be affected by a newly promulgated waste discharge standard or an existing discharge permit holder is reclassified as being subject to the categorical standards provided in the pretreatment regulations due to process changes, or an inspection reveals the presence of regulated processes, or new information becomes available that justified or requires a reclassification, the discharger shall, within ninety (90) days of the effective date of a categorical standard or reclassification, file a baseline monitoring report (BMR). If additional pretreatment or additional operation at and maintenance

procedures or installation of facilities, equipment or improvements will be required to meet the pretreatment regulations, the discharger shall include a compliance time schedule which specifies the shortest schedule by which the discharger will provide such additional pretreatment procedures of facilities, equipment or improvements to attain compliance. For purposes of pretreatment regulations, the completion date in this schedule shall not be later than the established compliance date provided by the applicable pretreatment regulations.

6-12.070 New sources.

A. New sources of industrial waste discharge shall be in full compliance with the provisions of the title at the time of commencement of discharge. Dischargers of new sources, upon request of the Sewer Superintendent, shall complete a waste minimization study in accordance with guidelines published by the City Engineer, and shall certify that measures have been taken to minimize toxic constituents in the discharge.

B. The following requirements shall apply to remodeled or converted facilities to the extent that the portion of the facility being remodeled or converted is related to the subject of the requirements. The owner of every newly constructed, remodeled, or converted commercial or industrial facility shall comply with the following requirements upon commencement of discharge:

1. Interior (indoor) floor drains to the sewer system may not be placed in areas where hazardous materials, hazardous wastes, industrial wastes, industrial process water, lubricating fluids, vehicle fluids or vehicle equipment cleaning wastewater are used or stored, unless secondary containment is provided for all such materials and equipment. The City Engineer may allow an exception to this requirement under the following circumstances:

a. When the drain is connected to a wastewater treatment unit approved by the City Engineer;

b. (For safety showers) When the drain is installed with a temporary plug which remains closed except when the shower is in use, or when the drain is protected from spills by either a covered sump or berm system. If a sump is used, the capacity shall be at least as large as the largest chemical container in the laboratory;

c. (For industrial process equipment) If the equipment does not contain hazardous waste and if all floor drains are equipped with fail safe valves which shall be kept closed during periods of operation.

2. Exterior (outdoor) drains may be connected to the sewer only if the area in which the drain is located is covered or protected from rainwater run-on by berms and/or grading,

and appropriate wastewater treatment approved by the City Engineer is provided. Any loading dock area with a sanitary sewer drain shall be equipped with a fail-safe valve, which shall be kept closed during periods of operation.

3. Interior floor drains shall not be connected to the storm drain.

4. Exterior drains shall be connected to the storm drain. Such connections shall not be permitted within the following areas:

- a. Equipment or vehicle washing areas;
- b. Areas where chemicals, hazardous materials, or other uncontained materials are stored, unless secondary containment is provided;
- c. Equipment or vehicle fueling areas or fluid changing areas;
- d. Loading docks where chemicals, hazardous materials, grease, oil, or waste products are handled.

5. Fueling areas shall have impermeable floors and rain covers that extend a minimum of ten (10) feet in each direction from each pump.

6. Roof drains may discharge to the storm drain system, provided that all roof equipment, tanks, and pipes containing other than potable water, cooling system water, or heating system hot water, have secondary containment.

7. Boiler drain lines shall be connected to the sewer system and may not be discharged to the storm drain system.

8. Condensate lines shall not be connected or allowed to drain to the storm drain system.

9. Copper, copper alloys, lead and lead alloys, including brass, shall not be used in the sewer lines, connectors or seals, coming in contact with sewage, except for sink traps and associated connecting pipes.

10. Secondary containment shall be provided for exterior work areas where motor oil, brake fluid, gasoline, diesel fuel, radiator fluid or other hazardous materials or hazardous wastes are used or stored. Drains shall not be installed within the secondary containment areas. The City Engineer may allow a drain for work areas (but not for hazardous storage areas) if the secondary containment area is covered and if the drain is connected to a wastewater treatment facility approved by the City Engineer.

11. Sacrificial zinc anodes are not permitted to be in contact with the water supply in a water distribution system.

12. Aspirators connected to laboratory sink faucets are prohibited; however, aspirators designed and used for transferring acids and bases from stationary permanent laboratory sinks to treatment facilities shall be allowed.

13. Laboratory countertops and laboratory sinks shall be separated by a lip which prevents hazardous materials spilled on the countertop from draining to the sink.

14. Sewer traps below laboratory sinks shall be made of glass or other approved transparent materials to allow inspection and to determine frequency of cleaning. Alternatively, a removable plug for cleaning the trap may be provided, in which case a cleaning frequency shall be established by the City Engineer. In establishing the cleaning frequency, the City Engineer shall consider the recommendations of the facility. The City Engineer will grant an exception to this requirement for areas where mercury will not be used; provided, that in the event such an exception is granted and mercury is subsequently used in the area, the sink trap shall be retrofitted to meet this requirement prior to use of the mercury.

15. Swimming pool discharge drains shall not be connected directly to the storm drain system or to the sewer system. When draining is necessary, a hose or other temporary system shall be directed into a sewer (not storm drain system) clean out. A sewer clean out shall be installed in a readily accessible area.

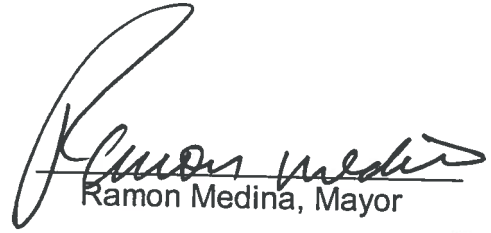
16. Food service facilities shall have a sink or other area for cleaning floor mats, containers, and equipment, which is connected to a grease interceptor and the sanitary sewer. The sink or cleaning area shall be large enough to clean the largest mat or piece of equipment to be cleaned. New buildings constructed to house food service facilities shall include a covered, bermed area for a dumpster.


17. Parking garage floor drains on interior levels shall be connected to an interceptor and to the sanitary sewer system.


A. All permit holders shall be required to submit periodic reports to the City Engineer. Specific reporting requirements shall be specified in the permit, or in compliance directives or in notices of violation, but the minimum reports required for all permitted dischargers of nondomestic waste are as follows:

1. Baseline monitoring reports (BMR);

2. Compliance reports which shall be submitted within ninety (90) days of the compliance date calculated pursuant to the applicable pretreatment standards or local standards. These reports shall state whether applicable standards or requirements are being met on a consistent basis;


Ramon Medina, Mayor

ATTEST: 
Gerardo Mayagoitia, City Clerk

APPROVED AS TO FORM:

Michael Montgomery, City Attorney

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES
CITY OF MAYWOOD

I, Gerardo Mayagoitia, City Clerk of the City of Maywood, California, do hereby certify that the above and foregoing is a true and correct copy of Resolution No. 18-06 introduced for the first reading on June 13, 2018 and adopted at a regular meeting of the City Council of the City of Maywood on this June 13, 2018, by the following vote, to-wit:

AYES: De La-Riva, Alvarez, Villarreal, and Medina

NAYES: None

ABSENT: Joaquin Lanuza

ABSTAIN: None


City Clerk