

NOTICE OF PUBLIC HEARING
MALAGA COUNTY WATER DISTRICT

NOTICE IS HEREBY GIVEN that the Board of Directors of the Malaga County Water District ("District") will conduct a Public Hearing on Tuesday January 28, 2020, at 6:00 p.m. or as soon thereafter as the matter may be heard, in the Malaga County Water District Board Room located at 3580 South Frank Street, Fresno, California, 93725.

The purpose of the Public Hearing will be to consider modifications to the District's Pretreatment Program. This includes amendments and/or modifications to the Malaga County Water District Code, the Pretreatment Program, individual wastewater discharge permits, and local limitations on wastewater discharges.

This Notice is given pursuant to 40 CFR Part 25 and Section 9.20 of the District's Pretreatment Program. All interested persons are invited to attend and provide testimony at the time and place set forth above. Written comments may be sent to: Malaga County Water District, Attn: General Manager, 3580 South Frank Street, Fresno, California, 93725. All comments received by the District before the close of the public hearing will be considered by the Board. A copy of the proposed modifications and all written comments will be available for review at the District office at the above address and available online at <https://www.malagacwd.org/notices>.

December 27, 2019

/s/ Jennifer Ahl, General Manager/Secretary

The proposed modifications are contained in the following documents attached to this notice:

- 1: Pretreatment Program;
- 2: Industrial User Permit Template;
- 3: Proposed amendment to the Malaga Code.

The modifications include proposed new local limits on discharge to the District's POTW. The local limits study is also available on this web page as a separate document.

1.

Proposed Modified Pretreatment Program



PRETREATMENT PROGRAM

Draft December 26, 2019

Pretreatment Program

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Attachments

- Attachment A - Malaga County Water District Boundaries
- Attachment B- Fact Sheet
- Attachment C - Permit Application
- Attachment D - Industrial UserStandard IU Permit Template
- Attachment E - Permit Survey and Renewal Application
- Attachment F - Facility Inspection Report
- Attachment G - FSE-FOG Evaluation Form
- Attachment H- Brochure containing information on Best Management Practices for the District's FOG Program
- Attachment I - FSE Inspection Report
- Attachment J - Slug Discharge or Spill Event Evaluation Form
- Attachment K - Slug Discharge and Spill Containment Control Plan Evaluation Form
- Attachment L - Baseline Monitoring Report Checklist

MALAGA COUNTY WATER DISTRICT PRETREATMENT PROGRAM

Chapter 1 Organization - General

Section 1.10: Introduction.

The Malaga County Water District is a county water district duly formed and existing pursuant to §30000, et seq., of the California Water Code. The District covers approximately 2.25 square miles and provides water, recreation, solid waste and wastewater services to residential and non-residential users. The District's wastewater treatment plan is operated pursuant to an NPDS Permit issued by the Central Valley Regional Water Quality Control Board. The District's sewer flow is approximately 15% residential and 85 percent non-residential. The District administers the Pretreatment Program utilizing its own employees and consultants as necessary.

Section 1.20: Boundaries.

The District's wastewater treatment service area boundaries are attached hereto and incorporated by this reference herein as Attachment "A".

Section 1.30: Administration.

The Malaga County Water District is governed by a five-member Board of Directors. The Pretreatment Program is administered by the District's General Manager.

Section 1.40: Definitions.

Provided below are for reference and not intended to be a complete list of definitions. If there is a conflict between the definitions below and the Malaga Code or the Code of Federal Regulations, then the definition used in the Federal Code of Regulations or the Malaga Ordinance Code shall prevail.

"Act" or "Clean Water Act" shall mean the "Federal Water Pollution Control Act.

"Authorized Official of the District" shall mean the person designated by resolution of the Board of Directors as the District's legally responsible official for submitting reports to the State Water Resources Control Board, the United States Environmental Protection Agency, the County of Fresno, and any other agency having jurisdiction to or otherwise requiring the District to submit reports or other records related to the District's water or sewer operations.

"Authorized or Duly Authorized Representative of the User" means:

A. If the User is a corporation:

1. The President, Secretary, Treasurer, or Vice President of the corporation in charge of a principal business function, or any other Person who performs similar policy or decision-making functions for the corporation; or

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

B. If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

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

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

"Batch discharge" is a discrete or non-continuous short-term discharge to the sewer, often characterized by a discharge of all or most of the contents of a vessel. A batch discharge is not a part of a series of episodic discharges taking place with periods of time between each episode.

"Best Management Practices (BMPs)" as defined by 40 CFR 403.3 as it may be amended, shall mean schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce water pollution. The term also includes treatment requirements, operating procedures, and practices to control plant site

runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

"Categorical Industrial User or CIU" shall mean an Industrial User subject to a Categorical Pretreatment Standard or Categorical Standard.

"Categorical Pretreatment Standard" or "Categorical Standard" shall mean any regulation containing Pollutant Discharge limits promulgated by the EPA in accordance with Sections 307(b) and (c) of the Act that apply to a specific category of Users and appear in 40 CFR Chapter 1, subchapter N, parts 405-471.

"Control Authority" shall mean the Malaga County Water District pursuant to 40 CFR 403.3(f).

"Discharge" shall mean to pump, to place, to deposit, to permit, or to cause to flow or to be transported by a flow, including the introduction of pollutants into the POTW from any non-domestic source.

"District" shall mean the Malaga County Water District located in the County of Fresno, State of California.

"District Engineer" or "Engineer" shall mean the Engineer appointed by and acting for the Board and shall be a Registered Professional of the State of California.

"District Inspector" or "Inspector" shall mean the Inspector acting for the Board and may be a Member of the Board, the District Engineer, an Inspector appointed by the Board, or person otherwise authorized to by agency having jurisdiction to inspection District's POTW.

"Enforcement Officer" shall mean the General Manager, Environmental Compliance Officer, or any other person designated by the Directors or General Manager as an Enforcement Officer. Any person designated as an Enforcement Officer shall have the authority to conduct inspections, issue citations, and/or any other enforcement actions as set forth in this Code or the District's Enforcement Response Plan.

"EPA Pretreatment Category" or "Pretreatment Category" shall mean EPA Categorical Pretreatment Standards as defined and identified by Parts 405-471 of Title 40 of the Code of Federal Regulations.

"Fats, Oil and Grease (FOG)" includes materials of vegetable, animal and mineral origin. Mineral oils include petroleum, hydrocarbon, and/or non-polar fats, oils, and grease.

"FOG Control Plan" shall mean a plan developed by an IU pursuant to the District's FOG Control Program.

"FOG Control Program" shall mean the District's FOG Control Program pursuant to Malaga Code Section 3.05.180.

"Food Grinder" shall mean any device installed for the purpose of disposing of food waste into the public sewer system.

"Food Service Establishments" shall mean any food preparation establishment, restaurant, cafeteria, or any other establishment preparing food for consumption or sale. This definition does not include Residential Users preparing food for domestic consumption.

"General Manager" or "Manager" means the person holding the position or acting in the capacity of General Manager of the District who shall administer and enforce the rules and regulations of the District.

"Grease Interceptor, Grease Trap or Grease Removal Device (GRD)" shall mean any device, unit, or facility for separating and retaining water borne fats, oils, and greases or grease complexes as well as settleable solids prior to the discharge of wastewaters into the District's public sewer system. All such facilities, whether installed subsurface or above the ground, regardless of size, including sand and oil/water separators as well as two-compartment sumps, are considered and referred to in this Code as grease interceptors, interceptors, or grease removal devices "Individual Wastewater Discharge Permit."

"Industrial User" or "User" means a source of Indirect Discharge.

"Non-Domestic Users" shall be defined as and have the same meaning as the term non-residential users as contained and used in the District's Sewer Use Ordinance as follows:

"Non-Residential" or "Non-Domestic Users" shall mean all uses other than as defined for residential."

"Permit" shall mean any written authorization required pursuant to this Code or any other rule, regulation or ordinance of the District for the installation of any Sewer Facilities connected to the Sewerage System.

"Pretreatment Program" shall mean the Pretreatment Program of the District as set forth in Section 3.05.020 of the Malaga Code.

"Sewer System Management Plan" shall mean the District's Sewer System Management Plan (SSMP).

"Sewer Use Ordinance" shall mean Title 3 of the Malaga County Water District Ordinance Code.

"Significant Industrial User" or "SIU" shall mean:

1. An Industrial User subject to Categorical Pretreatment Standards; or
2. An Industrial User that:
 - a. Discharges an average of twenty-five thousand (25,000) gpd or more of processed wastewater to the POTW (excluding sanitary, non-contact cooling and boiler Blowdown Wastewater);
 - b. contributes a process waste stream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - c. is designated as such by the District on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.

"Slug Discharge" or "Slug Load" shall mean any Discharge at a flow rate or concentration, which could cause a violation of the prohibited Discharge standards in Title 3 of this Ordinance including, but not limited to, Sections 3.05.030 or 3.05.040 of the Malaga Code. A Slug Discharge is any Discharge of a non-routine, episodic nature, including, but not limited to, an accidental spill or a non-customary batch Discharge, which has a reasonable potential to cause Interference or Pass-Through or any other way of violating the POTW's regulations, Local Limits or Permit conditions.

"Slug Discharge Plan" shall mean a Slug Discharge Plan prepared by a User and approved by the District pursuant to the District's Slug Discharge Program . . .

"Slug Discharge Program" shall mean the District's Slug Discharge Control Program as set forth in the District's Pretreatment Program pursuant to the Sewer Use Ordinance . . .

"Standard Industrial Classification (SIC)" shall mean the compilation of industries and their Discharges of Pollutants, which is printed by the U.S. Office of Management and Budget in its Standard Industrial Classification Manual.

"Wastewater Treatment Facilities" or "WWTF" or "Malaga Wastewater Treatment Facilities" or "MWTF" shall mean any device, facilities, structures, equipment, or works owned, operated or maintained by the District for the purpose of the collection, transmission, storage, treatment, recycling, reclamation and disposal of industrial and domestic waste, or necessary to recycle or reuse water at the most economical cost over the estimated life of the system, including, but not limited to, intercepting sewers, outfall sewers, sewerage collection systems, pumping, power, and other equipment and their appurtenances, extensions, improvements, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment progress or is used for ultimate disposal of residues resulting from such treatment.

Section 1.50: Abbreviations.

"BMP" means Best Management Practice.

"CFR" means Code of Federal Regulations.

"CIU" means Categorical Industrial User.

"DIU" means Domestic Industrial User.

"ECI" means Environmental Compliance Inspector.

"EPA" means Environmental Protection Agency.

"ERP" means Enforcement Response Plan.

"FCP" means FOG Control Plan.

"FOG" means Fats, Oils and Grease.

"FSE" means Food Service Establishments.

"GRD" means Grease Interceptor, Grease Trap or Grease Removal Device.

"IU" means Industrial User.

"IWDP" means Industrial Wastewater Discharge Permit.

"MWTF" means Malaga Wastewater Treatment Facilities.

"O&M" means Operation and Maintenance.

"POTW" means Publicly-Owned Treatment Works.

"RCRA" means Resource Conservation and Recovery Act.

"SIC" means Standard Industrial Classification.

"SIU" means Standard Industrial User.

"SSMP" means Sanitary Sewer Management Plans.

"WWTF" or "WWTW" means Wastewater Treatment Facilities.

Chapter 2 Legal Authority

Section 2.10: Ordinance Code.

A. The Malaga County Water District Pretreatment Program, also referred to herein as the "Pretreatment Plan," is adopted and amended, from time to time, by the Board of Directors in accordance with Section 3.1.030(B) and 3.05.020 of the Malaga Code and together with the aforementioned Malaga Code constitutes the District's Pretreatment Program.

B. The District's legal authority to enforce the Pretreatment Program is set forth in the District's Ordinance Code which is available at the District Office or on the District's webpage at, www.malagacwd.org.

Chapter 3 Local Limits

Section 3.10: EPA Priority Pollutants.

Appendix A to 40 CFR, Part 423--126 Priority Pollutants

001 Acenaphthene
 002 Acrolein
 003 Acrylonitrile
 004 Benzene
 005 Benzidine
 006 Carbon tetrachloride (tetrachloromethane)
 007 Chlorobenzene
 008 1,2,4-trichlorobenzene
 009 Hexachlorobenzene
 010 1,2-dichloroethane
 011 1,1,1-trichloroethane
 012 Hexachloroethane
 013 1,1-dichloroethane
 014 1,1,2-trichloroethane
 015 1,1,2,2-tetrachloroethane
 016 Chloroethane
 018 Bis(2-chloroethyl) ether
 019 2-chloroethyl vinyl ether (mixed)
 020 2-chloronaphthalene
 021 2,4, 6-trichlorophenol
 022 Parachlorometa cresol
 023 Chloroform (trichloromethane)
 024 2-chlorophenol
 025 1,2-dichlorobenzene
 026 1,3-dichlorobenzene
 027 1,4-dichlorobenzene
 028 3,3-dichlorobenzidine
 029 1,1-dichloroethylene
 030 1,2-trans-dichloroethylene
 031 2,4-dichlorophenol
 032 1,2-dichloropropane
 033 1,2-dichloropropylene (1,3-dichloropropene)
 034 2,4-dimethylphenol
 035 2,4-dinitrotoluene
 036 2,6-dinitrotoluene
 037 1,2-diphenylhydrazine
 038 Ethylbenzene
 039 Fluoranthene
 040 4-chlorophenyl phenyl ether
 041 4-bromophenyl phenyl ether
 042 Bis(2-chloroisopropyl) ether
 043 Bis(2-chloroethoxy) methane
 044 Methylene chloride (dichloromethane)
 045 Methyl chloride (dichloromethane)
 046 Methyl bromide (bromomethane)

047 Bromoform (tribromomethane)
 048 Dichlorobromomethane
 051 Chlorodibromomethane
 052 Hexachlorobutadiene
 053 Hexachloromyclopentadiene
 054 Isophorone
 055 Naphthalene
 056 Nitrobenzene
 057 2-nitrophenol
 058 4-nitrophenol
 059 2,4-dinitrophenol
 060 4,6-dinitro-o-cresol
 061 N-nitrosodimethylamine
 062 N-nitrosodiphenylamine
 063 N-nitrosodi-n-propylamin
 064 Pentachlorophenol
 065 Phenol
 066 Bis(2-ethylhexyl) phthalate
 067 Butyl benzyl phthalate
 068 Di-N-Butyl Phthalate
 069 Di-n-octyl phthalate
 070 Diethyl Phthalate
 071 Dimethyl phthalate
 072 1,2-benzanthracene (benzo(a) anthracene)
 073 Benzo(a)pyrene (3,4-benzo-pyrene)
 074 3,4-Benzofluoranthene (benzo(b) fluoranthene)
 075 11,12-benzofluoranthene (benzo(b) fluoranthene)
 076 Chrysene
 077 Acenaphthylene
 078 Anthracene
 079 1,12-benzoperylene (benzo(ghi) perylene)
 080 Fluorene
 081 Phenanthrene
 082 1,2,5,6-dibenzanthracene (dibenzo(h) anthracene)
 083 Indeno (,1,2,3-cd) pyrene (2,3-o-pheynylene pyrene)
 084 Pyrene
 085 Tetrachloroethylene
 086 Toluene
 087 Trichloroethylene
 088 Vinyl chloride (chloroethylene)
 089 Aldrin

090 Dieldrin
 091 Chlordane (technical mixture and metabolites)
 092 4,4-DDT
 093 4,4-DDE (p,p-DDX)
 094 4,4-DDD (p,p-TDE)
 095 Alpha-endosulfan
 096 Beta-endosulfan
 097 Endosulfan sulfate
 098 Endrin
 099 Endrin aldehyde
 100 Heptachlor
 101 Heptachlor epoxide (BHC-hexachlorocyclohexane)
 102 Alpha-BHC
 103 Beta-BHC
 104 Gamma-BHC (lindane)
 105 Delta-BHC (PCB-polychlorinatedbiphenyls)
 106 PCB-1242 (Arochlor 1242)
 107 PCB-1254 (Arochlor 1254)
 108 PCB-1221 (Arochlor 1221)
 109 PCB-1232 (Arochlor 1232)
 110 PCB-1248 (Arochlor 1248)
 111 PCB-1260 (Arochlor 1260)
 112 PCB-1016 (Arochlor 1016)
 113 Toxaphene
 114 Antimony
 115 Arsenic
 116 Asbestos
 117 Beryllium
 118 Cadmium
 119 Chromium
 120 Copper
 121 Cyanide, Total
 122 Lead
 123 Mercury
 124 Nickel
 125 Selenium
 126 Silver
 127 Thallium
 126 Silver
 128 Zinc
 129 2,3,7,8-tetrachloro-dibenzo-p-dioxin (TCDD)

Section 3.20: Industrial Categories.

Industrial Pretreatment Categories are those categories in 40 CFR Parts 400-499.

Section 3.30: Local Limits.

The District has established the following Local Limits for wastewater Discharge:

<u>Pollutant</u>	<u>Local Limit</u>
Aluminum	1.63 mg/l as a monthly average
Arsenic	0.01 mg/l as a monthly average
Boron	0.93 mg/l as a monthly average
Cadmium	0.01 mg/l as a monthly average
Chromium	0.04 mg/l as a monthly average
Copper	0.07 mg/l as a monthly average
Lead	0.01 mg/l as a monthly average
Mercury	0.002 mg/l as a monthly average
Nickel	0.12 mg/l as a monthly average
Selenium	0.001 mg/l as a monthly average
Silver	0.13 mg/l as a monthly average
Zinc	0.28 mg/l as a monthly average
Oil and Grease	200 mg/l as a monthly average
BOD ₅	900 mg/l as a monthly average
TSS	560 mg/l as a monthly average
Ammonia	15.71 mg/l as a monthly average
Electroconductivity	850 umhos/cm as a monthly average
MBAS	1.92 mg/l as a monthly average
Cyanide	0.02 mg/l as a monthly average
Molybdenum	0.10 mg/l as a monthly average
Chloride	165 mg/l as a monthly average

Chapter 4 Identification of Non-Domestic Users

Section 4.10: Purpose.

A. Purpose: The purpose of this Chapter will be to ensure that every Non-Residential user that Discharges or may Discharge into the District's wastewater treatment system is identified and permitted.

Section 4.20: Inventory.

The District shall create and maintain an inventory or list of all Non-Residential users which Discharge or may Discharge into the District's wastewater treatment system.

A. Creation of Inventory. The District may employ any reasonable mean to create and maintain a list identifying all Non-Residential users which Discharge or may Discharge into the District's wastewater treatment system including, but not limited to, checking all addresses located within the District boundaries, utilizing public record searches, internet searches, and directory searches.

B. Contents. The inventory should contain, at a minimum, the following information:

1. The name and contact information of the owner, user, and/or responsible party;
2. Whether the User is a Significant Industrial User;
3. Whether the User is a Categorical Industrial User;
4. Whether the User is Zero-Discharging Categorical Industrial User;
5. The User's Standard Industrial Code (SIC);
6. Identify the EPA Pretreatment Category (CFR) part number;
7. Whether the User is a Food Service Establishment;
8. Identify whether the User requires a FOG Control Plan;
9. Identify whether the User requires a Slug Control Plan;
10. The average and peak-flow rates;
11. Describe all Pretreatment in place on site; and
12. The local Permit class and status.

Section 4.30: Site Review.

The District will conduct an initial site review to gather sufficient information to complete all required information for the District's inventory list. The initial site review should also determine whether or not a more detailed site inspection should be conducted pursuant to the procedures set forth in Chapter 5.

Section 4.40: Review.

The District will periodically review the inventory list to ensure the accuracy of the identification of Non-Residential users and the information contained on the inventory list. Review of the inventory list may be done in conjunction with the District's Permit review process discussed in Chapter 5.

Chapter 5 Permits and Fact Sheets

Permits serve as the District's primary control mechanism.

Section 5.10: Fact Sheets.

The District will develop and maintain a fact sheet for each Significant Industrial User, Categorical Industrial User, and Zero-Discharging Industrial User. The fact sheets

may be developed in conjunction with the District's Permit issuance/re-issuance procedures and must contain, at a minimum, the following information (see, Fact Sheet, Attachment "B"):

1. The name and service address of the user;
2. The name, address and contact information of the owner or responsible person of the user;
3. The Permit type, expiration date, and SIC number;
4. A description of the facility including the activities conducted therein, the products made or services provided including, but not limited to, the identification of each building and the processes that take place in each building and when current operations began;
5. The identification of each sewer connection;
6. A description of the contributing waste streams that comprise each identified non-domestic Discharge into sewer;
7. The pretreatment in place for each identified non-domestic Discharge to the sewer;
8. The classification by federal point source category and the reasons justifying this classification;
9. The applicable federal Categorical Pretreatment Standards (Part Number) (adjusted, if necessary, to account for dilution); supporting production data (if necessary), and the compliance sampling point(s) where the standards apply;
10. The pollutants of concern and the compliance sampling(s) where the Local Limits apply;
11. A site map indicating the locations of all compliance sampling point(s), sewer connections and sewer laterals;
12. The sampling frequency by regulated pollutant for each compliance sampling point; and the supporting statistic rationale, to ensure that the sampling point is representative of the wastewater Discharge variability over the reporting;
13. Compliance Review Inspection schedule;
14. The sampling protocol by regulated pollutant for each compliance sampling point to ensure that the samples collected to determine compliance with federal standards are representative of the sampling-day's Discharge;
15. A brief summary of the result of the District's slug control review;
16. A brief summary of the District's FOG program review.

Section 5.20: Permit Issuance.

A. Application. Each Industrial User shall complete and submit an application for Non-Residential Sewer Service on an application form provided by the District. (See, Permit Application, Attachment "C"). The applicant will submit the completed form along with all necessary fees, charges, or deposits, as determined by the General Manager pursuant to the District's Master Schedule of Fees, Charges, Penalties and Recovered Costs. An application shall not be deemed complete until reviewed and approved by the General Manager, or his or her designee, and all fees have been paid.

B. Site Inspection. Once an application for Non-Residential Sewer Service is received and approved by the District, and all fees, charges and deposits are paid, the District will perform one or more site inspections, as necessary, to obtain all necessary information to, among other things, complete a User Fact Sheet and issue a Permit.

C. Evaluation. Once necessary site inspection(s) are complete, the District will evaluate the information obtained and determine the following:

1. Permit number;
2. Permit type;
3. The Standard Industry Classification;
4. Whether the applicant is a Categorical Industrial User; and if so, identify the applicable category(ies) (by Part Number);
5. Whether or not the User is a Significant Industrial User;
6. Whether or not the User is a Zero-Discharging Categorical User;
7. Whether or not the User is subject to the District's FOG Control Program, and if so, what controls must be included in the Permit conditions;
8. Whether or not the User is subject to the District's Slug Control Program and, if so, what Slug controls must be incorporated into the Permit conditions;
9. Whether or not Local Limits apply to the User and, if so, what Local Limits will be incorporated into the Permit conditions;
10. Whether all other necessary information to complete and issue the applicable Industrial Wastewater Discharge Permit.

Section 5.30: Permits/Standard Conditions.

- (A) Class 1 Permit. A Class 1 Individual Wastewater Discharge Permit shall be issued to Significant Industrial Users (SIU) defined as an Industrial User that:
1. Discharges an average of twenty-five thousand (25,000) gpd or more of processed wastewater into the POTW (excluding sanitary, non-contact cooling or boiler blowdown wastewater);
 2. Contributes a process waste stream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 3. Is designated as such by the District on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement.

Class 1 Permits shall be issued for a specified time period not exceeding one (1) year from the effective date of the Permit. A copy of a Standard IU Permit template is attached hereto as Attachment "D".

- (B) Class 2 Permit. A Class 2 Individual Wastewater Discharge Permit shall be issued to an Industrial User subject to Categorical Pretreatment Standards. Industrial Users issued a Class 2 Individual Wastewater Discharge Permit are Significant Industrial Users. Class 2 Permits shall be issued for a specified time period not exceeding one (1) year from the effective date of the Permit. A copy of a Standard IU Permit template is attached hereto as Attachment "D".
- (C) Class 3 Permit. A Class 3 Individual Wastewater Discharge Permit shall be issued to all Industrial Users which are subject to Categorical Pretreatment Standards which do not, but potentially may, Discharge into the District's POTW unless the Industrial User subject to a Class 3 Permit can demonstrate to the District that it is exempt pursuant to the exemptions set forth in 40 CFR 403.3(v)(2) and (3). This Permit may also be referred to as a "Potential-Discharger Permit." Industrial Users issued a Class 3 Individual Wastewater Discharge Permit are Industrial Users and may also be referred to as a "Potential-Discharging Categorical User." Class 3 Individual Wastewater Discharge Permits shall be issued for a specified time period not exceeding one (1) year from the effective date of the Permit. For the purposes of this section, Discharge does not include "Domestic" wastewaters of the IU such as wastewaters from restrooms, breadrooms, showers, sinks, drinking fountains, etc. A copy of a Standard IU Permit template is attached hereto as Attachment "D".
- (D) Class 4 Permit. A Class 4 Individual Wastewater Discharge Permit shall be issued to all Industrial Users determined to be Food Service Establishments for a period not exceeding three (3) years from the effective date of the Permit. A copy of the Standard IU Permit template is attached as Attachment "D".
- (E) Class 5 Permit. A Class 5 Individual Wastewater Discharge Permit shall be issued to all other Non-Residential Users for a specified period of period not exceeding three (3) years from the effective date of the Permit. Any Class 2 Permits issued on or before the effective date of this section shall be, upon renewal or re-issuance, converted from the current Class 2 designation to a Class 5 Permit. A copy of a Standard IU Permit template is attached as Attachment "D".

Section 5.40: Permit Renewal/Re-issuance.

- A. Permit Renewal.

1. Survey. At least one hundred twenty (120) days prior to the expiration of any Permit, the District should send a survey and renewal application to each Industrial User. A copy of a survey and renewal application is attached as Attachment "E".

2. Application/Processing. Completed applications and questionnaires, along with all necessary fees should be returned to the District not less than ninety (90) days prior to the expiration of any Permit. Permit renewals should be processed by the District in the same manner as an original Permit application.

3. Additional Surveys/Questionnaires. Nothing in this section shall limited the ability of the District to require the completion of any other questionnaires or surveys as deemed necessary by the District or requiring a user to submit a renewal application more than ninety (90) days prior to the expiration of any Permit.

4. Late Applications/Expedited Processing. If a User fails to timely submit a completed application for the renewal of a Permit, the District may impose additional fees or charges for expediting a Permit renewal application. Such fees and charges shall be set forth in the Master Schedule of Fees, Charges, Penalties and Recovered Costs.

B. Re-issuance. Nothing in this Chapter shall limit the District's ability to re-issue or modify a Permit, at any time, as deemed necessary by the District for any reason, including, but not limited to, change in circumstances or local limits.

Section 5.50: Review/Inspection.

The District regularly reviews Permits to ensure compliance with the District's Pretreatment Program and conduct inspections, as necessary, to ensure compliance with the District's Pretreatment Program and Individual Wastewater Discharge Permit. Such reviews and inspections may be in addition to any periodic inspections required by Permits and may be in any form deemed necessary or practical by the District including, but not limited to, use of surveys, questionnaires or site inspections. A copy of a Facility Inspection Report is attached as Attachment "F".

Chapter 6 Fats, Oils and Grease Control Program

Section 6.10: Purpose and Intent.

State Water Resources Control Board Order 2006-0003 requires that dischargers develop and implement a Fats, Oils, and Grease ("FOG") program as part of their Sanitary

Sewer System Management Plans ("SSMP") to reduce the potential for blockages and sanitary sewer overflows. The purpose of this Chapter is to control the introduction and accumulation of Fats, Oils, and Grease into the Malaga County Water District's sewer collection and treatment system thereby reducing the potential for sanitary sewer overflows, and reducing treatment, maintenance and repair costs. The program is designed to identify Food Service Establishments and assist them in the preparation of an effective FOG Control Plan.

A. The intent of this Chapter is to supplement not supplant the Malaga Code, the District's SSMP or any other federal, state or local law or regulation

Section 6.20: Identification and Evaluation.

A. Identification. The District shall identify all Food Service Establishments ("FSE") located within the District. This identification may be done as part of the District's Non-Domestic Users inventory process or Permit review process. Such identification should be noted on the inventory list and the Industrial User's fact sheet.

B. Evaluation Process. The District will develop an FSE-FOG evaluation form which will be used to identify FSE and determine whether or not each FSE will be required to prepare and submit a FOG Control Plan. A copy of the current version of the FSE-FOG Evaluation Form is attached hereto as Attachment "G".

Section 6.30: FOG Control Plan.

A. Determination. Following the preparation of an FSE-FOG evaluation form, the District shall determine whether or not the FSE will be required to prepare a FOG Control Plan.

B. Preparation of a FOG Control Plan. If required to prepare a FOG Control Plan ("FCP"), the IU will prepare and submit a FCP to the District for approval, at its own cost. Once approved by the District, the FCP will be incorporated into the IU's IWDP. If required to submit an FCP, the IU's IWDP will not be issued until the FCP is approved and incorporated into the IWDP.

C. Plan Content. At a minimum, the IU's FCP will contain the following:

1. The name and service address of the IU;
2. The name, address and contact information of the owner or responsible person of the User;
3. A description of the facility including the activities conducted therein, the types of equipment used, a description of the processes that take place that contribute to Fats, Oils, and Grease;

4. The identification of each sewer connection; a site map indicating the locations of all compliant sampling point(s), sewer connections, and sewer laterals; a site map indicating the location of and a description of all grease removal devices installed in accordance with the District's Sewer Use Ordinance that meet or exceed the minimum sizing requirements of the Uniform Building Code;

5. A description of how Fats, Oils, and Grease are removed from the site; description of the User's log book or other recordkeeping method that includes the logging of pretreatment system operation and maintenance, any blockages to the pretreatment system, and removal of all Fats, Oils, and Greases from the situs;

6. ___—A cleaning schedule for FSE's FOG Control Facilities including Grease Traps and Grease Interceptors based on the District's interceptor frequency guidelines set forth in the District's SSMP;

7. ___—The FOG Control Plan shall contain the FSE's recordkeeping requirements including cleaning and maintenance logs, self-monitoring reports, sampling data, and records and manifests of hauled waste FOG or hauled interceptor wastewater;

8. A list of Best Management Practices implemented by the FSE including, but not limited to, the following:

- employee training and awareness;
- garbage grinder elimination/limitation;
- use and maintenance of drain screens;
- spill cleanup;
- equipment cleaning and maintenance;
- grease handling and disposal;
- grease removal devices.

Section 6.40: Education and Outreach.

A. Outreach to Food Service Establishments. The District's Environmental Compliance Inspector distributes outreach materials during each FSE's facility inspection and encourages managers of food service facilities to use the information to train employees upon hire and at least annually thereafter. The District's ECIs typically distribute a brochure that contains information on Best Management Practices for the District's FOG program. The brochure is printed in English and Spanish and is attached hereto as Attachment "H".

B. Residential Outreach. The District provides outreach to residential users through its SSMP and FOG Control Program.

Section 6.50: Funding Source.

The District's FOG Control Program is funded under the District's Pretreatment Program budget with revenue from industrial sewer charges, Permit fees, and grants, when available.

Section 6.60: FOG Disposal.

SWRCB Order No. 2006-0003 specifies that a FOG Control Plan should include a list of acceptable disposal sites for grease. The District does not endorse any particular service provider to haul off FOG wastes for proper disposal; however, the following service providers are commonly used by businesses in the service area:

Kirkus No. 3 Cleaning Services
2763 S. Elm Avenue
Fresno, CA 93706
Telephone: (559) 266-1012

Baker Commodities, Inc.
16801 W. Jensen
Kerman, CA 93630
Telephone: (559) 237-4320

Section 6.70: Legal Authority.

The legal authority for the District's FOG Control Program is set forth in Section 3.05.180 of the Malaga Code and the Act.

Section 6.80: Recordkeeping and Reporting Requirements.

FSE's (Class 4 Permit holders) shall be required to keep, submit and/or make available for review the following documents to the District, upon request, in addition to any other documents as set forth in the FSE's Permit:

1. A log book of Grease Interceptor or Grease Trap cleaning and maintenance practices and BMP's implemented.
2. Copies of records and manifests of hauled waste FOG or hauled interceptor wastewater.
3. Periodic BMP reports and Grease Interceptor maintenance reports as specified in the Permit.

4. Any required self-monitoring reports or sampling data as specified in the Permit.
5. Any and all other information deemed appropriate by the General Manager and/or set forth in the Permit.

Section 6.90: Inspection and Enforcement.

A. Inspection.

1. Frequency of Inspections. All FSEs shall be inspected by the District at least once per year; however, the goal of the District is to inspect each FSE at least once per month. An FSE Inspection Report is attached as Attachment "I".

2. Additional Inspections. The District may determine it necessary to conduct additional inspections in the event of a blockage or may determine it necessary to conduct additional inspections of FSEs in particular areas or "hot-spots" which are areas of repeat sewer blockages or where significant grease is detected or collected during maintenance (hydro-jetting or video inspection) of the District's sewer collection system.

B. Enforcement. Enforcement of a FOG Control Plan will be implemented pursuant to the District's Enforcement Response Plan (Chapter 11).

Chapter 7 Slug Discharge Control and Spill Containment

Section 7.10: Purpose and Scope.

The Malaga County Water District hereby establishes this Slug Discharge control and spill containment policy pursuant to the Act and the provisions of the District's Sewer Use Ordinance. The purpose of this Chapter is to establish policies and procedures to protect the public health and safety from hazardous conditions resulting from Slug discharges or spills that may cause damage or problems in the District's collection system or treatment plant such as interference, pass-through, excessive heat, obstruction, corrosion, fire or explosion. The policies and procedures established in this section are in addition to any other policies and procedures available to the District to prevent or control Slug Discharge and shall provide guidance to Industrial Users through the District's primary control mechanism to develop and implement plans or other control measures to prevent the accidental or inappropriate Discharge of prohibited substances or materials in violation of any Permit or applicable law or order.

Section 7.20: Definition of Slug Discharge.

"Slug Discharge" or "Slug Load" shall mean any Discharge at a flow rate of concentration, which could cause a violation of the prohibited Discharge standards in Title 3 of the Malaga Code including, but not limited to, Sections 3.05.030 or 3.05.040. A Slug Discharge is any Discharge of a non-routine, episodic nature, including, but not limited to, an accidental spill or a non-customary batch Discharge, which has a reasonable potential to cause Interference or Pass-Through or any other way of violating the POTW's regulations, Local Limits or Permit conditions.

Section 7.30: Evaluation and Identification.

A. Evaluation. All Industrial Users discharging into the District's POTW shall be evaluated to determine if they require a Slug Discharge Control Plan.

1. Permit Issuance. All Industrial Users applying for service shall be evaluated prior to the issuance of an IWDP and/or prior to connection to the District's POTW.

B. Reevaluation.

1. All Industrial Users shall be evaluated prior to the re-issuance of any IWDP.

2. All Industrial Users shall be reevaluated after any Slug Discharge or spill.

3. Additional evaluation. All Industrial Users may be evaluated more frequently as determined necessary by the District. (See, Section 7.30(C) below.)

C. Factors in Determining How Frequent to Conduct Evaluations.

1. Quantity and types of materials used or stored at the Industrial User and the potential for causing violation of general or specific prohibitions, or local limits;

2. Potential for such materials to enter the sewer system and cause damage;

3. Adequacy of existing controls to prevent any potential slug loading or Discharge; and

4. Any other factors as determined by the District or the District's Engineer.

D. Evaluation Form(s). The District shall develop and amend, from time to time, a Slug Discharge Event Evaluation and Spill Containment Evaluation Form. A copy of said form is attached as Attachment "J". Additionally, the District shall develop a Slug Discharge and Spill Evaluation Form for use after a Slug Discharge or spill whether or not the event causes a Slug loading or otherwise effects the District's POTW. A copy of the Slug Discharge and Spill Containment Form is attached as Attachment "K".

E. Identification. After completion of an evaluation, if the District determines that the Industrial User is required to prepare a Slug Discharge and Spill Containment Form, then the Industrial User will prepare and submit a Slug Discharge Plan to the District for approval, at its own cost. Said identification shall be noted on the District's inventory list and the Industrial User's fact sheet.

Section 7.40: Minimum Requirements of a Slug Discharge Control Plan.

Below are the minimum requirements of a Slug Discharge Control Plan. Where applicable and approved by the District, the minimum requirements of a Slug Discharge Control Plan or portions thereof may be satisfied by the User providing the District with a copy of its current HAZMAT information on file with the County of Fresno.

A. Facility Layout and Flow Diagrams. Each plan should include detailed drawings of the Industrial User's facility showing the following:

1. General layout of the facility;
2. Areas occupied by manufacturing or commercial activities; property boundaries, drainage of rain water, and connections to the District's sanitary sewer system and connections to storm drain facilities;
3. Hazardous materials process and storage areas; waste handling, storage and treatment facilities;
4. Material loading and unloading areas;
5. All drainage areas showing floor drains, pipes, channels and sumps and all associated operations in the drainage area;
6. Flow diagram(s) showing chemical and wastewater flow including piping and instrumentation, flow rates, tanks and capacities, treatment systems and final destinations of flows.

B. Material Inventory. The plan should show the following:

1. Materials. Both chemical names and trade names should be listed in the inventory. OSHA or MSDS designations may be used;

2. The locations of all materials;
3. The type and volume of container for each material shall be listed separately. The presence of attachment(s) to container(s) such as valves, pumps, and transfer pipes should be noted;
4. Transfer and transport areas and transfer equipment should be noted;
5. Data on the physical, chemical and toxicological effects of each material, and special precautions that should be taken when handling these materials must be noted. A discussion should also be provided on the procedures to prevent contact between incompatible materials;
6. Each Industrial User facility must demonstrate that the following three compatibility aspects have been considered for each material: (i) the construction of the container; (ii) other materials in the immediate vicinity; and (iii) the surrounding environment.

C. Spill and Leak Prevention Equipment and Procedures.

1. The Plan shall describe current and projected inventories and equipment to prevent spills and, in the event of a spill, to contain them. Equipment used to prevent or contain spills include, but are not limited to, the following:
 - a. chemical storage and process tanks, holding tanks, pumping equipment (compatible material), shell and boom construction (compatible material), underground seepage protection, cathodic protection of underground tanks, liquid level sensing devices, overflow, temperature and pressure alarms, heating coils, collision protection support construction, secondary containment, diversionary structures in quench tanks.
 - b. Drums. Drum construction, storage areas, secondary containment, diversionary structures, collision protection, drum handling equipment, drip pans.
 - c. Pipes. Pipes, valves, fittings, pumps, electrical and mechanical equipment, seals, valve stem packing, gaskets, collision protection and vehicular traffic warning signs.
 - d. Loading Stations. Loading station, fill safeguards, curbs and drains, warning sign, improper disconnection protection, and secondary containment.

- e. Alarm Systems. Alarms to detect unauthorized Discharge flows, pH excursions, EC limits, etc.
 - f. Equipment to Contain Spills. Booms, barriers, sweeps, fenders, surface-collecting agents, absorbent materials, skimmers, oil/water separators, sumps and sewer plugs.
2. Procedures. Operating and maintenance procedures designed to eliminate and contain spills and leaks include, but are not limited to, the following:
- a. Inspection of Chemical Storage and Process Vessels. All storage and process vessels must be constructed of material compatible with the chemicals passing through them. Tanks and drums used to store corrosive chemicals should be constructed out of stainless steel or a corrosive-resistant plastic. The plan shall discuss all routine operation and maintenance (including cleaning and routine maintenance) performed to minimize leaks and spills. The frequency of inspections and monitoring for leaks or other conditions that could lead to spills shall be included in the plan. Any pumps, valves, and/or pipes used to process or transfer chemicals must possess corrosion-resistant seals and packings. Pumps, valves or pipes used to transfer or process organic chemicals must contain seals and packings which are dissolution-resistant.
 - b. Inspect Foundations and Supports of Storage Tanks, Process Vessels, and Piping. All above ground vessels should be protected from vehicular damage through the use of truck guards or other appropriate facilities. Underground vessels and pipes should be well marked and weight limits placed on roadways that may cross these underground vessels or pipes. All underground vessels or pipes should be cathodically protected to prevent damage due to corrosion. Underground piping should be doubled walled at vehicle crossings or other locations as determined by the District Engineer.
 - c. Open Storage and Process Tanks With Liquid Level Control Devices. Overflow alarms should be installed to warn of tank over filling.
 - d. Closed Chemical Processing Equipment. Temperature and pressure alarms should be installed on closed chemical processing equipment to alert personnel to run away reactions where other factors resulting in excessive temperatures and

pressures to avoid the automatic opening of relief valves and/or spilling the process vessels contents.

- e. Use of Proper Drum Handling Equipment. Pallets or other equipment should be used to aide in the handling and inspection of drums. The practice of scooping drums with the force of a forklift truck should be eliminated.
- f. Oil and other material dispensing racks should be provided with drip pans.
- g. Secured Loading/Unloading Pump Station and Controls. Loading and unloading pump station and controls should be secured in a manner to prevent the pumps from being turned on by unauthorized personnel. Warning signs or physical obstruction such as crossing gates should be used to prevent trucks from driving away while the loading hose is connected.
- h. Eliminate all Unnecessary Cross Connections. All unnecessary floor drains or other potential cross connections should be plugged, sealed or otherwise made to prevent cross connection especially in high-risk areas.
- i. Use of Automatic Sewer Sampling Systems. Use of automatic sewer sampling systems should be connected to automatic shutoff devices that will prohibit Discharge to a facility effluent system.

D. Emergency Response Equipment and Procedures Plan. Each Industrial User must, as part of its slug control plan, prepare an emergency response and spill containment plan.

1. Equipment. Each Industrial User's emergency response and spill containment plan shall contain a detailed inventory and location of all equipment on the facility layout diagram and a physical description of each piece of equipment used for emergency response and spill containment including, but not limited to, the following:

- a. Communication equipment and alarms.
- b. Spill containment and control equipment and tools.
- c. Spilled materials storage containers.
- d. Protective clothing and equipment.
- e. First-aid kits.
- f. Ventilation equipment.
- g. Decontamination equipment.
- h. Fire extinguisher systems.

- i. A copy of the Industrial User's current HAZMAT Business Plan on file with the County of Fresno, if applicable.
2. Procedures. Each emergency response and spill containment plan shall contain a detailed description of the procedures to be followed in responding to a spill at the Industrial User's facility. These procedures should include, but are not limited to, the following:
- a. facility personnel to be notified in the event of a spill;
 - b. the chain of command when responding to an accidental spill or Slug Discharge;
 - c. evacuation procedures;
 - d. list of all agencies and contractors to be notified in the event of a spill or Slug Discharge;
 - e. spill or Slug Discharge assessment and response procedures;
 - f. procedures for cleanup, treatment and/or disposal of spilled material. These procedures shall include procedures for transferring or conveying materials from containment areas to pretreatment systems prior to Discharge and waste hauling procedures, if spills are treated off site.

E. Reporting. Procedures for reporting and documenting spills and Slug Discharges shall be described in the plan. Those procedures include, but are not limited to, the following:

1. Uncontrolled Release Into Sewer System. If an uncontrolled release of a prohibited material reaches the sewer, the District must be notified immediately. The Permit shall include the contact information for the District during business and non-business hours.
2. Contained Release. Procedures for properly notifying the District of Slug Discharges shall be made to the District orally within twenty-four (24) hours after the Discharge followed up by written notification within five (5) days. An example of a notification form shall be provided with the Industrial User's Permit.
3. Written report of Slug Discharge to include the following:
 - a. date and time of Discharge;
 - b. Discharge location;
 - c. concentration, volume, waste type, chemical name and harmful characteristics or effects of material (e.g., explosive or flammable);
 - d. response measures being taken;
 - e. name of agencies or contractors contacted;
 - f. cause of the incident;

- g. specific details of the incident;
- h. remedial measures taken;
- i. prevention mechanism to avoid reoccurrence of similar incident.

4. Treatment. The emergency response and spill mitigation plan shall contain procedures to transfer material from the spill containment area to pretreatment systems prior to Discharge. Each transfer of material from the spill containment area must be logged according to the log book requirements described below.

5. Waste Hauling. The disposition of materials from containment areas that are to be treated off site must be logged according to the log book requirements described below. In addition, waste hauler reports must be kept on file at the permittee sitous address for at least five (5) years.

6. Log Book Requirements. Each Industrial User required to install and maintain a spill containment system must keep a log book that is available to the District's employees upon request during inspections. All impounded materials removed from spill containment areas, whether prohibited or non-prohibited, must be included in the log book. This includes rain water and processed waste water that results from "normal" operations. The log book must contain, at a minimum, the following information:

- a. date and time material is removed from spill containment area;
- b. identification of material (an analysis is required if the spill is of unknown origin to determine the type of treatment or remediation required for proper disposal);
- c. quantity (volume);
- d. cause of spill;
- e. method of disposal (includes transfer to offsite treatment system);
- f. corrective action implemented to prevent spills from reoccurring.

F. Reporting Requirements Non-exclusive. The reporting requirements set forth in this Chapter are in addition to any other reporting requirements contained in the District's Sewer Use Ordinance, the IWDP, the Act, or any other federal, state or local law or regulation.

G. Training Programs. As part of the Industrial User's slug control plan, the Industrial User should develop and implement an employee training program. If an Industrial User has a training program in place, the Industrial User should provide a description of the training program.

Section 7.50: Education and Outreach.

The District's Environmental Compliance Inspector will work with Industrial Users to provide Industrial Users with information on effectively developing and implementing an effective Slug Discharge Control Plan. These efforts will include, but will not be limited to: providing Industrial Users with brochures and fact sheets; providing Industrial Users with updated regulations; and notifying Industrial Users of available training and educational opportunities.

Section 7.60: Legal Authority.

The legal authority for the District's Slug Discharge Control Plan is set forth in Chapter 6 of Title 3 of the Malaga Code and the Act.

Section 7.70: Funding Source.

The District's Slug Discharge Control Program is funded under the District's Pretreatment Program budget with revenue from industrial sewer charges, permit fees, and grants, when available.

Section 7.80: Inspection and Enforcement.

A. Inspection. All Industrial Users required to have a Slug Discharge Control Plan will be inspected for compliance at least once per year; however, the goal of the District is to inspect each Industrial User with a Slug Discharge Control Program at least once per month. Additional inspections may also occur as determined necessary by the District.

B. Enforcement. Enforcement of a Slug Discharge Control Plan will be implemented pursuant to the District's Enforcement Response Plan (Chapter 11).

Chapter 8 Compliant Monitoring/Reporting

Section 8.10: Purpose.

The purpose of this Chapter is to ensure that Dischargers into and employees of the POTW understand the minimum Pretreatment Program reporting requirements for Industrial Users specified in 40 CFR 403.12. All Industrial Users are required to comply with all applicable federal, state and local pretreatment standards and requirements. Demonstration of compliance requires certain Industrial Users to submit reports, self-monitor and maintain records. A summary of those reporting/self-monitoring requirements are set forth below.

Section 8.20: Industrial Users Self-Monitoring Program.

A. Baseline Monitoring Reports. All Users that become subject to new or revised Categorical Pretreatment Standards (such as a Class 2 Permit) are required to comply with the following reporting requirements even if they have been designated as Potential-Discharging Categorical Industrial User (Class 3 Permit). A baseline Monitoring Report Checklist is attached as Attachment "L".

1. Within either one hundred eighty (180) days after the effective date of a Categorical Pretreatment Standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing Categorical Industrial Users currently discharging to or scheduled to Discharge to the POTW shall submit to the General Manager, or his or her designee, a report which contains the information listed in paragraph B, below. At least ninety (90) days prior to commencement of their Discharge, new sources, and sources that become Categorical Industrial Users subsequent to the promulgation of an applicable categorical standard, shall submit to the General Manager, or his or her designee, a report which contains the information listed in paragraph 2B, below. A new source shall report the method of pretreatment it intends to use to meet applicable categorical standards. A new source also shall give estimates of its anticipated flow and quantity of pollutants to be Discharged.

2. Users described above shall submit the information set forth below.

a. Identifying Information.

1. Name and address of the facility, including the name of the operator and owner.
2. Contact information, description of activities, facilities and plant production processes on the premises;

b. Environmental Permits. A list of any environmental control Permits -held by or for the facility.

c. Description of Operations.

1. A brief description of the nature, average rate of production (including each product produced by type, amount, processes and rate of production), and Standard Industrial Classifications of the operation(s) carried out by such user. The description shall include a schematic process diagram, which indicates points of Discharge to the POTW from the regulated processes.
2. Types of wastes generated, and a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, Discharged to the POTW.

3. Number and type of employees, hours of operation, and proposed or actual hours of operation.
 4. Type and amount of raw materials processed (average and maximum per day).
 5. Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of Discharge.
- d. Time and duration of Discharges.
- e. Location for monitoring all wastes covered by the Permit.
- f. Flow Measurement. Information showing the measure average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of combined waste stream formulas.
- g. Measurement of Pollutants.
1. The user shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph.
 2. Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment, the user should measure the flows and concentrations necessary to allow use of the combined waste-stream formula in 40 CFR 403.6(e) to evaluate compliance with the pretreatment standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e) this adjusted limit along with supporting data shall be submitted to the Control Authority;
 3. Sampling and analysis shall be performed in accordance with Section 3.07.120 of the District Code;
 4. The General Manager, or his or her designee, may allow the submission of a baseline report which utilizes only historical data so long as the data provides information sufficient to determine the need for industrial pretreatment measures;
 5. The baseline report shall indicate the time, date and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant Discharges to the POTW.

- h. Compliance Certification. A statement, reviewed by the user's authorized representative and certified by a qualified professional, indicating whether Pretreatment standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the pretreatment standards and requirements.
- i. Compliance Schedule. If additional pretreatment and/or O&M will be required to meet the pretreatment standards, the shortest schedule by which the user will provide such additional pretreatment and/or O&M must be provided. The completion date in this schedule shall not be later than the compliance date established for the applicable pretreatment standard. A compliance schedule pursuant to this section must meet the requirements set out in Section 3.07.030 of the District Code.
- j. Signature and Report Certification. All baseline monitoring reports must be certified in accordance with Section 3.07.150 of the District Code and signed by an authorized representative as defined in the District Code.
- k. Any other information which may be deemed necessary or required by the District to evaluate the Permit application.

Incomplete or inaccurate applications or applications submitted without the required fees will not be processed and will be returned to the user for completion or revision.

B. Compliance Schedule Progress Reports. The following conditions shall apply to the compliance schedule required by Section 3.07.020(B)(4) of the District Code:

1. The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the user to meet the applicable pretreatment standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);
2. No increment referred to above shall exceed nine (9) months;
3. The user shall submit a progress report to the General Manager, or his or her designee, no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if

appropriate, the steps being taken by the user to return to the established schedule; and

4. In no event shall more than nine (9) months elapse between such progress reports to the General Manager, or his or her designee.

C. Reports on Compliance with Categorical Pretreatment Standard Deadline. Within ninety (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 user subject to such pretreatment standards and requirements shall submit to the General Manager, or his or her designee, a report containing the information described in Section 3.06.020(F) and (G) and 3.07.020(B)(2) of the District Code. For users subject to equivalent mass or concentration limits established in accordance with the procedures in Section 3.05.060, this report shall contain a reasonable measure of the user's long-term production rate. For all other users subject to Categorical Pretreatment Standards expressed in terms of allowable pollutant Discharge per unit of production (or other measure of operation), this report shall include the user's actual production during the appropriate sampling period. All compliance reports must be signed and certified in accordance with Section 3.07.150 of the District Code. All sampling will be done in conformance with Section 3.07.120.

Section 8.30: Periodic Compliance Reports.

A. All users not subject to Categorical Pretreatment Standards (Class 1 Permits) must submit twice per year, June 30 and December 31, reports indicating the nature, concentration of pollutants in the Discharge which are limited by pretreatment standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the pretreatment standard requires compliance with a best management practice (BMP) or pollution prevention alternative, the user must submit documentation required by the District or the pretreatment standard necessary to determine the compliance status of the user.

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

C. If a user subject to the reporting requirement in this section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the General Manager, or his or her designee, using the procedures prescribed in Section 3.07.120 of the District Code, the results of this monitoring shall be included in the report.

Section 8.40: Slug Control Plan.

A. Reporting. Each SIU subject to a slug control plan that contains compliance monitoring or reporting requirements that are in addition to any requirement set forth in this Chapter shall clearly be set forth in the conditions of that plan and the SIU's Permit.

Section 8.50: Analytical Requirements.

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater Discharge Permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable Categorical Pretreatment Standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the General Manager, or his or her designee, or other parties approved by EPA.

Section 8.60: Sample Collection.

Samples collected to satisfy reporting requirements must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period.

A. Except as indicated in Section B and C below, the user must collect wastewater samples using 24-hour flow proportional composite sampling techniques, unless time proportional composite sampling or grab sampling is authorized by the General Manager, or his or her designee. Where time proportional composite sampling or grab sampling is authorized by the District, the samples must be representative of the Discharge. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by the District, as appropriate. In addition, grab samples may be required to show compliance with instantaneous limits.

B. Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.

C. For sampling required in support of baseline monitoring and 90-day compliance reports required in Section 3.07.020 and 3.07.040 of the District Code (40 CFR 403.12(b)

and (d)), a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for which historical sampling data do not exist; for facilities for which historical sampling data are available, the General Manager, or his or her designee, may authorize a lower minimum. For the reports required by paragraphs Section 3.07.050 of the District Code (40 CFR 403.12(e) and 403.12(h)), the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance by with applicable pretreatment standards and requirements.

Section 8.70: Recordkeeping.

Users subject to the reporting requirements of the District Code shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by the District Code, any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements, and documentation associated with Best Management Practices established under the District Code. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the user or the District, or where the User has been specifically notified of a longer retention period by the General Manager, or his or her designee.

Section 8.80: Certification Statements.

A. Certification of Permit Applications, User Reports and Initial Monitoring Waiver. The following certification statement is required to be signed and submitted by users submitting Permit applications in accordance with Chapter 6 of Title 3 of the District Code; users submitting baseline monitoring reports; users submitting reports on compliance with the Categorical Pretreatment Standard deadlines; users submitting periodic compliance reports required by the District Code; and a statement must be signed by an Authorized Representative:

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.

Section 8.90: [RESERVED] Cross-Media Electronic Reporting.

Section 8.100: Notification Requirements.

A. Notification of Production Level Change in Equivalent Limit Calculation. Any Industrial User under a control mechanism that incorporates equivalent mass or equivalent concentration limits calculated from a production-based standard must notify the District within two (2) business days after the Industrial User has a reasonable basis to know that the production level will significantly change within the next calendar month.

B. Notification of Materials/Significant Change in the Alternative Limit Calculation. Where the process effluent is mixed before treatment with wastewaters other than those generated by the regulated process, fixed alternative Discharge limits may be derived by the District or by the Industrial User with written concurrence of the District. An Industrial User must immediately report to the District any material or significant change in the values used in the calculation.

C. Notification of Waived Pollutant Present. The District may authorize an Industrial User subject to a Categorical Pretreatment Standard to forego sampling of a pollutant regulated by the Categorical Pretreatment Standard if the Industrial User has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the Discharge, or is present only at background levels from intake water and without increase in the pollutant because of the activities of the industrial user. This authorization is subject to the conditions listed in 40 CFR 403.12(e)(2). If a waived pollutant is found to be present or is expected to be present because of changes that occur in the Industrial User's operation, the Industrial User must immediately do the following:

1. Begin self monitoring twice per year or more frequently if required by the District.
2. Notify the District.

D. Notification of Mid-Tier Categorical Industrial User. A Categorical Industrial User that the District has determined to be a mid-tier Categorical Industrial User (40 CFR 403.12(e)(3)(iv) must notify the District if the DIU no longer meets the conditions that qualify it as a mid-tier user. The CIU must immediately begin complying with the semi-annual self-monitoring and reporting requirements.

E. Non-Compliance Notification and Repeat Sampling Report. If sampling performed by a user indicates a violation, the user must notify the General Manager, or his or her designee, within twenty-four (24) hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat

analysis to the General Manager, or his or her designee, within thirty (30) days after becoming aware of the violation. Resampling by the Industrial User is not required if the District performs sampling at the user's facility at least once a month, or if the District performs sampling at the user between the time when the initial sampling was conducted and the time when the user or the District receives the results of this sampling, or if the District has performed the sampling and analysis in lieu of the Industrial User.

F. Notification of Potential Problems.

1. In the case of any Discharge, including, but not limited to, accidental Discharges, Discharges of a non-routine, episodic nature, a non-customary batch Discharge, a Slug Discharge or slug load, that might cause potential problems for the POTW, the user shall immediately telephone and notify the General Manager, or his or her designee, of the incident. This notification shall include the location of the Discharge, type of waste, concentration and volume, if known, and corrective actions taken by the user.
2. Within five (5) days following such Discharge, the user shall, unless waived by the General Manager, or his or her designee, submit a detailed written report describing the cause(s) of the Discharge and the measures to be taken by the user to prevent similar future occurrences. Such notification shall not relieve the user of any expense, loss, damage, or other liability which might be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the user of any fines, penalties, or other liability which may be imposed pursuant to the District Code.
3. A notice shall be permanently posted on the user's bulletin board or other prominent place advising employees who to call in the event of a Discharge described in paragraph A, above. Employers shall ensure that all employees, who could cause such a Discharge to occur, are advised of the emergency notification procedure.
4. Significant Industrial Users are required to notify the General Manager, or his or her designee, immediately of any changes at its facility affecting the potential for a Slug Discharge.

G. Notification of Changed Conditions. Each Industrial User must notify the General Manager, or his or her designee, of any significant changes to the user's operations or system which might alter the nature, quality, or volume of its wastewater at least sixty (60) days before the change.

1. The General Manager, or his or her designee, may require the user to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of an Individual Wastewater Discharge Permit application under Chapter 6 of this Title.

2. The General Manager, or his or her designee, may issue a new Individual Wastewater Discharge Permit or modify an existing Individual Wastewater Discharge Permit in response to changed conditions or anticipated changed conditions.

H. Notification of Discharge of Hazardous Wastes. Written reports will be deemed to have been submitted on the date postmarked. For reports, which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.

1. This provision does not create a right to Discharge any substance not otherwise permitted to be Discharged by the District Code, a Permit issued thereunder, or any applicable federal or state law.

2. Any user who commences the Discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and state hazardous waste authorities, in writing, of any Discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of Discharge (continuous, batch, or other). If the user Discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the user: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream Discharged during that calendar month, and an estimation of the mass of constituents in the waste stream expected to be Discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after the Discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste Discharged. However, notifications of changed conditions must be submitted under Section 3.07.060 of the District Code. The notification requirement in this section does not apply to pollutants already reported by users subject to Categorical Pretreatment Standards under the self-monitoring requirements of this Chapter.

3. Dischargers are exempt from the requirements of paragraph A, above, during a calendar month in which they Discharge no more than fifteen (15) kilograms of –hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of non-acute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during

which the user Discharges more than such quantities of any hazardous waste do not require additional notification.

4. In the case of any new regulations under Section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the user must notify the General Manager, or his or her designee, the EPA Regional Waste Management Waste Division Director, and state hazardous waste authorities of the Discharge of such substance within ninety (90) days of the effective date of such regulations.

5. In the case of any notification made under this section, the user shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.

I. Notification of Upset. A Categorical Industrial User must notify the District with the information required in 40 CFR 403.16(c)(3) within twenty-four (24) hours of becoming aware of the upset. If a CIU provides the information orally, it must also provide a written submission within five (5) days.

J. Notification of Bypass. All users not required to obtain an Individual Wastewater Discharge Permit shall provide appropriate reports to the General Manager, or his or her designee, as the General Manager, or his or her designee, may require.

If a bypass from any Industrial User results in non-compliance, even if the non-compliance is the result of performing essential maintenance, the Industrial User must provide a report to the District detailing a description of the bypass and the cause, duration of the bypass and steps taken to or plan to reduce, eliminate and prevent reoccurrence of the bypass.

The Industrial User must provide oral notice to the District within twenty-four (24) hours of detecting an unanticipated bypass; a written follow up is due within five (5) days. For an anticipated bypass, the Industrial User must submit notice to the District, if possible, at least ten (10) days before the intent to bypass.

Section 8.110: Publication of IUs in Significant Non-Compliance.

A. Annual Publication

As required by the Act, the District's Pretreatment Program and the Malaga Code, a list of all industrial users which were in significant non-compliance of applicable federal pretreatment standards or other pretreatment requirements during the twelve (12) previous months shall be annually published in the largest daily newspaper within the District's service area according to the procedures for the publication of such notice as set forth in the Pretreatment Program. Accordingly, the User is apprised that non-

compliance with this permit may lead to an enforcement action and may result in the publication of the User's name in an appropriate newspaper and that the costs of said publication may be recovered by the District in addition to any other costs of enforcement or penalties imposed. For the purposes of this provision, significant non-compliance is defined by 40 CFR 403.8(f)(2)(vii).

B. Procedure.

The Environmental Compliance Officer or other person designated by the General Manager will maintain all records necessary to complete the Annual Pretreatment Report including a report on all industrial Users in significant non-compliance. In January of each year, the Environmental Compliance Officer or other person designated by the General Manager will prepare and deliver a report on all industrial Users in significant non-compliance for the previous year (January-December) to the General Manager on or before January 20. The General Manager will review the report and prepare and publish a notice of industrial users in significant non-compliance in the Fresno Bee on or before February 15 of each year in accordance with 40 CFR 403.8(f)(2)(viii). The costs associated with the publication of industrial users in significant non-compliance shall be recovered from those Users in accordance with this Pretreatment Program, the Malaga Code, or any other applicable code. Such costs of enforcement shall be in addition to any other costs or penalties imposed for any violations of the Malaga Code or this Pretreatment Program. The General Manager or her or his designee may develop additional procedures to insure compliance with this section.

A. Publication.

~~— Pursuant to the requirements of 40 CFR 403.8(f)(2)(viii), the District shall, at least once annually, publish in a newspaper of general circulation within the District, a meaningful public notice of Industrial Users which, at any time during the previous twelve (12) months, were in Significant Non-Compliance with applicable Pretreatment requirements.~~

~~— B. Procedure.~~

~~— The Environmental Compliance Officer or other person designated by the General Manager will maintain all records necessary to complete the annual Pretreatment Report including a report on all industrial users and significant non-compliance. In January of each year, the Environmental Compliance Officer or other person designated by the General Manager will prepare and deliver a report on all industrial users and significant non-compliance for the previous year (January-December) to the General Manager on or before January 20. The General Manager will review the report and prepare and publish a Notice of Industrial Users in Significant Non-Compliance in the Fresno Bee on or before February 15 of each year in accordance with 40 CFR 4103.8 (f)(2)(viii).~~

Chapter 9 Public Participation and Confidentiality

Section 9.10: Introduction/Purpose.

This Chapter of the Malaga County Water District Pretreatment Program describes the requirements and opportunities for public participation and confidentiality described in the Clean Water Act ("Act"). (Section 403 of title 40 of the Code of Federal Regulations ("CFR") and Chapter 3.09 of the Malaga Code.) Public participation is a necessary component of implementing an effective Pretreatment Program. The District is responsible for communicating a variety of information to the public and Industrial Users.

Section 9.20: Public Participation.

The Act requires public participation in the development, revision and Enforcement of any regulation, standard, effluent limitation, plan or program established under the Act. The pretreatment regulations encourage public participation by requiring public notices or hearings for approval, removal credits, program modifications, local limits development and modifications, and Industrial Users in SNC. Public participation for the District's Pretreatment Program will occur during program approval, whenever significant modifications are made to the Pretreatment Program, whenever local limits are developed or modified, when Individual Wastewater Discharge Permits ("IWDP") are issued or whenever there are Industrial Users in SNC.

A. Updates to the District's Sewer Use Ordinance. When the District is in the process of revising its Sewer Use Ordinance (Malaga Code Title 3), the District will conduct at least one stakeholder meeting or workshop with Industrial Users, the public, and the District Board of Directors. Prior to the Board of Directors adopting an ordinance revising the District's Sewer Use Ordinance, the District will publish the proposed ordinance on its website and provide the public with at least thirty (30) days to comment on the ordinance. All public comments received by the District during the 30-day comment period shall be available for public review at the District office and/or published on the District's website. The District will also hold a public hearing on the proposed ordinance and publish notice of said hearing in accordance with Section 31105(b) of the California Water Code. At the public hearing, all public comments receiving during the 30-day comment period will be made available to the Board of Directors and the public attending the hearing.

B. Changes to the Pretreatment Program; Removal Credits, Program Modifications, Local Limit Development and Modifications. Whenever the District considers changes to the Pretreatment Program, removal credits, program modification, or local limits development or modifications, the District shall give notice of the proposed changes on its website and provide the public with a 30-day public comment period. All comments received by the public during the public comment period will be made available to the public at the District's office or published on the District's website. The District shall also conduct one or more meeting(s) with Industrial Users, the public, and the District

Board of Directors prior to the adoption of any changes or modifications. The Board of Directors shall conduct a public hearing on any proposed changes or modifications described in this section and all public comments received during the public comment period will be made available to the public and the Board of Directors.

C. Notice of the Issuance of an Individual Wastewater Discharge Permit. The District shall provide the public with notice of the issuance, modification, or re-issuance of an Individual Wastewater Discharge Permit by publishing notice in a newspaper or on the District's website. Anyone, including the IWDP applicant, may request that the General Manager reconsider the terms and conditions of the IWDP within twenty (20) calendar days after the publication of the notice of issuance.

Section 9.30: Confidentiality.

The District declares that part of its responsibility in maintaining open communication with Industrial Users is to assure that data, procedures, and/or methods of production considered to be trade secrets are kept confidential. Trade secrets may be held confidential pursuant to 40 CFR 403.14. Any applicant or Industrial User may request, at the time any document is submitted to the District, that information on said document identified by the Industrial User or applicant as a trade secret or secret process be considered confidential. Discharge data, as defined by 40 CFR 2.302, and all information contained on or related to an IWDP are not recognized as confidential information and will be made available to the public without restriction. The District has the sole authority to determine if information or data may be considered trade secrets or secret processes. Further, any data or information related to Industrial Users, subject to retention by the District, may be required to be produced under order of a court of competent jurisdiction or product, at the request of the EPA, Central Valley Regional Water Quality Control Board, or other public agency having jurisdiction to request or receive such data or information.

Chapter 10 Resources

Section 10.10: Staffing.

The District implements its Pretreatment Program utilizing its own staff and consultants, as necessary. District employees involved in the Pretreatment Program are as follows:

A. General Manager. The General Manager is primarily responsible for the administration and supervision of the District's Pretreatment Program. The General Manager is the District's Authorized Official.

B. Environmental Compliance Inspector. The District employs a full-time Environmental Compliance Inspector (ECI). All of the ECI's duties are directly related to the District's Pretreatment Program including, but not limited to, IU inventory, Permit

application processing, compliant and monitoring, Permit management, issuance, and re-issuance, monitoring and reporting, and Enforcement.

C. Pretreatment Program Consultant. The District utilizes a contract Pretreatment Program consultant to assist in the development, maintenance, and implementation, of the District's Pretreatment Program including, working in cooperation with the District's ECI to develop and maintain the District's IU inventory and manage the District's individual Discharge Permits.

D. Wastewater Treatment Plant Staff. A portion of the District's wastewater treatment plant staff which include the wastewater treatment plant supervisor, Operator 1, Operator 2, and OIT, to, among other things, monitor, measure and test effluent input and sludge at the wastewater treatment plant and coordinate with District personnel on matters related to the District's Pretreatment Program including, but not limited to, slug loading, accidental Discharge, bypass and constituent monitoring.

E. District Engineer. The District's Engineer performs numerous functions related to the District's Pretreatment Program including involvement in the development and implementation of the program, designing and inspecting pretreatment facilities and the design and operation of the District's wastewater treatment plant.

F. Consulting Engineer. The District has, through the Rural Community Assistance Corporation, secured access to Katin Engineering to assist with the District's Pretreatment Program and wastewater treatment facility reports.

G. District Administration. The District's administrative personnel assist in the Pretreatment Program primarily related to billing and managing the budget of the District's Pretreatment Program.

H. Financial Consultant. The District contracts with a financial consultant to assist the District in developing its rate structure including developing the necessary formulas to determine rates to be paid by Industrial Users necessary to implement the District's Pretreatment Program.

I. District Auditor. The District contracts with an independent auditor to audit the District's financial condition, including the District's Pretreatment Program.

J. District Counsel. The District contracts for general counsel services which include services performed as required by the District's Pretreatment Program typically related to Enforcement actions as set forth in the District's Enforcement response plan including, but not limited to, cease and desist orders, injunction, and administrative penalties.

Section 10.20: Equipment Needed.

The District's wastewater treatment plant currently has the necessary equipment and facilities to accept effluent from Industrial Users. It is anticipated that the wastewater treatment plant can operate sufficiently for the next five (5) years with planned maintenance and improvements to the Wastewater Treatment Plant necessary to ensure compliance with new Discharge Permit Limits. The District is also in the process of purchasing and developing an integrated computer and software system to manage all aspects of the Pretreatment Program including Permit management and electronic reporting. It is anticipated that the District will make significant advances in automated or electronic reporting in the next five (5) years.

Chapter 11 Enforcement Response Plan

Section 11.10: Purpose and Scope.

The purpose and scope of this Plan is to describe and outline Enforcement response procedures used to enforce and accomplish the goals of the Malaga County Water District's Wastewater Control Program and the Malaga Sewer Use Ordinance. Specific objectives include, but are not limited to, the following:

- A. Identify the Malaga County Water District's Enforcement Authority.
- B. Identify appropriate personnel who may initiate various Enforcement actions.
- C. Define the range of Enforcement actions which may be taken to promote compliance.
- D. Provide a fair and equitable means of enforcing the Malaga Code.
- E. Promote consistent and timely use of Enforcement actions.
- F. Establish a means of tracking compliance once Enforcement has been initiated.

Section 11.20: Definitions.

Unless otherwise defined, all words and phrases used herein shall have the same meaning as those words and phrases as defined in the Malaga Code. In the event of a conflict in the definitions herein and the Act or the Malaga Code, then the definition in the Act of Malaga Code shall control.

"Act" or "Clean Water Act" shall mean the "Federal Water Pollution Control Act.

"Authorized or Duly Authorized Representative of the User" means:

- A. If the User is a corporation:

1. The President, Secretary, Treasurer, or Vice President of the corporation in charge of a principal business function, or any other Person who performs similar policy or decision making functions for the corporation; or

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

B. If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

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

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

"Best Management Practices (BMPs)" as defined by 40 CFR 403.3 as it may be amended, shall mean schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce water pollution. The term also includes treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

"Board" shall mean the Board of Directors of the Malaga County Water District.

"Bypass" means the intentional diversion of wastewater around a pretreatment system or any part thereof.

"Categorical Industrial User or CIU" shall mean an Industrial User subject to a Categorical Pretreatment Standard or Categorical Standard.

"Categorical Pretreatment Standard" or "Categorical Standard" shall mean any regulation containing Pollutant Discharge limits promulgated by the EPA in accordance with Sections 307(b) and (c) of the Act that apply to a specific category of Users and appear in 40 CFR Chapter 1, subchapter N, parts 405 471.

"CFR" shall mean the Code of Federal Regulations.

"Citation" or Administrative Citation" shall mean a Civil Citation issued pursuant to this Code stating that there has been a violation of one or more provisions of the Malaga Code and setting the amount of the administrative penalty to be paid by the Responsible Party.

"Compatible Pollutant" shall mean BOD, suspended solids, pH (within the range of 6.0 9.0) and fecal coliform bacteria, and such additional Pollutants as are now or may be in the future specified and controlled in this District's California Regional Water Quality Control Board waste Discharge Permit for its wastewater facilities where said facilities have been designed and used to reduce or remove such Pollutants.

"Computable Pollutant" means a Pollutant for which enough concentrations on data is available to calculate or document a change in loading.

"Dilution" is an increase in use of processed water, or any other use of water, as a partial or complete substitute for adequate treatment and an attempt to achieve compliance with any pretreatment standard or other requirement.

"Discharge" shall mean to pump, to place, to deposit, to Permit, or to cause to flow or to be transported by a flow, including the introduction of pollutants into the POTW from any non-domestic source.

"District" shall mean the Malaga County Water District located in the County of Fresno, State of California.

"District Engineer" or "Engineer" shall mean the Engineer appointed by and acting for the Board and shall be a Registered Professional of the State of California.

"District Inspector" or "Inspector" shall mean the Inspector acting for the Board and may be a Member of the Board, the District Engineer, an Inspector appointed by the Board, or person otherwise authorized to by agency having jurisdiction to inspection District's POTW.

"Environmental Protection Agency" or "EPA" means the U.S. Environmental Protection Agency or other duly authorized official of said agency.

"Equivalent SFR Unit" or "ESU" shall mean any Discharge of wastewaters, expressed in fractions or multiples of the prevailing quantities of daily emissions of

gallorage, pounds of BOD and pounds of SS for the average single family residence ("SFR") as stated in the Master Schedule of Fees, Charges, Penalties and Recovered Costs, or as it may be amended."

"ERP" shall mean Enforcement Response Plan.

"General Manager" or "Manager" means the person holding the position or acting in the capacity of General Manager of the District who shall administer and enforce the rules and regulations of the District.

"Governing Board" or "Board" shall mean the five person Board of Directors constituted under the County Water District Act (Water Code Sections 30000, et seq.) empowered as a group acting in public meetings to legislate in all matters related to the District's jurisdiction as established by the laws of the State of California.

"Hearing Officer" means any person, persons or entity appointed by the Board of Directors or any District official designated by the Board of Directors, by resolution to preside over the Administrative Hearings provided for by this Chapter.

"Individual Wastewater Discharge Permit" means an Individual Wastewater Discharge Permit issued pursuant to Title 3 of this Code.

"Industrial User" or "User" means a source of Indirect Discharge.

"Local Limit" shall mean specific Discharge limits developed and enforced by the District upon industrial or commercial facilities to implement the general and specific Discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b).

"Manager" shall mean the General Manager, or his or her designee, of the District or the Manager's designated representative(s) acting within the scope of the policy directives of the Governing Board of the District.

"Master Schedule of Fees, Charges, Penalties and Recovered Costs" means the Master Schedule of Fees, Charges, Penalties and Recovered Costs as established and amended, from time to time, by resolution of the Board of Directors of the Malaga County Water District. The Master Schedule of Fees, Charges, Penalties and Recovered Costs may also be referred to herein as the "Master Schedule of Fees" or "Schedule of Fees."

"New Source" shall mean:

1. Any Building, structure, facility or installation from which there is (or may be) a Discharge of Pollutants, the construction of which commenced after the publication of the 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 that section, provided that:

- a. The Building, structure, facility, or installation is constructed at a site at which no other source is located; or
 - b. The Building, structure, facility, or installation totally replaces the process or production equipment that causes the Discharge of Pollutants of an Existing Source; or
 - c. The production or wastewater generation process is of the Building, structure, facility or installation are substantially independent of an Existing Source at the same site. In determining these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the Existing Source, should be considered.
2. Construction on a site at which an Existing Source is located results in a modification rather than a new source if the construction does not create a new Building, structure, facility, or installation meeting the criteria of Section (1)(b) or (c) above but otherwise alters, replaces, or adds to existing process or production equipment.
3. Construction of a new source as defined under this paragraph has commenced if the owner or operator has:
- a. Begun, or caused to begin, as part of a continuous on site construction program (i) any placement, assembly, or installation facilities or equipment; or (ii) significant site preparation work including clearing, excavating, or removal of existing Buildings, structures or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
 - b. Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contract foreseeability, engineering, and design studies do not constitute a contractual obligation under this paragraph.

"Nuisance" shall mean anything which is injurious to health or is indecent or offensive to the senses or an obstruction to the free use of property so as to interfere with the comfort or enjoyment of life or property or which affects at the same time an entire community or neighborhood or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal as set forth in this Malaga Code or as determined by the Board.

"Official" or "Enforcement Officer" or "Public Officer" shall mean the General Manager, or his or her designee, or any other individual or body appointed or designated by the Board of Directors or the General Manager, or his or her designee, to enforce violations of the Malaga County Water District Ordinance Code.

"Ordinance" or "Code" shall mean any provision of the Malaga County Water District Ordinance Code (also referred to as the "Malaga Code").

"Permit" shall mean any written authorization required pursuant to this Code or any other rule, regulation or ordinance of the District for the installation of any Sewer Facilities connected to the Sewerage System.

"Person" shall mean any individual, partnership, co partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all federal, state and local governmental entities.

"Pollution" or "Pollutants" shall mean an alteration of the quality of the Waters of the State by Waste to a degree which adversely affects such waters for beneficial use or facilities which serve such beneficial uses. Pollution may include Contamination. Pollutants constitute the elements causing the adverse effect.

"Pretreatment" shall mean application of physical, chemical, or biological processes to reduce the amount of Pollutants in or alter the nature of the Pollutant properties in a Wastewater prior to discharging such wastewater into the wastewater facilities.

"Pretreatment Program" shall mean the Pretreatment Program of the District as set forth in Section 3.05.020 shall mean a Pretreatment Program of the District as set forth in Section 3.05.020 of the Malaga Code.

"Pretreatment Requirement" shall mean any substantive or procedural requirement related to Pretreatment, in addition to any/all requirements of the Act or any other National or State Pretreatment Standard, imposed on a User.

"Pretreatment Standard (or National Pretreatment Standard)" as defined by 40 CFR 403.3, or as it may be amended, shall mean any regulation containing Pollutant Discharge limits promulgated by the EPA in accordance with section 307 (b) and (c) of the Act, which applies to Industrial Users. This term includes prohibitive Discharge limits established pursuant to 40CFR 403.5.

"Responsible Party" means any person who is responsible for violating the provisions of the Malaga County Water District Code as described in this Chapter.

"Significant Industrial User" or "SIU" shall mean:

1. An Industrial User subject to Categorical Pretreatment Standards; or
2. An Industrial User that:
 - a. Discharges an average of twenty five thousand (25,000) gpd or more of processed wastewater to the POTW (excluding sanitary, non-contact cooling and boiler Blowdown Wastewater);
 - b. contributes a process waste stream which makes up five percent (5%) or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - c. is designated as such by the District on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.

"Slug Discharge" or "Slug Load" shall mean any Discharge at a flow rate of concentration, which could cause a violation of the prohibited Discharge standards in Title 3 of this Ordinance including, but not limited to, Sections 3.05.030 or 3.05.040. A Slug Discharge is any Discharge of a non-routine, episodic nature, including, but not limited to, an accidental spill or a non-customary batch Discharge, which has a reasonable potential to cause Interference or Pass Through or any other way of violating the POTW's regulations, Local Limits or Permit conditions.

"User" shall mean any Person who Discharges, causes, or Permits the Discharge of Wastewater into the District's Wastewater Facilities. User includes a source of Indirect Discharge.

"Wastewater" shall mean Waste and water, whether treated or untreated, Discharged into or permitted to enter a Community Sewer.

"Wastewater Treatment Facilities" or "WTF" or "Malaga Wastewater Treatment Facilities" or "MWTF" shall mean any devices, facilities, structures, equipment, or works owned, operated or maintained by the District for the purpose of the collection, transmission, storage, treatment, recycling, reclamation and disposal of industrial and domestic Waste, or necessary to recycle or reuse water at the most economical cost over the estimated life of the system, including, but not limited to, intercepting Sewers, outfall Sewers, Sewage collection systems, pumping, power, and other equipment, and their appurtenances: extension, improvements, remodeling, additions, and alterations thereof; elements essential to provide a reliable recycled supply such as standby treatment units and clear well facilities; and any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment.

Section 11.30: Enforcement Authority.

Title 3 of the Malaga Code is the Malaga County Water District Sewer Use Ordinance or SUO. Section 10 of Chapter 8 of Title 3 of the Malaga Code provides that in addition to all other Enforcement procedures provided in the Malaga Code, the District shall develop and implement an ERP. Chapter 7 of Title 1 of the Malaga Code provides that any person violating any provision of the Malaga Code or applicable state or other code may be subject to penalties, including, but not limited to, administrative penalties. Chapter 7 of Title 1 further provides that District personnel shall have the right to enter and inspect the property of any person within the jurisdiction of the District for possible violations of the Malaga Code and/or to review and/or copy any records required to be kept under the provisions of the Malaga Code, to inspect any monitoring equipment or Pretreatment Facility or Discharge-producing process, or to sample any Discharge of wastewater to the POTW.

The persons primarily responsible for the implementation of the ERP include, but are not limited to, the following: General Manager, District Engineer, District Code Enforcement Officer, General Counsel, and any other person designated by the Board or General Manager (hereinafter also referred to individually and collectively as "Enforcement Officer(s)").

Section 11.40: Informal Enforcement Procedures.

Informal Enforcement actions are appropriate where, as determined by the District, the objectives of the ERP may be accomplished without formal Enforcement actions. In general, the District will respond to an initial IU violation with an informal Enforcement action as follows:

A. Inspection/Observation —Notice. The District may issue an Inspection/Observation Notice when one (1) or more of the following conditions have been observed:

1. Access to property/facility denied;
2. Evidence of equipment tampering;
3. Pretreatment System Bypass;
4. Process or sample point Dilution;
5. Unauthorized alteration of any part of the Pretreatment System;
6. Failure to submit all required self-monitoring reports/results;

7. Any other condition which is in violation of the Malaga Code, an Individual Wastewater Discharge Permit, or any other Permit or order issued under the Malaga Code or any other law or regulation or any Pretreatment Standard or requirement.

The person issuing the inspection/observation notice shall document, in the notice, the date when the observation/inspection was made/performed; the facts, circumstances, and evidence supporting the observation; state the actions necessary by the IU to correct and/or abate the condition and the date upon which such corrective action must be performed/completed.

B. Notice of Violation. A Notice of Violation is a written notice, issued by the General Manager or the Board which identifies a violation or violations and orders the IU to abate the violation(s) and any other actions required by the IU, and a date by which the IU must abate the violation(s) or complete the actions required by the Notice of Violation.

C. Conference With IU. A conference may be scheduled with an IU as part of a notice of violation, compliance schedule, compliance order, or in response to one (1) or more of the following:

1. Failure to report a Discharge, spill, or Slug Discharge in violation of permitted conditions; or
2. Failure to submit all self-monitoring results/reports; or
3. Discovery of an unauthorized Discharge; or
4. Two (2) or more reporting violations within two (2) consecutive calendar quarters; or
5. The IU's monitoring or compliance history warrants an informal meeting to discuss and establish the cause(s) of violations and the actions necessary to prevent future violations.

D. Compliance Schedules. In the event that subsequent to the issuance of reissuance of a Permit, new federal, state or local regulations or standards are adopted such that the Permit or reissue Permit is amended and an IU cannot maintain compliance with existing practices or technology, the District may require the IU to install additional Pretreatment equipment and/or adopt Best Management Practices to comply with the new standards. In this event, the IU will be required to submit a Pretreatment plan proposal, subject to District approval, as part of its Permit/Permit Reissue Application. The Pretreatment proposal shall include a description of the equipment and/or procedures or practices including, but not limited to, an interim program, a schedule for equipment

purchase, installation, or testing, a flow process diagram or schedule, and a final implementation plan.

Nothing in this section will prevent the District from issuing a notice of violation for failing to comply with a compliance order, cancel or revoke the compliance order, or take any other action necessary to gain compliance if the IU fails to adhere to the compliance schedule.

Section 11.50: Formal Enforcement Procedures.

A. Administrative Citations. Pursuant to Chapter 7 of Title 1 of the Malaga Code, the District may issue administrative citations to enforce any provision of the Malaga Code, or any Permit, order issued pursuant to the Malaga Code or any other statute or regulation adopted by reference by the Malaga Code. The issuance of administrative citations shall be governed by Chapter 9 of Title 1 of the Malaga Code.

B. Compliance Order. A compliance order may be issued to any IU that is in violation of the Malaga Code, or any Permit, order, or regulation which the District has the authority to enforce. A compliance order should be issued after it is determined that an IU is in significant non-compliance. A compliance order may be issued by the General Manager, or his or her designee, the Board, or the District Engineer. The compliance order should contain, but is not limited to, the facts and circumstances supporting the finding of a violation(s), the actions necessary by the IU to correct or abate the violation(s) and the date or dates upon which any actions must be completed or response must be provided. Unless there is good cause found by the Enforcement Officer issuing the compliance order, a compliance order should contain the following compliance schedule:

1. Response by the IU to any inaccuracies of fact in the findings of violation within 15 days from the issuance of the compliance order;
2. The IU shall submit a preliminary engineering plan outlining the steps necessary to comply with permitted limits within 45 days after the issuance of a compliance order;
3. The IU either take all necessary corrective action to achieve compliance or cease Discharge of industrial wastewater into the District's sewerage system within 90 days after the issuance of a compliance order.

If applicable the development of a compliance schedule will be required by each IU for the installation of technology required to meet applicable Pretreatment Standards and requirements pursuant to 40 CFR 403.8(f)(1)(iv)(A). If approved, the IU shall be required to submit progress reports on the proposals implementation including, but not limited to, whether or not the IU complied with the scheduled process and if so, on what date, and if not, the date on which the IU expects to comply with the scheduled increment

of progress, the reason for delay, and the steps being taken by the IU to adhere to the established compliance schedule.

C. Administrative Complaint. Pursuant to Chapter 9 of Title 1 of the Malaga Code, the District may issue an administrative complaint pursuant to "54725, et seq., of the Government Code, or any other applicable statute or regulation.

D. Show-Cause Hearing. Pursuant to Chapter 7 of Title 1 of the Malaga Code, the District may order a user who has violated, or continues to violate, any provision of the Malaga Code, an Individual Wastewater Discharge Permit, or any other order issued under the Malaga Code, or any other Pretreatment Standard or Requirement to appear before the Board of Directors, or the Board of Directors' designee, to show cause why Enforcement action should not be taken. The notice of a show-cause hearing shall be given to the IU and specify the time and place for the hearing. Such notice shall be served personally or by United States registered mail or certified mail (return receipt requested) at least twenty (20) days prior to the hearing pursuant to Chapter 7, Title 1 of the Malaga Code.

E. Cease and Desist Order. The District may issue an order requiring the user to cease and desist any violation and to immediately comply with all requirements and take such remedial or preventative action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the Discharge.

F. Permit Revocation or Suspension. Pursuant to Section 060 of Chapter 6 of Title 3 of the Malaga Code (3.06.060), the General Manager, or his or her designee, or the District Engineer may immediately revoke or suspend an Individual Wastewater Discharge Permit for good cause, including, but not limited to, the following reasons:

1. Failure to notify the District of significant changes to the Wastewater prior to changed Discharge;
2. Failure to provide prior notification to the District of changed conditions pursuant to this Code;
3. Misrepresentation or failure to fully disclose all relevant facts in the Individual Wastewater Discharge Permit application;
4. Falsifying self-monitoring reports and certification statements;
5. Tampering with monitoring equipment;

6. Refusing to allow the District timely access to the facility premises and records;
7. Failure to meet affluent limitations;
8. Failure to pay fines;
9. Failure to pay Sewer charges;
10. Failure to meet compliance schedules;
11. Failure to complete a Wastewater survey or the Individual Wastewater Discharge Permit application;
12. Transfer of business ownership of a permitted facility; or
13. Violation of any Pretreatment Standard or requirement, or any terms of the Individual Wastewater Discharge Permit or this Code.

In the event of revocation or suspension of an Individual Wastewater Discharge Permit, the District shall attempt to notify the User or the Users Authorized Representative prior to the suspension/revocation, however, failure to do so shall not affect the validity of any order suspending or revoking any Permit.

G. Water Supply Severance. Pursuant to Chapter 7 of Title 1 of the Malaga Code, the District may order that the water service to the IU be severed. Water service will only be reconnected to the IU, at the IU's expense, after the IU has satisfactorily demonstrated to the District its ability to comply with any and all applicable Discharge limits.

H. Injunctive Relief. Pursuant to Chapter 7 of Title 1 of the Malaga Code, the District may petition the Superior Court of California, County of Fresno, or any other court having jurisdiction, through the District's attorney, for the issuance of a temporary or permanent injunction, as applicable, which restrains or compels the specific performance of the Individual Wastewater Discharge Permit, order or other requirement imposed by the District, or any other law or regulation applicable to the IU.

I. Civil Penalties. Pursuant to Chapter 7 of Title 1 of the Malaga Code, the District may seek civil penalties against any IU who has violated, or continues to violate, any provision of the Malaga Code, any Individual Wastewater Discharge Permit, or other Permit or order issued pursuant to the Malaga Code or any other statute or regulation or any other Pretreatment Standard or Requirement. The IU may be liable to the District for a civil penalty up to the maximum set forth in Chapter 6.5 of Part 1 of Division 2 of Title 5 of the Government Code beginning with Section 54725 et seq. ~~of not less than One Thousand Dollars (\$1,000.00) per day per violation.~~ Each day a violation exists shall constitute a separate violation and in the case of a monthly or long-

term average violation of a Discharge limit, penalties shall accrue for each day during the period of the violation. In addition to the civil penalty, the District may recover reasonable attorney's fees, court costs, and other expenses associated with Enforcement activities, including sampling and monitoring expenses, and the costs of any actual damages incurred by the District.

Section 11.60: Implementation.

A. Choosing Enforcement Action. The order of Enforcement actions set forth in the ERP, both formal and informal, provide a guideline for using escalating Enforcement actions to achieve the goals of the District's wastewater management program. However, the Enforcement Officer should consider all relevant information available to determine the most appropriate Enforcement action available to gain compliance with the District's wastewater control program, the District's sewer ordinance, and Individual Wastewater Discharge Permit, or any other Permit, order or regulation.

When determining the appropriate Enforcement action, the Enforcement Officer may consider the following:

1. Magnitude of the Violation.

- a. Isolated Non-Compliance. Generally, an isolated incident of non-compliance that does not threaten public health or the environment, damage public or private property, or threaten the integrity of the District's Wastewater Control Program can be met with an informal Enforcement procedure response.
- b. Significant Non-Compliance. Any violation, even an isolated violation, should be met with formal Enforcement procedures which include an order that requires a return to compliance by a specified deadline.

2. Duration of the Violation. Any violation, regardless of severity, which continues over a prolonged period of time should subject the IU to escalated Enforcement actions. When considering Enforcement actions, the District's response should prevent extended periods of non-compliance from reoccurring. The Enforcement Officer should consider issuing a Compliance Schedule or a Compliance Order for chronic, minor violations. If the IU fails to comply with said orders, the District should escalate Enforcement actions such as issuing Administrative Citation(s), with penalties, to gain compliance.

3. Effect on the Receiving Water. Any violation that results in the passing through of pollutants through the POTW and entering the receiving stream resulting in environmental harm should be met with a severe Enforcement response. At a minimum, such response should include a Compliance Order and an Administrative Citation or Complaint assessing a fine against the IU.

4. Effect on the POTW. Any violation which negatively impacts the POTW including, but not limited to, resulting in significant increases in treatment costs, interference or harm with POTW personnel, equipment, processes, operations, or causing sludge contamination resulting in increased disposal costs should be met with a significant response. Said response should include a Compliance Order and an Administrative Citation or Administrative Complaint assessing a fine against the IU.

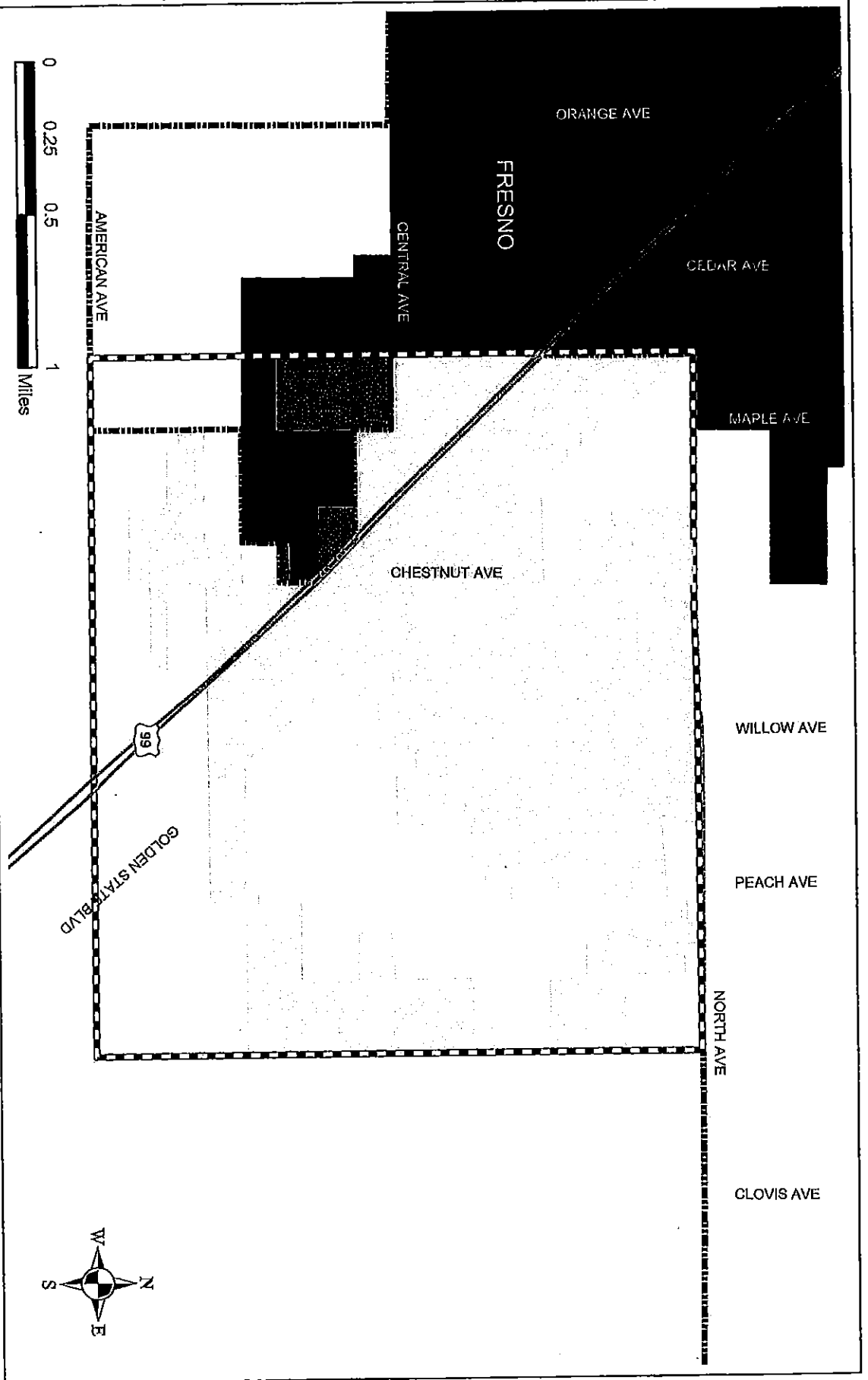
5. Compliance History of the User. Where one or more Enforcement procedures are available to the District, the District may consider the compliance history of the User in determining whether to use a more or less severe Enforcement procedure. For example, where a User has a pattern of reoccurring violation (even of different program requirements), this may indicate that either the User's treatment system is inadequate or the User has taken a casual approach to operating and maintaining its treatment or Pretreatment System. Because this indicates to the District a likelihood of future significant violations, the District should choose a more severe Enforcement procedure to gain compliance. Conversely, where a User has a history of good compliance, the District may choose to use a less severe Enforcement procedure.

6. Good Faith of User. The IU's good faith in correcting non-compliance may be used as a factor in determining which Enforcement procedure the District may invoke. Good faith may be defined as the IU's honest intention to remedy its non-compliance coupled with actions which give support to this intention. Generally, a User's demonstrative willingness to comply should predispose the District to select a less severe Enforcement procedure. However, good faith does not eliminate the District's necessity for implementing an appropriate Enforcement action.






B. Cost Recovery. For all Enforcement procedures, the District should recover its Enforcement costs, which include, but are not limited to, inspection costs, sampling costs, testing costs, administrative costs, staff time, engineering costs, and legal costs. The costs of Enforcement shall be determined by the General Manager, or his or her designee, and billed to the IU, owner, or responsible party. If the IU, owner or responsible party desires to contest the amount of the charges imposed, the IU, owner or responsible party may submit a written request for an appeal to the General Manager, or his or her designee, within thirty (30) days after the date the charge was billed to the IU, owner or responsible party.

C. Non-exclusive. The Enforcement actions described in this Enforcement Response Plan, shall be non-exclusive and cumulative and shall not prohibit the District from enforcing any provision of the Malaga Code or any other statute, order, Permit or regulation the District has the authority to enforce by any other method available at law.

ATTACHMENT A



**Fresno Local Agency Formation Commission
Malaga County Water District**

-  District SOI
-  District Area
-  District Overlapping City
-  Fresno SOI
-  City of Fresno

District Formed: 1958
 SOI Adopted: 4/23/1975
 SOI Updated: 10/10/2007

Map Date: April 2014
 District Area: 1,622 Acres
 Sphere Area: 2,642 Acres

ATTACHMENT B

FACT SHEET

Business Name: _____

Location Address: _____

Owner/Manager: _____

Phone: _____ Email: _____

Permit Class: _____ Permit Expiration Date: ____/____/____ SIC #: _____

Description of Facility/Activities: _____

Sewer Connection: _____

Description of Waste Stream: _____

Pretreatment: _____

SIC Classification: _____

Categorical pretreatment standards: _____

Pollutants of Concern/Local Limits: _____

Sampling protocol: _____

Slug Control Summary: _____

FOG Summary: _____

ATTACHMENT C

MALAGA COUNTY WATER DISTRICT

A PUBLIC AGENCY

3580 South Frank Street * Phone (559) 485-7353 * Fresno, California 93725

APPLICATION FOR PERMIT TO DISCHARGE NON-RESIDENTIAL WASTEWATER

NOTE TO SIGNING OFFICIAL: THE COMPLETED APPLICATION IS A DISTRICT WORKING DOCUMENT. CONFIDENTIAL INFORMATION CONTAINED HEREIN WILL BE USED BY DISTRICT STAFF ONLY. HOWEVER, INFORMATION AND DATA PROVIDED IN THIS APPLICATION WHICH IDENTIFIES THE NATURE AND FREQUENCY OF DISCHARGE WILL BE AVAILABLE TO THE PUBLIC WITHOUT RESTRICTION.

CONTACT INFORMATION

1. Business Name: _____
2. Billing Address: _____ Phone: _____
3. Location Address: _____ Phone: _____
4. Assessor's Parcel Number for Property: APN _____
5. Facility Contact Person: _____
Email: _____ Phone: _____
6. Emergency Contact: _____
Email: _____ Phone: _____
7. Statement of Signing Official:

I HAVE PERSONALLY EXAMINED AND AM FAMILIAR WITH THE INFORMATION SUBMITTED IN THIS DOCUMENT AND ATTACHMENTS. BASED UPON MY INQUIRY OF THOSE INDIVIDUALS IMMEDIATELY RESPONSIBLE FOR OBTAINING THE INFORMATION REPORTED HEREIN, I AFFIRM THAT THE SUBMITTED INFORMATION IS TRUE, ACCURATE AND COMPLETE.

I UNDERSTAND AND AGREE THAT OMISSION OR MISREPRESENTATION OF DATA PROVIDED IN THIS APPLICATION MAY RESULT IN REVOCATION OR MODIFICATION OF ANY PERMIT ISSUED.

DATE

SIGNATURE OF OFFICIAL

BUSINESS DESCRIPTION

- 1. Briefly describe the manufacturing or service activity to take place at the facility: _____

- 2. Principal raw materials to be used: _____
- 3. Process catalysts to be used: _____
- 4. Principal products or services: _____

PROCESS INFORMATION

Describe all manufacturing, operational, clean-up, maintenance or service processes and list names of all materials to be used, including, but not limited to raw materials, catalysts, baths, strippers, solvents, coatings, paints, cleansers, powders, granules, liquids, chemicals, pesticides (plant and animal), lubricants and hydraulic fluids. Use one number for each process. Use additional sheets if necessary.

PROCESS	EQUIPMENT/MATERIALS USED
1.	
2.	
3.	
4.	
5.	
6.	
7.	

MATERIALS USED AND DISPOSAL INFORMATION

For each of the materials listed in the previous section, give the proposed average daily volume (in gallons) or weight (in pounds) and denote the proposed disposal method by placing an "X" in the appropriate box. Use additional sheets if necessary.

PROCESS #	MATERIAL NAME	AVG. DAY VOLUME (GALS.)	AVG. DAY WEIGHT (LBS.)	ULTIMATE DISPOSITION OF MATERIAL					
				SEWER	SEPTIC TANK	PERCO-LATION	EVAPO-RATION	WASTE HAULER	IN THE PRODUCT
1.									
2.									
3.									
4.									
5.									
6.									
7.									

OPERATIONAL AND SITE CHARACTERISTICS

- Will major processes be batch or continuous? _____
- If batch, give number of batches per 24 hour day: _____
- Will your processes be subject to seasonal variation? _____
- If yes, explain indicating months(s) or peak operation and products: _____

- Work days per week (circle them) MON TUES WED THUR FRI SAT SUN
- Working hours: _____
- Number of shifts per work day: _____
- Shift starting times: 1st _____ 2nd _____ 3rd _____
- Average number of employees per shift:

	<u>ADMINISTRATIVE</u>	<u>NON-ADMINISTRATIVE</u>
1 st Shift	_____	_____
2 nd Shift	_____	_____
3 rd Shift	_____	_____
- Describe any potable water treatment processes or equipment to be utilized:

- Describe any water recycling or material reclaiming processes to be utilized:

- _____
- _____
- _____
12. Describe any wastewater treatment processes or equipment to be utilized: _____
- _____
- _____
13. Describe floor drains in your facility to be connected to the sewer: _____
- _____
- _____
14. Describe grease/oil/sediment interceptor to be used before discharge to sewer: _____
- _____
15. How often will grease/oil/sediment interceptor be cleaned and what will be the ultimate method of disposal? _____
- _____
16. If holding tanks will be used anywhere in your facility, describe their makeup and their capacity: _____
- _____
17. Will holding tanks be discharged to the sewer? YES NO
18. If yes, how often? _____
- Do you have a slug discharge plan: YES NO
19. What is the spill prevention, control and countermeasure plan for your facility? _____
- _____
20. What is the illicit discharge prevention plan prepared for your facility? _____
- _____
21. Will your facility have a scheduled shut down? YES NO
22. If yes, when? _____
23. Describe water and wastewater flow metering devices: _____
- _____
- _____
24. Describe wastewater sampling locations and devices: _____
- _____
- _____
- _____

25. How much area of lawn will be under landscape irrigation? _____ (Sq. ft., Acres) How many sprinkler heads? _____ at _____ Gals/Min.
How long will you irrigate? _____ Mins/Day. Which days? (circle) M T W TH F S SU
26. What area of trees or shrubs will be irrigated? _____ (Sq. ft., Acres).
How many sprinkler heads? _____ at _____ Gals/Min.
How long will you irrigate? _____ Mins/Day. Which days? (circle) M T W TH F S SU
27. What will the facility's total floor space area be? _____ (Sq. ft., Acres)
28. The air conditioning system compressor will be: A/C vapor e cooler
If evaporative cooler, how many pads will there be? _____
29. Will facility have food/beverage cold storage? YES NO
What size cold storage? _____ Cu. ft.
Will facility have a freezer? YES NO
What size freezer _____
Will cooling coils be water flushed? YES NO
If yes, will it be a closed system cooling tower? _____
Will it be a single pass water flush? YES NO
How many gallons per day of flush? _____ G. P. D.
Will the flush water be disposed of to the sewer? _____ Storm Drain? _____
Is a water conditioner and/or algae inhibitor used on the cooling water system?
_____. If yes, what? _____
30. Will facility have a kitchen? _____
Will facility have a lunchroom with cooking and sink? _____
How many sinks? _____
31. Will facility have a garbage grinder? _____ Motor Horsepower? _____
32. How many toilets will there be? _____
How many bathroom sinks will there be? _____
33. Will facility have a water softener? _____
If yes, what will the size of the resin tank be? _____ Cu. Ft.
Will it be a rental? _____ Will it be regenerated on site? _____
Will brine go to sewer? _____
33. *Churches:* What will the seating capacity be in the chapel or worship facilities? _____
_____ Persons.
Will there be day care facilities? _____
If yes, how long? _____ Hours. What days? (circle) M T W TH F S SU
Will there be school (Parochial) facilities? _____
Which grades? _____ Average daily attendance: _____
Class days per year: _____ (Provide Schedule)
Holidays per year: _____ Vacation: (Mo./day) _____ to _____
_____ (Mo./day).
Will facilities be used for community gatherings or dinners? _____
How often? _____ Days per year (estimate)
Will facilities be used for other activities? _____
If yes, describe: _____
How often? _____ Days per year (estimate)
Address of parsonage, if any: _____
34. *Recreation/Meeting/Lodge Halls:*
Meeting days per month: _____ days. Hours per meeting: _____ Hours.
Members and others in attendance: _____ Persons.

Will facilities be used for other activities? _____
If yes, describe: _____

35. *Restaurants and Cafes: (Seating)*

Counter: _____ Seats Booths: _____ Seats
Tables: _____ Seats Total: _____ Seats

36. *Laundromats:* How many single load washers? _____
Double load washers: _____ Triple load washers: _____
For a single load washer, how many gallons will be used in the wash cycle? _____
_____ Gallons.
How many gallons for rinse cycles? _____ Gals. No. of rinses: _____

WATER CONSUMPTION AND DISCHARGE

1. Estimate the anticipated monthly water usage and its source of supply.

MONTH	GALLONS USED (ESTIMATE)	FROM DISTRICT	FROM OTHER	PRIVATE PURVEYOR	PRIVATE WELL
JAN					
FEB					
MAR					
APR					
MAY					
JUNE					
JULY					
AUG					
SEP					
OCT					
NOV					
DEC					

2. List water use in your facility and indicate its ultimate disposal:

TYPE OF WATER USE	AVERAGE DAILY VOLUME (GALS.)	ULTIMATE DISPOSAL OF WATER						
		SEWER	SEPTIC TANK	PERCO-LATION	EVAPO-RATION	WASTE HAULER	IN PROD.	STROM DRAIN
Cooling Water								
Boiler Feed								
Sanitary System								
Landscape Irrigation								
Clean-up								
LIST ALL PROCESSES AND ANY OTHER USES BELOW (USE ADDITIONAL SHEETS IF NECESSARY)								

SEWER CONNECTION AND DISCHARGE INFORMATION

List your facility's proposed sewer outlets, sizes and flows:

DESCRIPTIVE LOCATION OF SEWER CONNECTION DIS-CHARGE POINT	AVERAGE DAILY FLOW (GALS.)	SEWER SIZE (INCHES)
1.		
2.		
3.		

PLANS AND DRAWINGS

Attach plot plan, floor plan, plumbing plan, mechanical plan and other drawings in accordance with the Malaga County Water District Wastewater Sewer Design and Construction Standards and as necessary to show locations and elevations of sewers and connections, rainwater disposal, pretreatment sites, sampling and flow monitoring sites, plant processes, floor drains, holding tanks, cafeterias, restrooms, showers, water and wastewater treatment processes and equipment, landscaping irrigation system and grease/oil/sediment interceptors.

LABORATORY ANALYSIS OF DISCHARGE

The typical proposed wastewater discharge must be characterized. Therefore, either the results of laboratory analyses performed on similar wastewater or an estimation of the potential concentration of wastewater constituents must be attached to this application. The characterization must include constituents listed in your discharge permit.

ATTACHMENT D

Attachment D SIU

Permit will be inserted upon approval of the Board. The draft SIU permit is available for view as a separate document.

ATTACHMENT E



MALAGA COUNTY WATER DISTRICT

3580 SOUTH FRANK STREET - FRESNO, CALIFORNIA 93725
PHONE: 559-485-7353 - FAX: 559-485-7319

BOARD OF DIRECTORS

DIRECTOR _____
DIRECTOR _____
DIRECTOR _____

PRESIDENT _____
VICE-PRESIDENT _____

CHARLES E. GARABEDIAN JR SALVADOR CERRILLO IRMA CASTANEDA FRANK CERRILLO JR CARLOS TOVAR JR.

JIM ANDERSON SENIFER AHLGREN GENERAL MANAGER

Permit Renewal Survey/Application

Non-Residential Discharge permits are required to undergo an annual renewal process. Please complete the following survey and send it to the Malaga County Water District office along with the required fee by October 24, 2014.

Business Name: _____
Location Address: _____
Contact Person: _____ Title: _____
Business/Cell Phone: _____ Email: _____
Permit #: _____ Permit Expiration Date: ____/____/____
Permit Class: _____ SIC Code _____ Equivalent Service Units: _____

Permit Fee: \$ _____

1. How many employees do you current employ at the facility? _____
2. Are there any changes to the facility since the current permit became effective? Yes No
3. Will there be expansions/Changes to the facility in the next 12 months? Yes No
4. Did you make changes to your wastewater pretreatment system? Yes No
5. Did you add new chemicals to your pretreatment process? Yes No
6. Were there operational changes since the current permit became effective? Yes No
7. Do you expect to have any operational changes in the next 12 months? Yes No
8. Were there operational difficulties since the current permit became effective? Yes No

Please sign and return this Survey and Permit Renewal Application along with a permit renewal fee of \$ _____ to the District on or before October 24, 2014. Once the form and fee are received by the District you will be contacted by a District representative to schedule a permit review interview/inspection. If you have any questions related to the permit renewal process please contact the District at 485-7353. Failure to return this Survey/Application by October 24, 2014 could result in additional fees or the expiration/revocation of your current permit.

Date: _____

Duly Authorized Representative

ATTACHMENT F



Facility Inspection Report

INITIAL ANNUAL FOLLOW-UP Other: _____

INDUSTRIAL USER PROFILE

Industry Name: _____ Permit No. and Class: _____
SIC No.: _____ Categorical No.: _____
Address: _____ Telephone: _____
APN: _____ Fax: _____
Contact: _____ Title: _____
Email: _____ Phone: _____

Description of business activity: _____

Number of employees: _____ Days and hours of operation: _____

SAFETY

Does facility require employee PPE? Y N

Are safe operating practices evident? Y N

Security/Safety access requirements: _____

BACKFLOW PREVENTOR

Present: Y N Water meter size: _____

Certified: Y N Water meter operational: Y N

FLOW DATA:

Size of source water pipe: _____

Source water flow rate: _____

Source water usage: _____

Size of sewer discharge pipe: _____

Discharge water flow rate: _____ Metered? Y N

Discharge water usage: _____ Metered? Y N

Does IU report flow data? Y N

PRE-TREATMENT and DISCHARGE

Description of processes generating wastewater: _____

Is source water pretreated with softeners? Y N

Type system used: _____

Are detergents or additives in use? Y N

Types of detergents or additives: _____

Plumbing: # Sinks: _____ # Showers: _____ # Toilets: _____ # Floor Drains: _____

Does facility have a pre-treatment system? Y N

Is it possible for wastewater to bypass the treatment system? Y N

Type of wastewater pre-treatment system:

<input type="checkbox"/> Absorption	<input type="checkbox"/> Gravity Separation	<input type="checkbox"/> Oil Water Separator
<input type="checkbox"/> Adsorption	<input type="checkbox"/> Ion Exchange	<input type="checkbox"/> Grit Separator
<input type="checkbox"/> Clarification	<input type="checkbox"/> Membrane Processes	<input type="checkbox"/> Coagulation
<input type="checkbox"/> Neutralization	<input type="checkbox"/> Coalescing	<input type="checkbox"/> Oxidation/Reduction
<input type="checkbox"/> Filtration	<input type="checkbox"/> Precipitation	<input type="checkbox"/> Flocculation
<input type="checkbox"/> Distillation	<input type="checkbox"/> Flotation	<input type="checkbox"/> Other: _____

Pre-Treatment process description: _____

Type of discharge: Continuous Batch

Is batch wastewater sampled and tested prior to discharge? Y N

How is batch discharge controlled? _____

Does pre-treatment system have on-line monitoring? Y N

Explain: _____

Does system have alarms? Y N

Alarm response procedures: _____

Can person conducting tour explain the treatment process? Y N

Operation difficulties during the last year? Y N

Is slug discharge plan required? Y N

Is written slug discharge plan available? Y N

Are storm water drains isolated from discharge or waste? Y N

Explain: _____

Can spills enter sewer drains? Y N

Are potential spills hazardous to collection system/WWTF? Y N

WASTE

Does facility generate hazardous waste? Y N

Describe process producing waste: _____

Characterization of waste: _____

Proper segregation of waste materials? Y N

Waste material in secondary containment? Y N

Describe: _____

Waste manifests available? Y N

COMPLIANCE SUMMARY

Does permit require modification: Y N

Explain: _____

Are additional pre-treatment processes required? Y N

Explain: _____

POST INSPECTION REPORT

Follow-up inspection: _____

Inspector: _____

Date: _____

Attended By: _____

Date: _____

ATTACHMENT G



MALAGA COUNTY WATER DISTRICT

3580 SOUTH FRANK STREET - FRESNO, CALIFORNIA 93725
PHONE: 559-485-7353 - FAX: 559-485-7319

BOARD OF DIRECTORS

PRESIDENT

CHARLES E. GARABEDIAN JR. SALVADOR CERRILLO IRMA CASTANEDA FRANK CERRILLO JR. CARLOS TOVAR JR.
VICE-PRESIDENT DIRECTOR DIRECTOR DIRECTOR

JENNIFER AHLIM-ANDERSON- GENERAL MANAGER

FSE-FOG Control Evaluation Form

The Purpose of this form is to determine whether the User must prepare a FOG Control Plan prior to the issuance/renewal of a Permit.

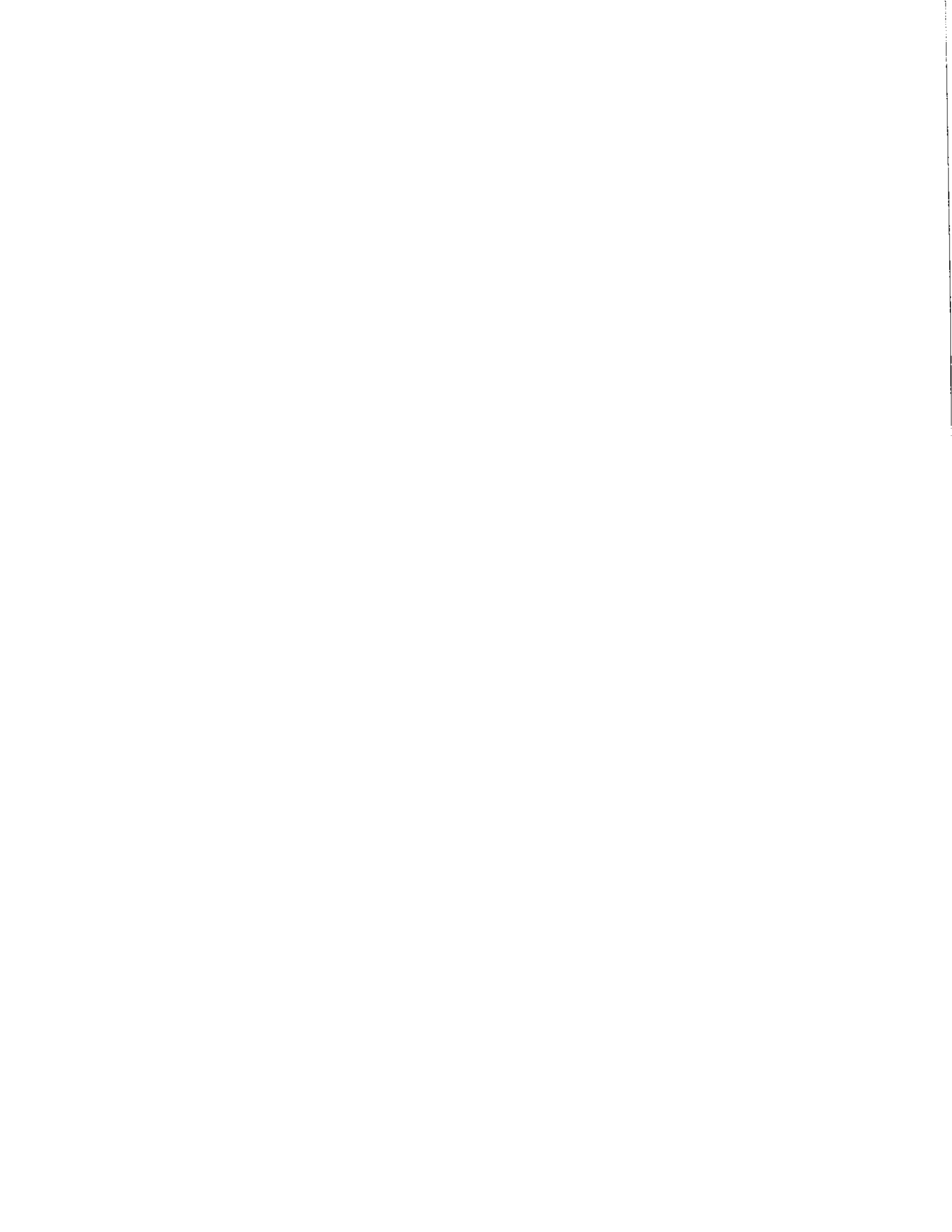
Date: _____

1. Does the FSE use grease or oil in food preparation? If yes go to question 2 and 3. If no then a FOG plan is not required.
2. Is there a grease trap between the sink and dishwasher and the drain?
3. Is there an oil/water separator?

If the answer to questions 2 and 3 are both no then a FOG Control Plan is required.

If the answer to question 2 or 3 is yes then please provide the engineered drawings that were used to install and operate the devices. Also list the oil and grease hauler used to dispose of the grease and attach a copy of haul manifests for the past 12 months.

A FOG Control Plan must be prepared by an engineer registered in the State of California and approved by the District.



ATTACHMENT H

STOP THE F.O.G.

FATS • OILS GREASE

(559)
Malaga

F.O.G. TRAPS

Grease traps and grease interceptors help keep F.O.G. out of your pipes, the city sewers, and the environment beyond. But they don't clean themselves. **Grease traps** are kept indoors and usually maintained by restaurant employees. **Grease interceptors** are found outdoors and are typically cleaned by professional services. Even when using an outside company to service the traps, it's important to make sure the job is done correctly.

F.O.G. TYPES

Tallow or oil used in deep fryers is known as **Yellow grease**. It can be recycled and reused for a variety of purposes. "Grease recyclers" (also known as "grease

renderers") will come to your location and collect this byproduct for later use in products such as soaps, cosmetics, and biodiesel fuels.

On the other hand, any FO.G. that is in your plumbing system is known as **Brown grease**. It needs to be removed so that it doesn't clog the system. "Brown grease haulers" come collect the brown grease from traps and interceptors and dispose of it properly

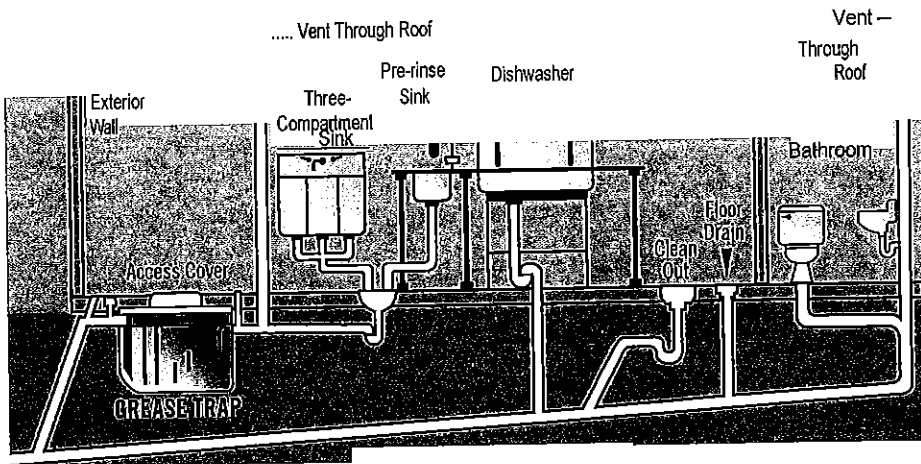
MAKE THE CONNECTION

The biggest contributor to sewer back-ups is improper maintenance. All the sinks, dishwashers and floor drains are connected by the same piping, so neglecting just one element can still affect the whole system.

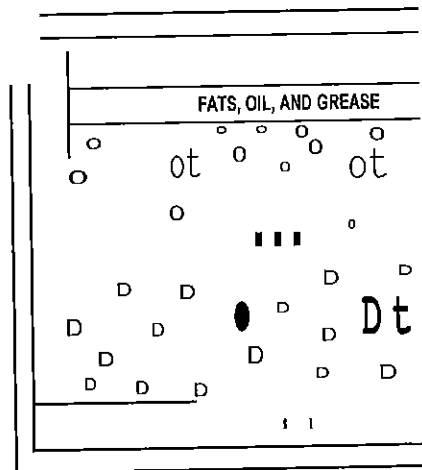
Traps are regularly cleaned at least once a year. If odors are present, they will surely

REMEMBER

- Scrape work areas
- Dispose of grease properly
- Do not drain grease down the drain
- Do not pour grease down the drain



Wastewater from sinks and dishwashers enters here.



MAIN DRAIN TO CITY DISTRICT SEWER LINE

Grease traps capture grease and oil from wastewater flow and store them in a tank under the kitchen floor or near dishwashers.

Grease interceptors hold fats, oils, greases and solids in a tank where they settle to the bottom until they can be removed. Grease traps and grease interceptors essentially the same and both keep fats, oils and grease out of city sewers and the environment.

ATTACHMENT I

FOG-FSE INSPECTION REPORT FOR FOOD SERVICES MALAGA COUNTY WATER DISTRICT

Facility Name	ID Number:
Owner or Authorized Rep:	Telephone:
Property Owner:	Telephone:
Address:	Email:
Handouts Provided	

Type of Facility Business Activity

<input type="checkbox"/> Fast Food (Carry-out)	<input type="checkbox"/> Dinner/House	<input type="checkbox"/> Grocery	<input type="checkbox"/> Bakery	<input type="checkbox"/> Deli	<input type="checkbox"/> Meat Market	<input type="checkbox"/> Donut Shop	<input type="checkbox"/> Ice Cream	<input type="checkbox"/> Other
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Grease & Oil Removal System

#	Type	Oil/Grease Bin	Vault	Trap	Mechanical	Manual	None
1	Size (inches-GPH-lbs/day)						<input type="checkbox"/>
2	Condition	1 2 3 4 5	1 2 3 4 5	1 2 3 4 5	1 2 3 4 5	1 2 3 4 5	<input type="checkbox"/>
3	Garbage Grinder/Disposal Unit: <input type="checkbox"/> Yes <input type="checkbox"/> No			Sink Screen in Place: <input type="checkbox"/> Yes <input type="checkbox"/> No			
4	Number of meals served per day:						

Equipment Washing Procedures

#	BMP's	1 2 3 4 5	Comments:
6	Training	1 2 3 4 5	Comments:
7	Dry Wipe & Food Scraping	<input type="checkbox"/> Yes <input type="checkbox"/> No	Comments:
8	Posted Material/Poster	<input type="checkbox"/> Yes <input type="checkbox"/> No	Comments:
9	Cleaning mats, filters, trash receptacles	<input type="checkbox"/> Inside <input type="checkbox"/> Outside	<input type="checkbox"/> To storm drain <input type="checkbox"/> Covered <input type="checkbox"/> To sanitary sewer <input type="checkbox"/> Covered Other:
10	Dumpster area clean	1 2 3 4 5	Comments:
11	Outdoors area (dining & parking) swept	1 2 3 4 5	Comments:
12	Dry sweep spills	<input type="checkbox"/> Yes <input type="checkbox"/> No	Comments:
13	Storm drain marked/stenciled	<input type="checkbox"/> Yes <input type="checkbox"/> No	Comments:

Grease & Waste Oil Storage/Disposal/Maintenance

#	Date of Inspection/Initials	Comments:
14	Inspection Type	<input type="checkbox"/> Routine <input type="checkbox"/> Monitoring <input type="checkbox"/> Enforcement <input type="checkbox"/> Follow-up
15	Maintenance Records on Site	<input type="checkbox"/> Yes <input type="checkbox"/> No
16	Hauler Name	
17	Date Last Serviced	
18	Grease/Oil Bin Location	<input type="checkbox"/> Inside <input type="checkbox"/> Outside <input type="checkbox"/> Covered
19	Grease/Removal Device	<input type="checkbox"/> Good <input type="checkbox"/> Needs Cleaning
Inspection Results		

Required Actions

#	Photo/Videos Taken	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A	Invoice #	Cite #
	Citation/Warning Issued			
	Follow-up Inspection			
	Is removal device adequate			
	Are BMP's adequate			
	Is a removal device required*			
Comments:				
*Signature of District Inspector:			Date:	

ATTACHMENT J



MALAGA COUNTY WATER DISTRICT

3580 SOUTH FRANK STREET - FRESNO, CALIFORNIA 93725
PHONE: 559-485-7353 - FAX: 559-485-7319

BOARD OF DIRECTORS

PRESIDENT

CHARLES E. GARABEDIAN JR. SALVADOR CERRILLO IRMA CASTANEDA FRANK CERRILLO JR. CARLOS TOVAR JR.
VICE-PRESIDENT DIRECTOR DIRECTOR DIRECTOR

Jennifer Abim-ANDERSON- GENERAL MANAGER

Slug Discharge or Spill Event Evaluation Form

The Purpose of this form is to follow up after an un-scheduled Slug Discharge or Spill to determine whether the User must update its Slug Discharge and Spill Containment Control Plan.

Date:

Name and Address of Industrial/Commercial Entity:

Contact person Name/Phone #/email

Emergency contact information:

What material was spilled?

What was the cause of the spill?

Were the provisions of the existing Slug Discharge and Spill Containment Plan adequate?

Are there hazardous materials stored on site? Please list.

Are there drains on site that connect to the collection system and the WWTP?

Is a site plan available with the signature of a Registered Civil Engineer stating that no drains are connected to the sewer collection system?

Did a hazardous chemical spill enter the collection system?

Does the industrial/commercial user have an emergency response plan? Was the plan adequate?

Were clean up materials and supplies adequate?

Are notifications to relevant agencies posted? Were they notified?

Is District contact information posted? Was the District notified?

ATTACHMENT K



MALAGA COUNTY WATER DISTRICT

3580 SOUTH FRANK STREET - FRESNO, CALIFORNIA 93725
PHONE: 559-485-7353 - FAX: 559-485-7319

BOARD OF DIRECTORS

TOVAR JR. _____ PRESIDENT _____ VICE-PRESIDENT _____ DIRECTOR
DIRECTOR _____ DIRECTOR

JENNIFER AHLIM-ANDERSON- GENERAL MANAGER

Slug Discharge and Spill Containment Control Plan Evaluation Form

The Purpose of this form is to determine whether the User must prepare a Slug Discharge and Spill Containment Control Plan prior to the issuance/renewal of a Permit.

Date:

Name and Address of Industrial/Commercial Entity:

Contact person Name/Phone #/email

Emergency contact information:

Are there hazardous materials stored on site?

Are there drains on site that connect to the collection system and the WWTP?

Is a site plan available? Yes No The site plan should include the signature of a Registered Civil Engineer stating that no drains other than for domestic use are connected to the sewer collection system.

Is it possible for a hazardous chemical spill to enter the collection system?

Does the industrial/commercial user have an emergency response plan?

Are clean up materials and supplies present?

Are notifications to relevant agencies posted?

Is District contact information posted?

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ATTACHMENT L



MALAGA COUNTY WATER DISTRICT

3580 SOUTH FRANK STREET FRESNO, CALIFORNIA 93725

PHONE: 559-485-7353 FAX: 559-485-7319

BOARD OF DIRECTORS

CHARLES E. GARABEDIAN JR. SALVADOR CERRILLO IRMA CASTANEDA FRANK CERRILLO JR. CARLOS TOVAR JR.
PRESIDENT VICE-PRESIDENT DIRECTOR DIRECTOR DIRECTOR

Jennifer Ahl, General Manager

Baseline Monitoring Report

Application: Any User that is subject to Categorical Pretreatment Standards("CPS") as required by 40 CFR 400-499 and proposes to discharge industrial wastes into the Malaga County Water Districts ("District") sewerage system is required to prepare and submit a Baseline Monitoring Report ("BMR") to the District in conformity with the requirements of 40 CFR 403.12. A copy of or link to section 40 CFR 403.12 is available on the District's webpage.

Submission of BMR: Any User not currently subject CPS who will commence discharge or New Source (as defined by Section 1.03.010 of the Malaga Code) to the District's sewerage system shall submit a BMR to the District at least 90 days prior to the commencement of such discharge in as required by Section 40 CFR 403.12(b). All Users shall submit a BMR to the District within 180 days after the effective date of a CPS or 180 days after the final administrative decision of a submission under section 40 CFR 403.6(a)(4), whichever is greater.

Separate Report for Each Permit Holder: Each Permit holder shall submit a separate BMR.

Failure to Submit Baseline Monitoring Report: Failure to submit a BMR as required by 40 CFR 403.12 will result in an enforcement action including, but not limited to, the issuance of an Administrative Citation, Cease and Desist Order, or Administrative Complaint. Any user who fails to submit a BMR within thirty (30) days of the due date will be a user in significant non-compliance and the name of the company/User will be published in the Fresno Bee as being a User in significant non-compliance as required by 40 CFR 403.08(f)(2)(VII) and 403.8(f)(2)(V II)(F).

Submission and Report: The report shall be submitted to the District attention Environmental Compliance Officer, 3580 South Frank Street, Fresno, California 93725.

BASELINE MONITORING REPORT

Submit to:
Malaga County Water District
Environmental Compliance Officer
3580 South Frank Street
Fresno, California 93725

1. User Information. (40 CFR §403.12(b)(1).)

Name of Company:

Site Address:

Mailing Address:

Name, Title, Telephone Number and Email Address of Authorized Representative and Contact Person(s):

Owner of User:

Standard Industrial Classification Number(s) for this User:

Malaga County Water District Permit Number:

2. Environmental Control Permits: (40 CFR §403.12(b)(2).) List all Environmental Control Permits held by or for the User.

3. Description of Operations: (40 CFR §403.12(b)(3).)

A. User shall submit a brief description of the nature, average rate of production, and standard discharge classification of the operation(s) carried out by the User that shall include, but is not limited to, the following:

1. A brief description of the nature and average rate of production of the facility. The description should include a schematic process diagram which indicates points of Discharge to the District's POTW from the regulated processes.

2. All information on the method of Pretreatment the User is using or intends to use to meet applicable pretreatment standards.

4. Flow Measurement: (40 CFR §403.12(b)(4).) The User shall submit information showing the measured average daily and maximum daily flow, in gallons per day, to the District's POTW for each of the following:

A. Regulated Process Streams (40 CFR parts 405-499.); and

- B. Other Streams as necessary to allow use of the combined waste stream formula of 40 CFR §403.6(e).
 - C. Other Processes as applicable; and
 - D. Cooling water or dilution sources (40 CFR §403.6(e)(1)(i) and 40 CFR 403 Appendix D.)
5. Measurement of Pollutants. (40 CFR §403.12(b)(5).) Measurement of Pollutants shall comply with each of the following:
- A. The User shall identify the Pretreatment Standards applicable to each regulated process; and
 - B. The User shall submit the results of sampling and analysis identifying the nature and concentration (or mass, where required by the Standard or Control Authority) of regulated pollutants in the Discharge for each regulated process. Both Maximum daily and average concentrations (or mass, where required) shall be reported. The sample shall be representative of daily operations. In the case of Standard Requirements Compliance with a Best Management Practice or pollution prevention alternative, the User shall submit documentation as required by the Control Authority or applicable Standards to determine compliance with the Standard; and
 - C. The User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this Section (5), unless addition samples are required by the District.
 - D. Sample should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with regulated wastewater prior to pretreatment the User should measure the flows and concentration necessary to allow use of combined waste stream formula of 40 CFR §403.6(e) in order to evaluate compliance with the Pretreatment Standards. Where an alternative concentration or mass limit has been calculated in accordance with 40 CFR §403.6(e) this adjusted limit along with supporting data shall be submitted to the District.
 - E. Sampling and analysis shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and Amendments thereto. Where 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutants in question, or where the Administrator determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analysis shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including

procedures suggested by the District or other parties, approved by the Administrator;

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

G. The baseline report shall indicate the time, date and place of sampling, and methods of analysis, and shall certify that such sampling analysis is representative of normal work cycles and expected pollutant Discharges to the Districts POTW.

6. Certification. (40 CFR §403.12(b)(6).) This BMR report shall be certified by the Authorized Representative of the User.

7. Compliance Schedule. (40 CFR §403.12(b)(7).) Users shall identify any addition pretreatment and/or operations and maintenance that will be required to meet the Pretreatment Standards; and provide the shortest schedule by which the User will provide such additional pretreatment and/or operations and maintenance. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard. The schedule shall be prepared in compliance with 40 CFR §403.12(b)(7) and 40 CFR §403.12(c.).

8. Compliance Reporting. (40 CFR §403.12(d) & (e).) All reporting of compliance with categorical pretreatment standards shall be in compliance with 40 CFR §403.12(d) & (e.).

9. Monitoring and Analysis to Demonstrate Continued Compliance. All monitoring and analysis to demonstrate continued compliance with Pretreatment Standards shall be in accordance with (40 CFR §403.12(g).).

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.

Authorized Representative

Date

Vertical line on the left side of the page.

| _____

2.

Proposed Modified Industrial User Permit Template



Industrial User Wastewater Discharge Permit

(Draft December 26, 2019)

Part 1: Standard Conditions

A. Duty to Comply

The permitted Industrial User ("User") shall comply with all of the conditions of this Industrial Wastewater Discharge Permit ("Permit") and all of the provisions, terms, and requirements of the Malaga Code ("Code"), the Pretreatment Program, the Clean Water Act ("Act") and all orders, ordinances, rules, resolutions, and regulations of the District, including but not limited to connection permits and baseline discharge requirements. Failure to comply with the requirements of this permit may be grounds for enforcement action, including civil or criminal penalties, injunctive relief and summary abatements as set forth in the District's Enforcement Response Plan ("ERP").

B. Duty to Mitigate

The User shall take all reasonable steps to minimize or correct any adverse impact to the wastewater treatment system or the environment resulting from noncompliance with this Permit including such accelerated or additional monitoring and sampling or other orders as necessary to determine the nature and impact of and to correct the non-complying discharge.

C. Permit Modification

The District may modify the Permit for good cause, including but not limited to, the following reasons:

1. To incorporate any new or revised Federal, State, or local pretreatment standards or requirements;
2. To address significant alterations or additions to the User's operation, processes, or wastewater volume or character since the time of the individual wastewater discharge Permit issued;

3. A change in any process or discharge condition in either the industrial user or the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;

4. Information indicating that the permitted discharge poses a threat to the Control Authority's collection and treatment systems, WWTF and equipment, personnel or the receiving waters;

4. —

5. Violation of any terms or conditions of the Permit;

6. Misrepresentation or failure to disclose fully all relevant facts in the Permit application or in any required reporting;

7. Revision of or a grant of variance from such categorical standards pursuant to 40 CFR 403.13;

8. To correct typographical or other errors in the Permit;

9. To reflect of the facility ownership and/or operation to a new owner/operator; or

10. Upon request of the User, provided such request does not create a violation of any applicable requirements, standards, laws, or rules and regulations.

10. —

11. The filing of a request by the User for a Permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance, does not stay or modify any Permit condition.

D. Retention of Records

In addition to the record keeping requirements of the Malaga Code, Pretreatment program and the Act, the User shall retain records as follows:

1. The industrial user shall retain records of all monitoring information, copies of all reports required by this permit and records of all data used to complete the application for this permit, for a period of at least three years from the date of the sample, measurement, report or application. This period may be extended by the request of the District at any time.

2. All records that pertain to matters that are the subject of special orders or any other enforcement or litigation activities brought by the District shall be retained and preserved by the industrial user for three years after all enforcement activities have concluded and the time to bring any appeal(s) have expired.

E. Permit Termination

This Permit may be terminated for the following reasons:

1. Failure to notify the District of significant changes to the wastewater prior to the change discharge;
2. Failure to provide prior notification to the District of changed conditions;
3. Misrepresentation or failure to fully disclose all relevant facts in wastewater discharge Permit application;
4. Falsifying self-monitoring reports and/or certification statements;
5. Tampering with monitoring equipment;
6. Refusing to allow timely access to the facility premises and records;
7. Failure to meet effluent limitations;
8. Failure to pay fines;
9. Failure to pay sewer charges;
9.
10. Failure to meet compliance schedules;
11. Failure to complete a wastewater survey and renewal form, or the wastewater discharge Permit application;
12. Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
13. Violation of any pretreatment standard or requirement including required BMPs contained in the Code, or the wastewater discharge Permit, or the Pretreatment Program.

F. Notification and Reporting

1. In addition to the record keeping and reporting requirements of the Malaga Code, the Pretreatment Program, and the Act, the User shall notify the District prior to any new or changed discharge, and shall immediately notify the District at (559) 485-7353 of any wastewater discharge which is not in compliance with this Permit, or the Pretreatment Program, or the Code, or which might be reasonably judged to constitute a hazard to District personnel, the wastewater treatment system, or the environment.

2. The User shall furnish any information relating to wastewater discharge quantity and quality as required by the District, and shall comply with all reporting requirements specified in this Permit.

G. Costs and Fees

1. The User shall pay all fees required by District ordinances, including but not limited to, permit fees, connection fees, annexation fees, bond debt services charges, testing fees, inspection fee, costs of monitoring/enforcement, and sewer unit fees.
2. The User shall also pay any additional cost or expenses incurred by the District for handling and treating excess loads imposed on the treatment system and any cost or expense incurred by the District in the enforcement of the provisions of its ordinances and the correction of violations thereof.

H. Facilities

1. The User shall make wastewater acceptable under the limitations of the Code and the Pretreatment Program before discharging to the sewage system. Any facilities required to pretreat wastewater to a level acceptable to the District shall be provided and maintained at the User's expense. Detailed plans showing the pretreatment facilities and operating facilities shall be submitted to the District for review, and shall be acceptable to and approved by the District, in writing, before construction of the facility. The review of such plans and operating procedures will in no way relieve the User from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the District under the provisions of the Malaga Code. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to, and be approved in writing by, the District.
2. Pretreatment facilities (including sampling and flow monitoring facilities) shall be maintained in good working order and shall be operated so as to ensure continuous compliance with District ordinances, resolutions, rules and regulations, and any applicable permits by the User at the User's own cost and expense. Pretreatment facilities are at all times subject to the requirements of these rules and regulations and all other applicable codes, ordinances, and laws. Intermittent operation of pretreatment facilities except as provided for in writing by the District during discharge to the sewage system is prohibited.
3. All solids, sludge, filter backwash or other pollutants removed by pretreatment facilities shall not be discharged to the sewage system, nor allowed to enter any storm water or ground water recharge system, nor allowed to seep into the ground, but shall be stored, treated and/or disposed of in accordance with applicable County, State and Federal regulations.

I. Right of Entry

Pursuant to the provisions of the Malaga Code, the User shall allow District personnel, upon the presentation of credentials, to enter upon any property or premises, the User, by accepting any permit issued pursuant to the Code, does hereby consent and agree to the entry upon the premises, described in the Permit, by District personnel for the following purposes as required by the Permit at all reasonable times:

1. Reviewing and copying any records required to be kept under the provisions of the Malaga Code;
2. Inspecting any monitoring equipment, pretreatment facility or discharge-producing process;
3. Inspecting and/or sampling any discharge of wastewater to the wastewater facilities. District personnel may enter upon the property at any hour under emergency circumstances. In the event of such emergency entry, District personnel shall make every effort to immediately notify the User's designated agent;
4. To investigate the possible violation of the Malaga Code or Permit;
5. To photograph any waste, waste container, vehicle, waste treatment process, discharge location, or violation discovered during an inspection.
6. Users shall cooperate at all times with authorized District personnel in the inspection, sampling and study of the User's facilities and wastewater.

J. Duration

The terms and conditions of this Permit shall remain in effect until either:

1. The Permit is modified;
2. The Permit is revoked;
3. The Permit expires and cause is determined for non-renewal of the Permit;
4. Failure of the District to act upon a valid Permit application or renewal application shall allow for automatic extension of operations under existing Permit conditions until such District action is complete.
5. Failure of the District to act upon a valid Permit application or renewal application shall allow for automatic extension of operations under existing Permit conditions until such District action is complete.
6. This Permit allows the User to operate only one industrial wastewater discharge point to the sewer collection system.

K. Severability

The provisions of this Permit are severable, and if any provisions of this Permit or the application of any provision of this Permit to any circumstances is held invalid, the application of such provision to other circumstances and the remainder of the Permit shall not be affected hereby.

L. Transferability

This Permit shall not be reassigned, transferred, or sold to a new owner, new user, different premises, or to a new or changed operation.

M. Enforcement and Penalties.

1. Failure to comply with any other provisions of this Permit, the Malaga Code, or applicable State or Federal laws or regulations may result in any or all of the following actions:

- a. Administrative actions including, but not limited to:
- i. Notices of violation,
 - ii. Administrative orders,
 - iii. Administrative citations; penalty amount as set forth in the Master Schedule of Fees and Costs in an amount up to \$1000 per day per violation.
 - iv. Administrative complaints/civil penalties; penalty amounts up to the maximum set forth in Chapter 6.5 of Part 1 of Division 2 of Title 5 of the Government Code beginning with Section 54725 et seq.,
 - v. Administrative hearings,
 - vi. Governing Board hearings,
 - vii. Compliance orders,
 - viii. Orders to show cause.

2. Legal actions including, but not limited to, preliminary or permanent injunctions, or both;

- 3. Criminal penalties as set forth in Chapter 7 of Title 1 of the Malaga Code,
- 4. Permit revocation,
- 5. Temporary or permanent disconnection from the District's sewage system,
- 6. Water supply severance,

7. Any other action as set forth in the District's Enforcement Response Plan (Chapter 11 of the District's Pretreatment Program) which is available at the District office and online.

Enforcement and Penalties

~~Failure to comply with any of the provisions of this Permit, the Malaga Code, or applicable State or Federal laws or regulations may result in any or all of the following actions:~~

~~Administrative actions including but not limited to Notices of Violation, Administrative Orders, Administrative Citations, Administrative Complaints, Administrative Hearings, Governing Board Hearings, Compliance Orders, Orders to Show Cause and civil penalties in an amount of not less than one thousand dollars (\$1,000) per day, per violation;~~

~~Legal actions including but not limited to preliminary or permanent injunctions, or both;
Civil and/or criminal penalties;~~

~~Permit revocation;~~

~~Temporary or permanent disconnection from the District's sewerage system;~~

~~Water supply severance.~~

N. Appeals

Any User affected by any decision, action, or determination, including Administrative Orders, issued by the District, interpreting or implementing the provisions of The Malaga Code or any permit or Order issued thereunder, may file with the District a written request for reconsideration within ten (10) days of such decision, action, or determination, setting forth in detail in facts supporting the User's request for reconsideration.

If the ruling made by the Manager is unsatisfactory to the person requesting reconsideration, this person may, within ten (10) days after notification of District action, file a written appeal to the District's Board of Directors. The written appeal shall be heard by the body within sixty (60) days from the date of filing. The District's Board of Directors shall make a final ruling on the appeal within ten (10) days of the close of the meeting. The Manager's decision, action, or determination shall remain in effect during such period of reconsideration.

Any User aggrieved by a final order issued by the Board of Directors may obtain review of the order of the Board in the Superior Court by filing in the court a petition for writ of mandate within thirty (30) days following the service of a copy of a decision and order issued by the Board.

If no aggrieved party petitions for writ of mandate within the time provided by this section, an order of the Board shall not be subject to review by any court or agency, except that the Board may grant review on its own motion after the expiration of the time limits.

O. Definitions

1. Composite Sample. A representative sample, formed either by continuous sampling or by mixing discrete samples. The sample may be composited either as a:

- i. Time based composite sample: composed of discrete sample aliquots collected in one container at constant time intervals providing representative samples irrespective of stream flow; or a
 - ii. flow-proportional composite sample: collected either as a constant sample volume at time intervals proportional to stream flow, or collected by increasing the volume of each aliquot as the flow increases while maintaining a constant time interval between the aliquots.
2. Daily Maximum. The maximum allowable discharge limit of a pollutant expressed in units of mass per day. Where daily maximum limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.
3. Grab Sample. An individual sample collected without regard for flow or time.
4. Instantaneous Maximum Concentration. The maximum concentration allowed in any single grab sample.
5. Cooling Water. Either,
 - i. Uncontaminated – Water used for cooling purposes only which has no direct contact with any raw material, intermediate, or final product and which does not contain a level of contaminants detectably higher than that of the intake water.
 - ii. Contaminated – Water used for cooling purposes only which may become contaminated either through the use of water treatment chemicals used for corrosion inhibitors or biocides, or by direct contact with process materials and/or wastewater.
6. Monthly Average. The arithmetic mean of the values for effluent samples collected during a calendar month or specified 30 day period (as opposed to a rolling 30 day window). Compliance with the monthly average discharge limit is required regardless of the number of samples collected and analyzed.
7. Bi-Weekly. Once every other week.
8. Bi-Monthly. Once every other month.
9. Upset. An exceptional incident resulting in temporary and unintentional non-compliance because of factors beyond the reasonable control of the discharger.

10. Bypass. Means the diversion of wastes from any portion of a pretreatment process or facility.

P. Dilution

The User shall not increase the use of potable water or process water or, in any way, attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable Pretreatment Standard or Requirement. The District may impose mass limitations to meet applicable Pretreatment Standards or requirements, or in other cases when the imposition of mass limitations is appropriate.

Part 2: Discharge prohibitions and Limitations

A. Standard Discharge Prohibitions

The User shall comply with all discharge prohibitions and limitations specified in the Malaga Code, the Pretreatment Program, and this Permit. Prohibitions include but are not limited to:

1. Any materials that may cause interference or pass through;
2. Oils and Grease in any amounts that may cause an obstruction in the sewer collection system;
3. Explosive mixtures;
4. Noxious materials;
5. Shredded garbage;
6. Solid or viscous waste that cause an obstruction or decrease flow in the sewer collection system to less than two feet per second;
7. Slug loads not coordinated with the District by a Slug Control Plan;
8. Toxic or hazardous materials;
9. Unpolluted waters;
10. Wastes with objectionable color or odor;
11. Corrosive waste;
12. Trucked or hauled waste;

13. Sludges, screenings, or other residues from wastewater pretreatment;
14. Medical wastes;
15. Detergents, surface active agents, or other substances that may cause excessive foaming at the WWTF;
16. Any substance that will interfere or upset the treatment process at the WWTF;
17. Any substance that may result in the WWTF exceeding NPDES permit limits.
18. Any Bypass as defined in Part 1 of this Permit Discharge resulting from the bypass of pretreatment systems.

B. Discharge Local Limits

1.

Parameter	Discharge Local Limit	Specific Conditions
pH	6.0 - 9.0	pH is an instantaneous reading and cannot be averaged
Electrical Conductivity (EC)	<u>8</u> 950 μ mhos/cm	Monthly average
Biochemical Oxygen Demand (BOD)	<u>9</u> 4,000 mg/L	Monthly average
Suspended Solids	<u>5</u> 1, <u>0</u> <u>6</u> 00 mg/L	Monthly average
Chemical Oxygen Demand (COD)	1,000 mg/L	Monthly average
Oil and Greases	<u>2</u> 400 mg/L	Monthly average

~~2. A User which has a flow volume of less than 3,000 gallons per day or less than 45,000 gallons per month shall have a maximum concentration limit for Electrical Conductivity of 7,000 μ mhos/cm except that such discharge shall not be an incompatible Pollutant nor shall it pass through the POTW or interfere with the POTW.~~

~~3. Animal and vegetable (polar) O&G not greater than 300 mg/l;~~

4.2. Discharge of the following Pollutants of Concern (POC's) above Local Limits:

Pollutant	Local Limit
Aluminum	1.63 mg/l as a monthly average
Arsenic	0.01 mg/l as a monthly average
Boron	0.93 mg/l as a monthly average
Cadmium	0.01 mg/l as a monthly average
Chromium	0.04 mg/l as a monthly average
Copper	0.07 mg/l as a monthly average

Lead	0.01	mg/l as a monthly average
Mercury	0.002	mg/l as a monthly average
Nickel	0.12	mg/l as a monthly average
Iron	1.0	mg/l as a monthly average
Selenium	0.001	mg/l as a monthly average
Silver	0.13	mg/l as a monthly average
Zinc	0.28	mg/l as a monthly average
	5.0	mg/l as a monthly average
Oil and Grease	200	mg/l as a monthly average
	5.0	mg/l as a monthly average
Arsenic	5.0	mg/l as a monthly average
BOD ₅	900	mg/l as a monthly average
	5.0	mg/l as a monthly average
Phenols	1.0	mg/l as a monthly average
Cadmium	0.10	mg/l as a monthly average
Zinc	5.0	mg/l as a monthly average
Chromium	5.0	mg/l as a monthly average
Copper	5.0	mg/l as a monthly average
Aluminum	5.0	mg/l as a monthly average
Mercury	0.20	mg/l as a monthly average
TSS	560	mg/l as a monthly average
	10.0	mg/l as a monthly average
Ammonia	15.71	mg/l as a monthly average
Electroconductivity	850	umhos/cm as a monthly average
MBAS	1.92	mg/l as a monthly average
Nickel	5.0	mg/l as a monthly average
Selenium	1.0	mg/l as a monthly average
Cyanide	0.02	mg/l as a monthly average
	8.0	mg/l as a monthly average
Chloride		
Cyanide		
Molybdenum	0.10	mg/l as a monthly average
Ammonia, as-N		
	165	mg/l as a monthly average
Nitrite + Nitrate, as-N		
Phosphorus		
Fluoride		
Diazinen		
Calcium		
Magnesium		

5.3. Discharge of wastewater that:

- i. Contains solids that will not pass through a 20 per square inch mesh;
- ii. Has a temperature greater than 104 degrees Fahrenheit;
- iii. Has an alkalinity that is greater or less than 10% of source water;

Part 3: Monitoring and Reporting Requirements

A. General Monitoring Requirements [Optional requirement(s) to be included as determined by the District to ensure compliance with the Act, the District's Waste Discharge Permit or other applicable statute or regulation based on each Users discharge, history operations and may include provisions in addition to those optional provisions set forth below.]

1. The Manager may require any User to monitor wastewater discharge and submit monitoring reports to the District, at a frequency specified by the District.
2. The User shall comply with all monitoring requirements specified in this Permit or otherwise required, in writing, by the District.
3. Flow monitoring and sampling equipment may be required and shall comply with all applicable provisions of this Permit and the Malaga Code.
4. ~~If required, [Optional]~~ Laboratory analysis of industrial wastewater samples shall be performed in accordance with the approved test procedures specified in 40CFR136 unless otherwise authorized, in writing, by the District.
5. ~~[Optional] If required,~~ All samples must be collected, preserved, and analyzed in accordance with the procedures established in 40 CFR Part 136, and amendments.
6. ~~[Optional] If required,~~ the User shall have an automated sampler that shall be maintained in accordance with manufacturer's recommendations, shall be cleaned once per month when in use, and samples shall be maintained at 4.0°C ($\pm 2.0^\circ\text{C}$).
7. ~~[Optional] If required,~~ the User shall operate and maintain an effluent flowmeter, have it electronically calibrated annually and hydraulically calibrated every three years by a recognized professional in flowmeter testing and repair, and provide proof of calibration to the District prior to July 31 annually.
8. ~~[Optional] The User shall install, operate and maintain a~~ If required, continuous on-line monitoring equipment shall be maintained and calibrated in accordance with manufacturer's specifications.
9. ~~[Optional] If required,~~ to-h user shall install, install, operate and maintain at User's cost and expense an automatic, permanent wastewater flow monitoring system approved by the District which provides a primary flow measuring device, indication, recording and totalizing of flow and a signal generating device that can be used to activate the District's and other automatic samplers.

10. [Optional] The User shall ~~if required, to~~ install, operate and maintain at User's cost and expense an automatic wastewater sampling system approved by the District which provides a flow proportional composite sample, a sample volume of not less than two liters, refrigerated storage and self-purging capability.
11. [Optional] The User shall ~~if required, to~~ install, operate and maintain at User's cost and expense an automatic pH recording system approved by the District which provides a pH recording instrument and a pH probe located downstream of all Pretreatment operations and just before discharge to the sewage system.
12. [Optional] The User shall ~~if required, to~~ install, operate and maintain at User's cost and expense a batch pH neutralization system approved by the District which provides a storage facility for wastewater of pH less than 6.0 or greater than 9.0, a pH measuring device, neutralizing agent and a permanently bound record of pH neutralization before discharge to the sewage system.
13. [Optional] The User shall ~~if required, to~~ install, operate and maintain at User's cost and expense an automatic pH recording and control system approved by the District which provides a pH recording instrument, a pH probe located downstream of all Pretreatment operations and just before discharge into the sewage system, storage for a neutralizing agent, a neutralization chamber, a continuous neutralizing agent injection system activated by pH level and adequate agitation.

B. Sampling Point Location [To be completed based on the specific characteristics, history and operations of each User in compliance with the Act.]

1. The Sampling Point Location shall be designated at the following location:

Sampling Point Location Name	Location Description
001	<u>[Example]</u> The manhole located east of the property along Golden State Blvd. See attachment.

2. [Example] Both the User and the District personnel are required to sample from the same sampling point location (001).

C. Specific Monitoring and Reporting Requirements

1. [Monitoring requirements shall be designed and performed in accordance with part 136 of the Act in order to prepare the report set forth in paragraph 2 below.]

~~The District will conduct all sampling and reporting requirements for truck washing facilities classified as non-categorical significant industrial users. In~~

~~accordance to 40 CFR 403.12 (h), the District will analyze the user's discharge at least once every six months in order to obtain a description of the nature, concentration, and flow of the pollutants.~~

~~D. 2. The User [unless the District decides to conduct the sampling and analysis in accordance with 403.12(h)] is required to submit an annual monitoring report with a description of the nature, concentration, and flow of the following Pollutants of Concern (POC's) on or before June 1 of each year for the six month period ending April 30 of that year and on or before December 1 of each year for the six month period ending October 31 of that year. The report shall be based on the sampling and analysis performed in the period covered by the report for the following POC's listed below: [POC list will be evaluated and may be amended from time to time]~~

1. Ammonia, as N
2. Nitrite + Nitrate, as N
3. Oil and Grease (HEM-polar)
4. Oil And Grease (Petroleum-non polar)
5. Alkalinity
6. Hardness
7. Calcium
8. Magnesium
9. Boron
10. Chloride
11. Cyanide
12. Phosphorus
13. Fluoride
14. Diazinon
15. Iron
16. Lead
17. Silver
18. Arsenic
19. Benzene
20. Phenols
21. Cadmium
22. Zinc
23. Chromium
24. Copper
25. Aluminum
26. Mercury
27. Barium
28. Nickel
29. Selenium

DE. Priority Pollutants

| The User [may or shall as deemed necessary] be required to monitor Priority Pollutants listed below. In lieu of monitoring for Priority Pollutants, the User may submit a toxic organics management plan (TOMP) to the District for approval. Preparation of the TOMP must be done in accordance with EPA regulations and approved by the District. If approved, the User may submit the certification statement as set forth in Part 3.5.a of this Permit. If the User fails to certify, sign, and submit the certification statement, the User will be required to conduct Priority Pollutant monitoring.

Appendix A to 40 CFR, Part 423--126 Priority Pollutants

001 Acenaphthene	047 Bromoform (tribromomethane)	090 Dieldrin
002 Acrolein	048 Dichlorobromomethane	091 Chlordane (technical mixture and metabolites)
003 Acrylonitrile	051 Chlorodibromomethane	092 4,4-DDT
004 Benzene	052 Hexachlorobutadiene	093 4,4-DDE (p,p-DDX)
005 Benzidine	053 Hexachloromyclopentadiene	094 4,4-DDD (p,p-TDE)
006 Carbon tetrachloride (tetrachloromethane)	054 Isophorone	095 Alpha-endosulfan
007 Chlorobenzene	055 Naphthalene	096 Beta-endosulfan
008 1,2,4-trichlorobenzene	056 Nitrobenzene	097 Endosulfan sulfate
009 Hexachlorobenzene	057 2-nitrophenol	098 Endrin
010 1,2-dichloroethane	058 4-nitrophenol	099 Endrin aldehyde
011 1,1,1-trichloroethane	059 2,4-dinitrophenol	100 Heptachlor
012 Hexachloroethane	060 4,6-dinitro-o-cresol	101 Heptachlor epoxide (BHC-hexachlorocyclohexane)
013 1,1-dichloroethane	061 N-nitrosodimethylamine	102 Alpha-BHC
014 1,1,2-trichloroethane	062 N-nitrosodiphenylamine	103 Beta-BHC
015 1,1,2,2-tetrachloroethane	063 N-nitrosodi-n-propylamin	104 Gamma-BHC (lindane)
016 Chloroethane	064 Pentachlorophenol	105 Delta-BHC (PCB- polychlorinatedbiphenyls)
018 Bis(2-chloroethyl) ether	065 Phenol	106 PCB-1242 (Arochlor 1242)
019 2-chloroethyl vinyl ether (mixed)	066 Bis(2-ethylhexyl) phthalate	107 PCB-1254 (Arochlor 1254)
020 2-chloronaphthalene	067 Butyl benzyl phthalate	108 PCB-1221 (Arochlor 1221)
021 2,4, 6-trichlorophenol	068 Di-N-Butyl Phthalate	109 PCB-1232 (Arochlor 1232)
022 Parachlorometa cresol	069 Di-n-octyl phthalate	110 PCB-1248 (Arochlor 1248)
023 Chloroform (trichloromethane)	070 Diethyl Phthalate	111 PCB-1260 (Arochlor 1260)
024 2-chlorophenol	071 Dimethyl phthalate	112 PCB-1016 (Arochlor 1016)
025 1,2-dichlorobenzene	072 1,2-benzanthracene (benzo(a) anthracene)	113 Toxaphene
026 1,3-dichlorobenzene	073 Benzo(a)pyrene (3,4-benzo-pyrene)	114 Antimony
027 1,4-dichlorobenzene	074 3,4-Benzofluoranthene (benzo(b) fluoranthene)	115 Arsenic
028 3,3-dichlorobenzidine	075 11,12-benzofluoranthene (benzo(b) fluoranthene)	116 Asbestos
029 1,1-dichloroethylene	-076 Chrysene	117 Beryllium
030 1,2-trans-dichloroethylene	077 Acenaphthylene	118 Cadmium
031 2,4-dichlorophenol	078 Anthracene	119 Chromium
032 1,2-dichloropropane	079 1,12-benzoperylene (benzo(ghi) perylene)	120 Copper
033 1,2-dichloropropylene (1,3-dichloropropene)	080 Fluorene	121 Cyanide, Total
034 2,4-dimethylphenol	081 Phenanthrene	122 Lead
035 2,4-dinitrotoluene	082 1,2,5,6-dibenzanthracene (dibenzo(,h) anthracene)	123 Mercury
036 2,6-dinitrotoluene	083 Indeno (,1,2,3- cd) pyrene (2,3-o-pheynylene pyrene)	124 Nickel
037 1,2-diphenylhydrazine	084 Pyrene	125 Selenium
038 Ethylbenzene	085 Tetrachloroethylene	126 Silver
039 Fluoranthene	086 Toluene	127 Thallium
040 4-chlorophenyl phenyl ether	087 Trichloroethylene	126 ___Silver
041 4-bromophenyl phenyl ether	088 Vinyl chloride (chloroethylene)	128 ___Zinc
042 Bis(2-chloroisopropyl) ether	089 Aldrin	129 ___2,3,7,8-tetrachloro-dibenzo-p- dioxin
043 Bis(2-chloroethoxy) methane		<u>129</u> (TCDD)
044 Methylene chloride (dichloromethane)		
045 Methyl chloride (dichloromethane)		
046 Methyl bromide (bromomethane)		

EF. General Reporting Requirements

1. The District may require any User to submit monitoring reports in a format and at a frequency specified by the General Manager. The User shall comply with all reporting requirements specified in this Permit or otherwise required, in writing, by the District and all monitoring and reporting requirements of the Malaga Code.
2. All Users subject to Federal categorical pretreatment standards shall comply with all applicable reporting requirements specified in 40CFR403.12.
3. The User shall immediately notify the District prior to any new or changed discharge, and shall immediately notify the District (phone 559-485-7353) of any wastewater discharge which is not in compliance with the Permit or the Malaga Code, or which might be reasonably judged to constitute a hazard to District personnel, the wastewater treatment system, or the environment.
4. User shall immediately notify the District of any changes that occur at the facility affecting the potential for a Slug Discharge so that the POTW may reevaluate the need for a Slug Control Plan or other actions to prevent such Discharges.
5. The User shall provide a site plan showing the location of all wastewater treatment facilities (grease traps, sand separators, etc.)
6. User shall monitor grease traps weekly and record scum and solids levels.
7. Users shall maintain a District approved hazardous waste inventory accounting system which includes a bound log book containing permanent entries that account, either by mass or by volume, for the disposition of substances prohibited by the Malaga Code or this Permit.
8. Users shall keep waste hauler reports on file for a period of three years.
9. User shall maintain a manifest from all trucks washed at a truck wash facility. A copy of the manifest shall be submitted to the District on demand to confirm the contents of trucks washed out.
10. Users shall maintain a log of all wastewater and solids removed from the premise, to include the destination of the hauled materials. Submit copies of the log on a quarterly basis to MCWD for the first year and annually thereafter.
11. Monitoring results obtained must be summarized and reported in a format acceptable to the District.

12. Reports for parameters with a continuous monitoring frequency must be submitted monthly. The reports are due within 15 days after the end of each calendar month.
13. Reports for parameters with a designated monitoring frequency must be submitted within 15 days after the reporting period.
14. All monitoring reports must indicate the nature and concentration of all pollutants in the effluent for which sampling and analysis were performed during the reporting period preceding the submission of each report, including measured maximum and average daily flows.
15. The User shall notify the District of any Bypass within 24 hours.
16. Any User that is required to comply with Best Management Practices shall submit a report to the District on or before December 1 of each year for the 12 previous months documenting compliance with the Best Management Practices contained in the Permit.
17. All reports required by this Permit must be submitted to the Malaga County Water District at the following address:

Malaga County Water District
Environmental Compliance Inspector
3580 S. Frank Street
Fresno, CA 93725

FG. Recordkeeping.

Users subject to the reporting requirements of this Code shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this Code, any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such requirements, and documentation associated with Best Management Practices established under this Code. Records shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; and the results of such analyses. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the User or the District, or where the User has been specifically notified of a longer retention period by the General Manager, or his or her designee.

GH. Certification Statements

1. The User is required to sign and submit the following certification statement if granted use of a Toxic Organic Management Plan in lieu of reporting Priority Pollutants:

"Based on my inquiry of the permit or persons directly responsible for managing compliance with the pretreatment standard for Priority Pollutants (PP's), I certify that, to the best of my knowledge and belief, no dumping of concentrated priority pollutant toxic organics into the wastewaters has occurred since filing of the last discharge monitoring report. I further certify that this facility is implementing the Toxic Organic Management Plan submitted to the Control Authority."

2. The User is required to sign and submit the following certification statement with all monitoring reports:

"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 ensure 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 signification penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

3. All reports required by this Permit must be submitted to the Malaga County Water District at the following address:

Malaga County Water District
Environmental Compliance Inspector
3580 S. Frank Street
Fresno, CA 93725

HI. Annual Publication

As required by the Act, the District's Pretreatment Program and the Malaga Code, a list of all industrial users which were in significant non-compliance of applicable federal pretreatment standards or other pretreatment requirements during the twelve (12) previous months shall be annually published in the largest daily newspaper within the District's service area according to the procedures for the publication of such notice as set forth in the Pretreatment Program. Accordingly, the User is apprised that non-compliance with this permit may lead to an enforcement action and may result in the publication of the User's name in an appropriate newspaper and that the costs of said publication may be recovered by the District in addition to any other costs of enforcement or penalties imposed. For the purposes of this provision, significant non-compliance is defined by 40 CFR 403.8(f)(2)(vii).

~~As required by the Act, the District's Pretreatment Program, and the Malaga Code, a list of all industries which were in significant noncompliance of applicable federal pretreatment standards or other pretreatment requirements during the twelve (12) previous months shall be annually published by the District in the largest daily newspaper within its service area. Accordingly, the User is apprised that noncompliance with this permit may lead to an enforcement action and may result in~~

~~publication of its name in an appropriate newspaper. For purposes of this provision, significant noncompliance is defined under 40 CFR 403.8 (f)(2)(vii).~~

Part 4: Other Conditions

A. Automatic Re-sampling

If the results of the User's wastewater analysis indicate that a violation of this Permit has occurred, the User must:

1. Inform the Malaga County Water District of the violation within 24 hours;
2. Repeat sampling and pollutant analysis and submit, in writing, the results of this second analysis within 30 days of becoming aware of the first violation;
3. Continue repeat sampling until it is determined that the violation has ceased.
4. Pursuant to the provisions of the Malaga Code, the District shall have the ability to sample and analyze any time the District deems appropriate.

B. Accidental Discharge and Reporting

The user must notify the Malaga County Water District immediately upon the occurrence of spills, including, but not limited to, accidental discharges, discharges of a nonroutine, episodic nature, a noncustomary batch discharge, slug loads or slug discharges, that might present potential problems for the POTW, or spills that might enter the public sewer. During normal business hours the Malaga County Water District should be notified by telephone at 559-485-7353. The notification must include location of discharge; date and time of discharge; type of waste, including concentration and volume; and corrective actions taken. The User's notification of accidental release in accordance with this section does not relieve it of other reporting requirements that arise under local, state, or federal laws.

Within 5 days following an accidental discharge, the User shall submit to the District Malaga County Water a detailed written report. The report must specify:

1. Description and cause of the upset, slug load, or accidental discharge; the cause thereof; and the impact on the User's compliance status. The description should also include location of discharge and type, concentration, and volume of waste.
2. Duration of noncompliance, including exact dates and times of noncompliance and, if the noncompliance is continuing, the time by which compliance is reasonably expected to occur.

3. All steps taken or to be taken to reduce, eliminate, and/or prevent recurrence of such an upset, slug load, accidental discharge, or other conditions of noncompliance.

C. Pretreatment Systems

1. The District may require Users to install and operate at their own expense the following pretreatment systems:
 - i. aA grease interceptor approved by the District which (a) prevents excessive grease and oil from entering the sewage system (b) provides at least 1250 gallons storage capacity, at least two compartments, baffles to retain floatable greases and oils and a sampling port and (c) excludes any Sanitary Wastewater from entering the interceptor.
 - ii. aA grit interceptor approved by the District which (a) prevents sand and settleable grit from entering the sewage system (b) provides a 30-minute detention time base on peak wastewater rate, a minimum capacity of 500 gallons, at least two compartments, baffles to reduce wastewater velocity sufficiently to settle sand and grit and (c) excludes any sanitary wastewater from entering the interceptor.
2. Use of the following pretreatment systems shall not violate any portion of the Malaga Code nor inhibit wastewater treatment systems:
 - iii.i. ~~use of To operate and maintain~~ any garbage grinders in a manner which prevents discharge of wastewater in violation of the Malaga Code.
 - iv.ii. ~~To operate and maintain~~ any water softening units must be operated and maintained in strict accordance with manufacturer's instructions and in a manner to minimize salts discharge into sewage system.

D. Removed Substances

1. Solids, sludges, filter backwash or other pollutants removed from wastewater in the course of pretreatment or the control of wastewater must be disposed of in accordance with section 405 of the Clean Water Act and Subtitles C and D of the Resource Conservation and recovery Act.
2. Removed Substances shall not be allowed to enter the sewer collection system, nor any storm drain, nor any outfall or drain which leads to a storm

water collection system or a water catchment system intended for ground water recharge purposes.

3. Removed substances shall not be retained on the property of the User and shall be properly disposed of as indicated above.

E. Slug Discharge Control Requirements

The User is required to submit and implement a slug discharge control plan if directed by the District. Determination of the requirement for a slug discharge plan shall be made during an initial facility inspection by the District. If it is determined that due to batch discharge or plug flow the WWTF could be hydraulically or biologically overloaded, a slug discharge plan shall be developed and implemented. The slug discharge control plan must include, at a minimum, the following:

1. Description of discharge practices, including non-routine batch discharges.
2. Description of stored chemicals.
3. Procedures for immediately notifying the Malaga County Water District of slug discharges, including any discharge that would violate prohibition under 40CFR 403.5(b), with procedures for follow-up written notification within five days.
4. Procedure to limit any impact on maximum allowable head works loading of the WWTF.
5. Procedures to prevent adverse impact from accidental spills, including inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, and measures and equipment for emergency response.

F. Compliance Schedule

~~Pursuant to the Enforcement Response Plan, the following levels of escalating enforcement and administrative citations have been established:~~

- ~~1. Warning Notice, and any associated Notices of Non-Compliance;~~
- ~~2. Notice of Violation, and any associated Notices of Non-Compliance;~~
- ~~3. Consent Order, and any associated Notices of Non-Compliance;~~
- ~~4. Compliance Order, and any associated Notices of Non-Compliance; and~~

~~5. Show Cause Order, and any associated Notices of Non-Compliance.~~

- ~~i. In the event of any notice or order for compliance, a schedule for compliance shall be included. The User is responsible to meet the schedule for compliance, and shall be penalized according to the provisions of the Enforcement response Plan for failing to do so.~~
- ~~ii. No later than 14 days following the date of the notice or order, the user must submit to the Malaga County Water District a written report including, at a minimum, whether it complied with the increment of progress to be met on such date and, if not, the date on which it expects to comply with the increment of progress, the reasons for delay, and the steps being taken to return the project to the schedule established.~~

FG. Potential Non-Compliance

The User must immediately inform the District in the event of the potential for non-compliance for any known reason. Failure to report the potential for non-compliance may result in a harsher penalty for a non-compliance event that was known to pre-exist.

Part 5: Special Conditions for Food Service Establishments (FSE's)

- A. FSE's shall comply with all other portions of this permit and the Malaga Code.
- B. Grinders shall not be used to mulch solid waste for disposal in the sewer system. Ordinary sink disposers are allowed so long as food solids are wiped from cookware and dishes before washing.
- C. A grease trap is required to remove yellow grease and grease solids from wastewater. FSE's that do not produce oil and grease waste may apply for exception in writing. If approved by the District, this requirement can be waived but only by written permission from the District.
- D. Grease traps shall be kept in operation at all times and cleaned regularly as required to prevent oil and grease from entering the sewer collection system.
- E. Wastewater shall not bypass a grease trap when one is required.
- F. Written records of oil and grease hauling shall be maintained by the FSE for inspection by the District at any time.
- G. FSE's shall comply with the provisions of the Fats, Oil, and Grease (FOG) control plan contained in the Malaga Code.

Part 6: [Industry specific requirements]

[example:

Special Conditions for Truck Washes

- A. Truck washes shall comply with all other portions of this permit and the Malaga Code.
- B. Wastewater from the truck wash facility shall not cause any of the following effects to the sewer collection system or have the following characteristics:
1. Build-up of solids such that wastewater flows slower than 2 feet per second in the collection system;
 2. Foaming of wastewater;
 3. Discoloration of wastewater;
 4. A pH of less than 6.0 or greater than 9.0 at any time;
 5. An electro-conductivity reading in excess of 950 u-ohm/cm at any time;
- C. The washing of truck tanks and intermodal tank containers used to transport chemical, petroleum or food grade cargos is prohibited. [or if permitted, pursuant to the conditions set forth in 40 CFR Part 442.]
1. Truck washes shall immediately report to the District any event that causes wastewater discharge to show the following characteristics:
 - i. Foaming;
 - ii. Discoloration;
 - iii. Noxious fumes;
 - iv. Oil sheen;
 - v. Build-up of solids that flocculate or coagulate;
 - vi. Build-up of solids that reduce flow;
 2. Truck Washes shall provide written monthly reports to the District that contain the following information:
 - i. Date and time tanker trucks and intermodal tank containers were washed;
 - ii. Contents of tanker trucks and intermodal tank containers that were washed;

- iii. Analysis of any wastewater discharge samples that were tested, whether required or not;
 - iv. Reports of on-line metering equipment;
 - v. All incidences of item 7 above.
3. On-line monitoring equipment shall monitor pH and EC whenever wastewater is being discharged.
 4. The District will perform in lieu, as described in 40 CFR 403.12 (h), the required compliance status reporting for truck washes identified as Significant Non-categorical Industrial Users. This report is required at least once every six months. [see also Part 3(C) above]

Part 7: Best Management Practices

Best management practices shall be adhered to according to the industry standards of the individual permit holder.

- A. [EXAMPLE Best Management Practices Specific to Truck Washing Facilities
1. Only biodegradable detergents should be used for dirt removal.
 2. Detergents should be labeled "phosphate free" and should have a neutral pH.
 3. Avoid using cleaning solutions that contains chlorinated solvents, are highly acidic or highly alkaline, and contains petroleum products or distillates.
 4. Use only the minimum amount of detergent to get the job done.
 5. Chrome and aluminum brighteners should only be used if they are hand applied and wiped. Brighteners should not be part of the washing process.
 6. Minimize the amount of wastewater generated by using high pressure and low volume washing techniques. Keep in mind to avoid paint chipping caused from too high of a pressure.
 7. Prevent runoff by containing storm drains with containment booms, storm drain covers, and other barrier equipment.
 8. Changing motor oil near wash bay areas should be prohibited.
 9. Brushing shall not be done in conjunction with buckets of concentrated detergent.
 10. Chemical drums must be in secondary containment.]

Part 8: Failure to Meet Local Limits

Users that absolutely cannot meet the local limits due to their nature of discharge, after having installed best available pretreatment systems, are required to have their wastewater hauled off to another disposal site.

3.

Proposed Amendment to the Malaga Code

Proposed Amendment to the Malaga Code

The District proposes to amend section 3.05.040 of the Malaga Code to read as follows:

“3.05.040 Local limitations on wastewater discharges.

The following table (Table 3.05.040) specifies the maximum instantaneous concentrations of pollutants allowable in wastewater discharges to the wastewater facilities. If any other permit, the pretreatment program, order, or state or federal or other regulation prescribes a lower maximum concentration of any pollutants set forth in Table 3.05.040, then the lower maximum will apply.

Table 3.05.040

pH – acceptable range 6.0 to 9.0 pH units (batch discharges outside of the range may be approved on a case-by-case basis, depending on the quantity, pH, and other characteristics).

Temperature – not to exceed temperatures that will cause interference or that will cause the influent at the treatment plant to exceed 104 degrees Fahrenheit, but in no case to exceed 150 degrees Fahrenheit.

Radioactivity – not to exceed limits specified in Title 17 of the California Code of Regulations or other applicable law or regulation.

Limitations for other incompatible pollutants have not been established for general application. The District will determine and implement such limits for such constituents as necessary to ensure compliance with the District's California Regional Water Quality Control Board permit requirements and with more restrictive pretreatment standards for new sources as prescribed by the Environmental Protection Agency (EPA), or any other agency with jurisdiction.

The following limits, which apply at the point where wastewater is discharged to the POTW, have been established by the District and approved by the Central California Regional Water Quality Control Board. Stricter limits may apply as required by the Central California Regional Water Quality Control Board, the EPA, the District, or any other agency having jurisdiction. All concentrations for metals are for total metal unless otherwise indicated:

Pollutant

Local Limit

Aluminum	1.63 mg/l as a monthly average
Arsenic	0.01 mg/l as a monthly average
Boron	0.93 mg/l as a monthly average
Cadmium	0.01 mg/l as a monthly average
Chromium	0.04 mg/l as a monthly average
Copper	0.07 mg/l as a monthly average
Lead	0.01 mg/l as a monthly average
Mercury	0.002 mg/l as a monthly average
Nickel	0.12 mg/l as a monthly average
Selenium	0.001 mg/l as a monthly average
Silver	0.13 mg/l as a monthly average
Zinc	0.28 mg/l as a monthly average
Oil and Grease	200 mg/l as a monthly average
BOD ₅	900 mg/l as a monthly average
TSS	560 mg/l as a monthly average
Ammonia	15.71 mg/l as a monthly average
Electroconductivity	850 umhos/cm as a monthly average
MBAS	1.92 mg/l as a monthly average
Cyanide	0.02 mg/l as a monthly average
Molybdenum	0.10 mg/l as a monthly average
Chloride	165 mg/l as a monthly average"