

Article 4: Sewers**Division 5: Industrial Wastewater***("Industrial Wastewater")**added 6-6-1983 by O-15984 N.S.)***§64.0500 Waste Disposal— Permit Required**

Any person, municipality, sanitation district, or governmental agency desiring to discharge industrial waste into a public sewer, which may interfere with the operation and maintenance of the sewer system or with the wastewater treatment facilities, shall obtain a permit to discharge wastes into the system from the City Manager known as a Permit for Industrial Wastewater Discharge. These wastes will include all wastewater discharges which are required to be regulated by federal laws or regulations, State of California mandates, or local ordinances.

(Amended 11-14-2000 by O-18880 N.S.)

§64.0501 Permit for Industrial Wastewater Discharge

The Permit for Industrial Wastewater Discharge or Discharge Authorization shall require compliance with applicable National Pretreatment Standards and requirements, State discharge requirements, and local limits and requirements. It may also require pretreatment of industrial wastewaters before discharge, restriction of peak flow discharges, discharge of certain wastewaters only to specified sewers of the City, relocation of point of discharge, prohibition of discharge of certain wastewater components, restriction of discharge to certain hours of the day, payment of additional charges to defray increased costs of the City created by the wastewater discharge, and such other conditions as may be required to effectuate the purpose of this ordinance. It is unlawful to discharge industrial wastewaters in excess of the quantity or quality limitations set by the Permit for Industrial Wastewater Discharge or Discharge Authorization. Any person desiring to discharge wastewaters or use facilities which are not in conformance with the Industrial Wastewater Discharge Permit or Discharge Authorization shall apply to the City Manager for an amended Permit or Authorization.

(Amended 11-14-2000 by O-18880 N.S.)

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§64.0502 Discharge Reports, Procedures, and Certifications

The City may require that any person discharging or proposing to discharge wastewater into a public sewer file reports, procedures, or certifications, including, but not limited to, the following:

- (a) **One Time or Periodic Industrial Wastewater Discharge Permit Application:** The application may require information including, but not be limited to, the nature of production and pretreatment processes, wastewater discharge volumes and rates of flow, mass emission rates, production quantities, hours of operation, certification of compliance with applicable regulations, or other information which relates to the generation of waste, including wastewater constituents and characteristics in the wastewater discharge. Such applications may also require the chemical constituents and quantity of liquid or gaseous materials stored on site even though they may not normally be discharged.
- (b) **One Time or Periodic Reports on Continued Compliance:** Permits may establish one time or periodic sampling and analysis requirements or certification requirements or both for specified wastestreams, discharge points, and requirements.
- (c) **Baseline Monitoring Reports:** Within 180 days after the effective date of a categorical Pretreatment Standard, or 180 days after the final administrative decision made upon a category determination submission under 40 C.F.R. 403.6(a)(4), whichever is later, existing Industrial Users subject to such categorical Pretreatment Standards and currently discharging to or scheduled to discharge to a POTW shall submit to the City Manager a report which contains the information listed in 40 C.F.R. 403.12 paragraphs (b)(1)-(7). At least ninety days prior to commencement of discharge, New Sources, and sources that become Industrial Users subsequent to the promulgation of an applicable categorical Pretreatment Standard, shall be required to submit to the City Manager a report which contains the information listed in 40 C.F.R. 403.12 paragraphs (b)(1)-(5). New sources shall also be required to include in this report information on the method of pretreatment the source intends to use to meet applicable pretreatment standards. New Sources shall give estimates of the information requested in 40 C.F.R. 403.12 paragraphs (b) (4) and (5).

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- (d) Notification of Changed Discharge: All Industrial Users shall promptly notify the POTW in advance of any substantial change in the volume or character of pollutants in their discharge, including the listed or characteristic hazardous wastes for which the Industrial User has submitted initial notification under 40 C.F.R. 403.12(p).
- (e) The Industrial User shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities in writing of any discharge into the POTW of a substance, which, if otherwise disposed of, would be a hazardous waste under 40 C.F.R. part 261. Such notification must satisfy the requirements set forth at 40 C.F.R. 403.12(p).
- (f) In addition to the foregoing, the Industrial User shall provide all applicable reports described in the Code of Federal Regulations at 40 C.F.R. 403.12, including, but not limited to: compliance schedules for meeting categorical Pretreatment Standards, compliance schedule progress reports, reports on compliance with categorical pretreatment standard deadlines, and final compliance reports.
- (g) Signatory requirements: Signatory requirements for Industrial User Reports set forth at 40 C.F.R. 403.12(l) are incorporated herein by reference, and shall apply to all Permit Applications, Baseline Monitoring Reports, Reports on Compliance with Categorical Pretreatment Standard Deadlines, and Periodic Reports on Continued Compliance submitted to the City Manager.
- (h) Certification Requirements: Any person signing Industrial User Discharge reports submitted pursuant to Section 64.0502 shall make the following 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."
- (i) Confidentiality Claims: Any information submitted to the City Manager pursuant to Section 64.0502, or obtained during Industrial Wastewater Control Program inspection activities may be claimed as confidential by the Industrial User. Any such claim must be asserted at the time of submission in the manner

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prescribed on the application form or instructions, or, in the case of other submissions, by stamping the words “confidential business information” on each page containing such information, or, in the case of inspections, by submitting a written confidentiality claim at the time of the inspection identifying the inspection areas and type of information for which the claim is asserted. If no claim is made at the time of submission or inspection, the City Manager may make the information available to the public without further notice. When requested and demonstrated by the Industrial User that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the Clean Water Act, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other “effluent data” as defined by 40 C.F.R. 2.302 will not be recognized as confidential information and will be available to the public without restriction.

(Retitled to “Discharge Reports, Procedures, and Certifications” and amended 11–14–2000 by O–18880 N.S.)

§64.0503 Permit Application

Persons seeking an Industrial Wastewater Discharge Permit shall complete and file with the City Manager, an application in the form prescribed by the City Manager, and accompanied by the applicable fees. The applicant may be required to submit, in units and terms appropriate for evaluation, the following information:

- (a) Name, address and Standard Industrial Classification number of applicant;
- (b) Volume of wastewater to be discharged;
- (c) Wastewater constituents and characteristics including but not necessarily limited to those mentioned in Section 64.0512 as determined by a laboratory approved by the City;
- (d) Time and duration of discharge;
- (e) Average and 30 minute peak wastewater flow rates, including daily, monthly and seasonal variations if any;

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- (f) Description of activities, facilities and plant process on the premises including all materials, processes and types of materials which are or could be discharged;
- (g) Any other information as may be deemed by the City Manager to be necessary to evaluate the permit application.

The City Manager will evaluate the data furnished by the applicant and may require additional information. After evaluation and acceptance of the data furnished, an on-site inspection of the waste discharge system, treatment systems, or other systems relating to the waste discharge may be required. The City Manager may then issue an Industrial Wastewater Discharge Permit subject to terms and conditions provided herein.

(“Permit Application” added 6-6-1983 by O-15984 N.S.)

§64.0504 Permit Conditions

Industrial Wastewater Discharge Permits shall be subject to all provisions of this ordinance and all other regulations, user charges and fees established from time to time by resolution of the City Council. The conditions of Industrial Wastewater Discharge Permits shall be uniformly enforced by the City Manager in accordance with this ordinance, and applicable local, State and Federal regulations.

(“Permit Conditions” added 6-6-1983 by O-15984 N.S.)

§64.0505 Duration of Industrial Wastewater Discharge Permits

Permits shall be issued for a specified time period, not to exceed five (5) years. A permit may be issued for a period less than a year or may be stated to expire on a specific date. If the permittee is not notified by the City 30 days prior to the expiration of the permit, the permit shall be extended one additional year. The terms and conditions of the permit may be subject to modification and change by the City during the life of the permit as limitations or requirements as identified in Section 64.0512 are modified and changed. The permittee shall be informed of any proposed changes in his permit at least 30 days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

(“Duration of Industrial Wastewater Discharge Permits” added 6-6-1983 by O-15984 N.S.)

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§64.0506 Transfer of an Industrial Wastewater Discharge Permit or Changed Use

Industrial Wastewater Discharge Permits shall be issued only for specific use for a specific operation. Any sale, lease, transfer or assignment of the premises or operation for which the permit was issued shall require a new permit to be issued. Any new or changed conditions of operation shall require a new permit to be issued. (*“Transfer of an Industrial Wastewater Discharge Permit or Changed Use” added 6-6-1983 by O-15984 N.S.*)

§64.0507 Revocation of Industrial Wastewater Discharge Permit

The City Manager may revoke the permit of any permittee who is found to be in violation of this ordinance or applicable local, State or Federal regulations or who:

- (a) Fails to factually report the wastewater constituents and characteristics of its discharge;
 - (b) Fails to report significant changes in operations, or wastewater constituents and characteristics;
 - (c) Refuses reasonable access to the permittee’s premises for the purpose of inspection or monitoring; or
 - (d) Violates conditions of the permit.
- (*“Revocation of Industrial Wastewater Discharge Permit” added 6-6-1983 by O-15984 N.S.*)

§64.0508 Industrial Wastewater Discharge Permit Fee

An Industrial Wastewater Discharge Permit Fee will be collected annually from all permittees. The permit fee will be established from time to time by a resolution of the City Council; provided, however, that prior to considering any change in said permit fee by resolution as aforesaid, a notice of the proposed change shall be posted by the City Clerk at least ten (10) days prior to consideration of such a resolution by the City Council. (*“Industrial Wastewater Discharge Permit Fee” added 6-6-1983 by O-15984 N.S.*)

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§64.0509 Sampling, Self-Monitoring and Flows

The City Manager shall require the permittee to provide results of periodic measurements of its discharge which is to include chemical analyses and flow. The City Manager may require a monitoring facility to be furnished and operated at permittee's expenses. All permittees making periodic measurements shall furnish and install at an appropriate location, a calibrated flume, weir, flow meter or similar device suitable to measure flow rate and total volume approved by the City Manager. In lieu of wastewater flow measurement, the City Manager may accept records of water usage and adjust the flow volume by suitable factors to determine peak and average flow rates for the specific industrial wastewater discharge. The monitoring facility should normally be situated on the permittee's premises, but the City Manager may, when such a location would be impractical or cause undue hard-ship on the user, allow the facility to be constructed in the public street or sidewalk area and located so that it will not be obstructed by landscaping or parked vehicles. Whether constructed on public or private property, the sampling and monitoring facilities shall be provided in accordance with the City Manager's requirements and shall be completed within ninety days following written notification by the City Manager, unless a time extension is granted by the City Manager. Those permittees required by the City Manager to make periodic measurements of industrial wastewater flows and constituents shall annually make the minimum number of such measurements as required in the permit. When required by the City Manager, permittees shall install and maintain in proper order automatic flow-proportional sampling equipment and/or automatic analysis and recording equipment. Permittees shall allow the City or its representative ready access at all reasonable times to all parts of the premises for purposes of sampling or in the performance of any of their duties. The City Manager shall have the right to set up on the permittee's property such devices as are necessary to conduct sampling or metering operations. Where a permittee has security measures in force, the permittee shall make the necessary arrangements with their security guards so that upon presentation of suitable identification, personnel of the City shall be permitted to enter without delay. All sampling, analysis and flow measurement procedures, equipment, results and records shall be subject at any time to inspection by the City Manager. All sampling and analysis for the purposes of providing pollutant discharge information to the City Manager in self-monitoring and other reports shall be performed in accordance with the techniques prescribed in the Code of Federal Regulations at 40 C.F.R. Part 136 and amendments thereto.

Where 40 C.F.R. Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA 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 POTW or other parties, approved by the EPA Administrator.
(Amended 11-14-2000 by O-18880 N.S.)

§64.0510 Pretreatment

Permittees shall make wastewater acceptable under the limitations established herein before discharging to any public sewer. Any facilities required to pretreat wastewater to a level acceptable to the City Manager shall be provided and maintained at the permittee's sole expense. Detailed plans, compliance schedules, and operating procedures shall be submitted to the City Manager for review and shall be approved by the City Manager before construction of the facility. The review of such plans and operating procedures will in no way relieve the permittee from the responsibility of modifying the facility as necessary to produce an effluent acceptable to the City Manager under the provisions of this ordinance. Any subsequent changes in the pretreatment facilities or method of operation shall be reported to and be approved by the City Manager. No permittee shall increase the use of process water or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with any local, state, or federal discharge standard. The City Manager shall have the authority in negotiation with any industrial permittee, to impose compliance schedules relating to installation of specific pretreatment equipment, filing of reports, and achievement of specific discharge conditions including, but not limited to, concentration-based, production-based, or mass-based National Pretreatment Standards set forth at 40 C.F.R. Chapter I, Subchapter N, Parts 405 - 499, and incorporated herein by reference, and local limits and requirements developed to implement the General and Specific Prohibitions set forth in San Diego Municipal Code section 64.0512.
(Amended 11-14-2000 by O-18880 N.S.)

§64.0511 Protection from Slug Discharges

- (a) Each permittee shall provide protection from slug discharges of prohibited materials or other substances regulated by this ordinance. For the purposes of Section 64.0511, 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. Facilities to prevent slug discharges of prohibited materials shall be provided and maintained at the permittee's own cost and expense.

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- (b) The City Manager, may, upon making a determination that the potential for a slug discharge of harmful or prohibited materials exists, require that a permittee develop and implement a Slug Discharge Control Plan, which satisfies the minimum requirements established at 40 C.F.R. Part 403.8(v)(A), (B), (C), and (D).
- (c) In the case of an accidental or unauthorized non-customary batch discharge, it is the responsibility of the permittee to immediately notify the City Manager of the incident. The notification shall include location of discharge, type of waste, concentration and volume and corrective actions. Within five days following an accidental or unauthorized non-customary batch discharge, the permittee shall submit to the City Manager a detailed written report describing the cause of the discharge and the measures to be taken by the permittee to prevent similar future occurrences. Such notification shall not relieve the permittee of any expense, loss, damages, or other liability which may be incurred as a result of damage to the wastewater systems, fish kills, or any other damage to persons or property; nor shall such notification relieve the permittee of any fines, civil penalties, or other liability which may be imposed by this ordinance or other applicable law. A notice shall be permanently posted on the permittee's bulletin board or other prominent place advising employees who to call in the event of an accidental or unauthorized non-customary batch discharge. Permittees shall insure that all employees who may cause, allow, or observe such an accidental or unauthorized non-customary batch discharge to occur are advised of the emergency notification procedures.

(Retitled to "Protection from Slug Discharges" and amended 11-14-2000 by O-18880 N.S.)

§64.0512 Prohibited Discharges and Local Limits

- (a) General Prohibitions

A User may not introduce into a public sewer which directly or indirectly connects to the City's wastewater system any pollutant which causes pass-through or interference. These general prohibitions and the specific prohibitions in Section 64.0512(b) apply to each User introducing pollutants into a Publicly Owned Treatment Works, whether or not the User is subject to other national pretreatment standards or any national, state, or local pretreatment requirements.

(b) Specific Prohibitions

In addition, it is unlawful to introduce the following pollutants into a public sewer which directly or indirectly connects to the City's wastewater system:

- (1) Any pollutant which creates a fire or explosion hazard in the Publicly Owned Treatment Works, including but not limited to, wastestreams with a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test methods specified in 40 C.F.R. § 261.21.
- (2) Any matter containing toxic or poisonous solids, liquids, or gases in such quantities that, alone or in combination with other substances, cause acute health and safety problems for humans, animals, or the local environment.
- (3) Any matter which will cause corrosive structural damage to structures, equipment, or other physical facilities of the wastewater system, but in no case discharges with pH lower than 5.0, unless the collection system is specifically designed to accommodate such discharges.
- (4) Any solid or viscous substance or other matter of such quality, size, or quantity that it may cause obstruction to flow in the sewer or be detrimental to proper wastewater treatment plant operations. These objectionable substances include, but are not limited to, asphalt, dead animals, offal, ashes, sand, mud, straw, industrial process shavings, metal, glass, rags, feathers, tar, wood, whole blood, paunch manure, bones, hair and fleshings, entrails, fatty acids, grease and oil, paper dishes, paper cups, milk containers, or other similar paper products, either whole or ground.
- (5) Any pollutant, including oxygen demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which will cause interference with the Publicly Owned Treatment Works.
- (6) Any rainwater, storm water, groundwater, street drainage, subsurface drainage, roof drainage, yard drainage, water from yard fountains, ponds or lawn sprays, or any other uncontaminated water.

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- (7) Any matter having a temperature higher than 150 degrees Fahrenheit (65.5 degrees Celsius), or at a temperature which causes the influent to the waste treatment plant to exceed 104 degrees Fahrenheit (40 degrees Celsius).
- (8) Fats, oils, and greases of animal or vegetable origin in a concentration that exceeds 500 mg/L.
- (9) Any strongly odorous matter or matter tending to create odors.
- (10) Any matter containing over 1.0 mg/l of dissolved sulfides.
- (11) Any matter with a pH equal to or greater than 12.5 standard units.
- (12) Any matter which results in the presence of toxic gases, vapors, or fumes within the wastewater conveyance or treatment system in a quantity that may cause acute worker health and safety problems.
- (13) Any matter requiring an excessive quantity of chlorine or other chemical compound used for disinfection purposes.
- (14) Any excessive amounts of deionized water, steam condensate, distilled water, or single pass cooling water.
- (15) Any trucked or hauled pollutants, except at discharge points designated by the City.
- (16) Any radioactive matter, except:
 - (A) When the person is authorized to use radioactive materials by the State Department of Health or other governmental agency empowered to regulate the use of radioactive materials, and
 - (B) When the matter is discharged in strict conformity with current California Radiation Control Regulations (California Administrative Code, Title 17, section 30253), federal regulations (10 C.F.R. § 20.2003 and Table 3 of Appendix B to §§ 20.1001 – 20.2401), and the Nuclear Regulatory Commission regulations and recommendations for safe disposal.

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- (17) Any matter producing excessive discoloration of the wastewater treatment plant effluent.
- (18) Any toxic materials including, but not limited to, all heavy metals, cyanide, phenols, chlorinated hydrocarbons, and other organic compounds unless limited to that concentration which complies with all local, state, and federal discharge limitations, and which does not interfere with the operation of the wastewater facilities.
- (19) Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin in amounts that will cause interference or pass through.

The Industrial Wastewater Control Program shall develop, apply, and enforce specific limits or Best Management Practice Requirements as necessary to implement the prohibitions listed in Section 64.0512(a) and Section 64.0512(b); such limits shall be termed “Local Limits.” Where specific prohibitions or local limits are developed by the POTW, such limits shall be deemed and enforceable as Pretreatment Standards. *(Retitled to “Prohibited Discharges and Local Limits” and amended 11-14-2000 by O-18880 N.S.)*

§64.0513 Limitations of the Use of Garbage Grinders

Matter from garbage grinders shall not be discharged into a public sewer except matter generated in preparation of food normally consumed on the premises, or where the permittee has obtained a permit for that specific use from the City Manager, and agrees to undertake whatever self-monitoring is required to enable the City Manager to equitably determine the sewer service charges based on the waste constituents and characteristics. Such grinders must shred the waste to a degree that all particles will be carried freely under normal flow conditions prevailing in the public sewer. Garbage grinders shall not be used for grinding plastic, paper products, inert materials, or garden refuse. *(“Limitations of the use of Garbage Grinders” added 6-6-1983 by O-15984 N.S.)*

§64.0514 Discharge of Water Softener Brines Prohibited in Certain Areas of the City

- (a) It is the purpose and intent of this section to prohibit the discharge into the public sewers of residual brine from water softening devices within the eastern portion of the Los Penasquitos area of the City of San Diego where generated sewage flows through any sewer which is tributary to the City of Poway Water Reclamation Plant. This prohibition is necessary in order that the wastewater generated within the portion of the City conform to the residual brine

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discharge restrictions established by the City of Poway for the purpose of economical wastewater reclamation.

- (b) It shall be unlawful for any person to discharge into the public sewers any residual brine from commercial or domestic water softening devices within that eastern portion of the Los Penasquitos area in the City of San Diego, California, which is east of Interstate 15, south of Rancho Bernardo, west of Pomerado Road and north of Scripps Ranch, as more particularly designated on that certain drawing filed in the office of the City Clerk as Document No. OO-15449.

(“Discharge of Water Softener Brines Prohibited in Certain Areas of the City” added 6-6-1983 by O-15984 N.S.)

§64.0515 Limitations on Point of Discharge

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

(“Limitations on Point of Discharge” added 6-6-1983 by O-15984 N.S.)

§64.0516 Availability of the City’s Wastewater Facilities

If wastewater facilities capacity is not available, the City Manager may require the industrial waste discharger to restrict his discharge until sufficient capacity can be made available. When requested, the City Manager will advise persons desiring to locate new facilities as to the areas where industrial wastewater of their proposed quantity and quality can be received by available wastewater facilities. The City Manager may refuse service to persons locating facilities in areas where their proposed quantity or quality of industrial wastewater is unacceptable in the available treatment facility.

(“Availability of the City’s Wastewater Facilities” added 6-6-1983 by O-15984 N.S.)

§64.0517 Discrepancies Between Actual and Reported Industrial Wastewater Discharge Permit Quantities

Should measurements or other investigations reveal that the permittee is discharging a flow rate, or a quantity of flow, chemical oxygen demand or suspended solids significantly in excess of that stated on the permit or in excess of the quantities reported to the City Manager by the permittee and upon which the sewer service

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charge is based, the permittee shall apply for an amended permit and shall be assessed for all delinquent charges together with penalty and interest. Before these charges shall be assessed at least two additional 24-hour samples and flow measurements shall be obtained by the City Manager with all costs of sampling and analyses to be paid by the permittee.

For the purpose of establishing the correct sewer service charge, the data obtained in these samplings along with any other relevant information obtained by the City Manager or presented by the permittee, shall be used by the City Manager in determining the quantity parameters for use in determining the sewer service charge. A permittee who violates this Section shall, in the absence of other evidence, be presumed to have been discharging at the determined parameter values over the preceding three years or since the City Manager's previous verification of quantity parameters, whichever period is shorter.

("Discrepancies Between Actual and Reported Industrial Wastewater Discharge Permit Quantities" added 6-6-1983 by O-15984 N.S.)

§64.0518 Trucker's Discharge Permit

All persons owning vacuum or "cesspool" pump trucks or other liquid waste transport trucks and desiring to discharge septic tank, seepage pit, interceptor or cesspool contents, industrial liquid wastes or other liquid wastes to the City's public sewers or to facilities that discharge directly or indirectly to such public sewers shall first have a valid City Trucker's Discharge Permit. All applicants for a Trucker's Discharge Permit shall complete the application form and pay the appropriate fee as established from time to time by City Council resolution.

Discharge of septic tank, seepage pit, interceptor or cesspool contents or other wastes containing no industrial wastes may be made at any of the City's designated public dumping manholes by trucks holding a City Permit. Truck transported industrial wastes shall be discharged only at the locations specified by the City Manager for the specific waste. The City Manager may require payment for treatment and disposal costs or may refuse permission to discharge certain prohibited wastes. The Trucker's Discharge Permit shall be valid for one year from date of issuance. Any person violating the City's requirements for liquid waste discharges from trucks shall be in violation of this ordinance and may have his permit revoked by the City Manager.

("Trucker's Discharge Permit" added 6-6-1983 by O-15984 N.S.)

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§64.0519 Records Retention

All permittees subject to this division of this ordinance shall retain and preserve for not less than three (3) years, any records, books, documents, memoranda, reports, correspondence and any and all summaries thereof, relating to monitoring, sampling and chemical analyses made by or on behalf of a permittee in connection with its discharge. All records which pertain to matters which are the subject of administrative action or any other enforcement or litigation activities brought by the City shall be retained and preserved by the permittee until all enforcement activities have concluded and all periods of limitation with respect to any and all appeals have expired.

(“Records Retention” added 6–6–1983 by O–15984 N.S.)

§64.0520 Publication of Industrial Users in Significant Noncompliance

The City Manager shall publish annually, in the largest daily newspaper published in San Diego, a list of the users which, during the previous calendar year, were in significant noncompliance [SNC] with applicable pretreatment standards and requirements.

(Added 11-14-2000 by O-18880 N.S.)

§64.0521 Industrial Users Electronic Reporting Compliance

- (a) The City may use electronic transmission, including electronic signatures, to send, receive, and enforce industrial wastewater discharge reports and other documents, provided that the City Manager develops policies and procedures that include the following:
- (1) A method to verify all reports, permits, and signatures are authentic;
 - (2) A method to certify all signatures and electronic submissions are enforceable under penalty of civil and criminal code;
 - (3) A method to ensure that electronic documents cannot be altered after they are signed, including in transmission and after receipt;
 - (4) A method to ensure that any individual signatory is authorized to electronically sign on behalf of permit holders; and
 - (5) A method to ensure that any reports or documents that the City is required to submit to the EPA comply with the submission requirements in 40 C.F.R. 3 Subpart B, as may be amended.

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- (b) Any person submitting discharge reports or other documentation to the City by electronic transmission shall certify the authenticity of their signature and ability to sign for the permit holder through a subscriber agreement.
- (c) Discharge reports or other documentation submitted by electronic transmission under section 64.0521 shall be enforceable in the same manner as paper submittals, including through imposition of civil and criminal penalties. Any electronic signature shall legally bind and obligate the signatory and any person on whose behalf the signatory is signing, to the same extent as the signatory's handwritten signature on a paper document.

(“Industrial Users Electronic Reporting Compliance” added 11-6-2023 by O-21738 N.S.; effective 12-6-2023.)