

Board of Directors Regular Meeting
Tuesday, September 13, 2022 at 1:00 PM
Valley Sanitary District Board Room
45-500 Van Buren Street, CA 92201

Valley Sanitary District is open to the public and board meetings will be conducted in person. In addition to attending in person, members of the public may view and participate in meeting via the following

Zoom link: <https://us06web.zoom.us/j/89239839806>

Meeting ID: 892 3983 9806

To address the Board of Directors during the virtual live session via zoom, please email the Clerk of the Board at hgould@valley-sanitary.org or, alternatively, during the specific agenda item or general comment period (i.e. non-agenda items), please use the "raise your hand" function in zoom in order to be recognized by the Clerk of the Board in order to provide comments in real time.

The Clerk of the Board will facilitate to the extent possible any email requests to provide oral testimony that are sent during the live meeting. Members of the public may provide **Oral testimony** in person or during the virtual live session and are limited to three minutes each. To address the Board in person please complete speaker request card located at in the Board Room and give it to the Clerk of the Board.

If you are unable to provide comments during the meeting, written public comments on agenda or non-agenda items may be submitted by email to the Clerk of the Board at hgould@valley-sanitary.org. **Written comments must be received by the Clerk of the Board no later than 11:00 a.m. on the day of the meeting.**

Page

1. CALL TO ORDER

1.1. Roll Call

1.2. Pledge of Allegiance

1.3. September Employee Anniversaries

- Scott Graham, Wastewater Operator II – 32 Years
- Carlos Acevedo, Collection System Technician I – 1

Year

2. PUBLIC COMMENT




This is the time set aside for public comment on any item not appearing on the agenda. Please notify the Secretary in advance of the meeting if you wish to speak on a non-hearing item.




3. CONSENT CALENDAR

Consent calendar items are expected to be routine and noncontroversial, to be acted upon by the Board of Directors at one time, without discussion. If any Board member requests that an item be removed from the consent calendar, it will be removed so that it may be acted upon separately.

- | | | |
|------|---|---------|
| 3.1. | Approve Minutes for August 30, 2022, Special Meeting
3.1 30 Aug 2022 Meeting Minutes.pdf  | 6 - 10 |
| 3.2. | Approve Warrants for August 25, 2022, through September 6, 2022
3.2 Warrants for September 13, 2022.pdf  | 11 - 12 |
| 3.3. | Quarterly Investment Report for Period Ending June 30, 2022
3.3 Staff Report Qtrly Investment Report for June 2022.pdf 
3.3 Attachment 12. June 2022 - Copy_Redacted.pdf 
3.3 Attachment 12. CalTrust June FY22_Redacted.pdf  | 13 - 17 |
| 3.4. | Cancel Regular Community Engagement Committee Meeting on Tuesday, September 20, 2022, Due to Committee Members Attending the Special District Leadership Academy in Napa, CA
3.4 Staff Report Cancel Community Engagement Committee.pdf  | 18 |

4. NON-HEARING ITEMS

- 4.1. Presentation by Lystek on Potential Biosolids Management Project 19 - 87
- [4.1 Staff Report Lystek Biosolids Presentation.pdf](#) 
- [4.1 Attachment A Lystek Presentation.pdf](#) 
- [4.1 Attachment B Biosolids Project Flyer.pdf](#) 
- [4.1 Attachment C Lystek Solution Final.pdf](#) 
- 4.2. Adopt Resolution No. 2022-1169 Adopting the Valley Sanitary District Investment Policy and Rescinding Resolution No. 2021-1151 88 - 90
- [4.2 Staff Report Amending VSD Investment Policy.pdf](#) 
- [4.2 Attachment A Resolution 2022-1169 VSD Investment Policy.pdf](#) 
- 4.3. Consideration of Proposed Sewer Construction and Use Ordinance No. 2022-121; Rescission of Sewer Construction and Use Ordinance No. 2010-118 and Setting a Public Hearing Date to Receive and Consider Public Comments 91 - 161
- [4.3 Staff Report Request for Public Comment SUO.pdf](#) 
- [4.3 Attachment A Draft Notice of SUO.pdf](#) 
- [4.3 Attachment B VSD Sewer Use Ordinance RLSO 20220607.pdf](#) 
- 4.4. Approve Third Amendment to the Employment Agreement with Beverli A. Marshall, General Manager, Increasing the General Manager's Salary to Reflect the Cost-of-Living Adjustment Pursuant to Section 3 of the Agreement 162 - 164
- [4.4 Staff Report Marshall Employment Agreement Amendment 3.pdf](#) 
- [4.4 Attachment A Amendment 3 to GM Employment Agreement.pdf](#) 

- 4.5. Adopt Resolution No. 2022-1170 Amending the Valley Sanitary Wage Schedule Effective July 1, 2022, and Rescind Resolution No. 2022-1163 165 - 171
- [4.5 Staff Report Amend Biweekly Wage Schedule.pdf](#) 
- [4.5 Attachment A Resolution 2022-1170.pdf](#) 
- [4.5 Attachment B Amended Wage Schedule 091322.pdf](#) 

5. GENERAL MANAGER'S ITEMS

- 5.1. Monthly General Manager's Report – July 2022 172 - 186
- [5.1 Staff Report GM Report July.pdf](#) 
- [5.1 Attachment A Admin Services Report.pdf](#) 
- [5.1 Attachment B NPDES Report for Sep.pdf](#) 
- [5.1 Attachment C Collection Services Report .pdf](#) 
- [5.1 Attachment D Development Services Report August 2022.pdf](#) 
- [5.1 Attachment E Capital Improvement Program Report September 2022.pdf](#) 
- [5.1 Attachment F Environmental Compliance Summary.pdf](#) 
- [5.1 Attachment G Wastewater Surveillance Summary for Sep.pdf](#) 

6. COMMITTEE REPORTS

- 6.1. EVRA Board Meeting – September 6, 2022 187 - 189
- [6.1 06 Sep 2022 EVRA Minutes.pdf](#) 
- 6.2. Budget & Finance Committee Meeting – September 6, 2022 190 - 191
- [6.2 6 Sep 2022 Meeting Minutes.pdf](#) 

7. DIRECTOR'S ITEMS

Director's items not listed are for discussion only; no action will be

taken without an urgency vote pursuant to State law.

8. INFORMATIONAL ITEMS

- 8.1. Update on Downtown Collection System Rehabilitation Project

9. PUBLIC COMMENT

This is the time set aside for public comment on any item to be discussed in Closed Session. Please notify the Clerk of the Board in advance of the meeting if you wish to speak on an item.

10. CONVENE IN CLOSED SESSION

- 10.1. PUBLIC EMPLOYEE PERFORMANCE EVALUATION
Pursuant to Government Code Section 54957(b)(1)
Title: General Manager

11. CONVENE IN OPEN SESSION

Report out on Closed Session items.

12. ADJOURNMENT

Pursuant to the Brown Act, items may not be added to this agenda unless the Secretary to the Board has at least 72 hours advance notice prior to the time and date posted on this notice.

**VALLEY SANITARY DISTRICT
MINUTES OF SPECIAL BOARD MEETING**

August 30, 2022

A special Board Meeting of the Governing Board of Valley Sanitary District (VSD) was held on Tuesday, August 30, 2022, at 45-500 Van Buren St., Indio, CA 92201.

1. CALL TO ORDER

President Sear called the meeting to order at 1:00 p.m.

1.1 Roll Call

Directors Present:

Debra Canero, Dennis Coleman, Mike Duran, Scott Sear, William Teague

Staff Present:

Holly Gould, Jeanette Juarez, Ron Buchwald, Dave Commons, Tino Tijerina, Anna Bell, Ivan Monroy, and Bob Hargreaves, Best Best & Krieger

Guest Present:

Bruce Underwood, Healthy Futures, Inc.

1.2 Pledge of Allegiance

2. PUBLIC COMMENT

This is the time for public comment on any item not appearing on the agenda. Please notify the Secretary in advance of the meeting if you wish to speak on a non-hearing item.

Ed Luna commented on Item 4.3 Adopt Resolution No. 2022-1166 Amending Terms and Conditions of Employee Wages and Compensation Effective July 1, 2022 and Rescind Resolution No. 2022-1163.

3. CONSENT CALENDAR

3.1 Approve Minutes for August 16, 2022, Special Meeting

3.2 Approve Warrants for August 11, 2022, through August 24, 2022

3.3 Monthly Financial Report for July 31, 2022

3.4 Receive and File Credit Card Report for July 31, 2022

ACTION TAKEN:

MOTION:

Director Teague motioned to approve the consent calendar as presented. Vice President Canero seconded the motion. Motion carried by the following roll call vote:

AYES: Canero, Coleman, Duran, Sear, Teague

NOES: None

MINUTE ORDER NO. 2022-3224

4. NON-HEARING ITEMS

4.1 Staff Presentation of Tri-State Conference Sessions – Ivan Monroy, Environmental Compliance Technician II

Ivan Monroy, Environmental Compliance Technician II, gave a presentation on the Tri-State Seminar he attended in Las Vegas. The big topics were PFAS, Chromium-6, and microplastics. He stated it was an excellent opportunity to meet colleagues and network with other Districts. Ivan thanked the Board and Management for allowing staff to attend this conference.

4.2 Update on the Wastewater Surveillance Program and Related Costs

Anna Bell, Laboratory & Compliance Supervisor, gave a presentation on the Wastewater Surveillance Program. She explained that the District would join the Stanford-based initiative WastewaterSCAN to monitor for COVID-19, monkeypox, Influenza A, RSV genetic markers, and other pathogens in the community. Philanthropic funding covers the total cost of sampling materials, shipping, and stipends to cover the cost to municipalities for up to 18 months. Staff will collect primary sludge samples three times per week for analysis. Results will be returned approximately 48 hours after samples are received. A real-time dashboard will be available via the web. Results will be compared against local clinical cases, other municipalities, and comparators, making the data useful to public health officials.

4.3 Adopt Resolution No. 2022-1168 Amending the Conflict-of-Interest Code Pursuant to the Political Reform Act of 1974

In accordance with California law, a Notice of Intention to amend the Conflict of Interest Code was publicly noticed on the VSD website and the District bulletin board. The Appendix of the Code designates those employees, members, officers, and consultants who are subject to the District's Code. The District's proposed amendment includes revisions of existing positions' titles and newly approved Committees. After the Board of Directors has adopted the proposed amended Conflict of Interest Code, the District's code-reviewing body must approve it. The code-reviewing body for the District is the Board of Supervisors of the County of Riverside.

“RESOLUTION OF THE BOARD OF DIRECTORS OF THE VALLEY SANITARY DISTRICT ADOPTING AN AMENDED CONFLICT OF INTEREST CODE PURSUANT TO THE POLITICAL REFORM ACT OF 1974”

ACTION TAKEN:

MOTION: Vice President Coleman motioned to adopt Resolution No. 2022-1168, amending the Valley Sanitary District Conflict of Interest Code pursuant to the Political Reform Act of 1974. Director Duran seconded the motion. Motion carried by the following roll call vote:

AYES: Canero, Coleman, Duran, Sear, Teague

NOES: None

RESOLUTION NO. 2022-1168

4.4 Authorize the General Manager to Issue a Purchase Order for Replacement Parts to Rehabilitate the Headworks Screening Washer in an Amount Not to Exceed \$33,668

To maintain the integrity and quality of the headworks screenings washer, the cam cutters must be replaced along with other critical hardware. The headworks screening washer was installed in 2008 and upgraded in 2016. Misco is the local representative for JWC Environmental, the only manufacturer to provide the parts needed for this project. This is a sole source procurement for an amount not to \$33,668.

ACTION TAKEN:

MOTION: Director Duran motioned to authorize the General Manager to issue a purchase order for replacement parts to rehabilitate the headworks screenings washer for an amount not to exceed \$33,668. Director Teague seconded the motion.

Motion carried by the following roll call vote:

AYES: Canero, Coleman, Duran, Sear, Teague

NOES: None

MINUTE ORDER NO. 2022-3225

4.5 Discuss Revised Lateral Certification Policy

The current lateral certification incentive pay is 5% of base hourly pay. Due to the number of certifications obtained by staff since program implementation and anticipated certifications that staff have requested permission to get, the 5% incentive is not sustainable. After discussion, the Board motioned to amend the Lateral Certification Incentive pay to \$150 per month for all new recipients, except those that have already completed their certifications. Secondly, the Board moved that staff already in the program with amounts exceeding \$150 per month will phase down equally so that they will be phased down to \$150 per month by June 30, 2025.

ACTION TAKEN:

MOTION: Secretary/Treasurer Coleman motioned to amend the Lateral Certification Incentive Program pay \$150 per month for all new recipients, except those that have already completed their certifications. Secondly, the Board moved that staff already in the

program with amounts exceeding \$150 per month will phase down equally so that they will be phased down to \$150 per month by June 30, 2025. Director Duran seconded the motion. Motion carried by the following roll call vote:

AYES: Canero, Coleman, Duran, Sear, Teague

NOES: None

MINUTE ORDER NO. 2022-3226

5. GENERAL MANAGER'S ITEMS

None.

6. COMMITTEE REPORTS

None.

7. DIRECTOR'S ITEMS

The Directors that attended the CSDA Annual Conference in Palm Desert commented on their time at the conference. President Sear stated that he would be meeting with Congressman Ken Calvert to discuss the District's capital projects. Director Duran suggested providing information or tours for local conferences.

8. INFORMATIONAL ITEMS

None.

9. PUBLIC COMMENT

This is the time for public comment on any item to be discussed in Closed Session. Please notify the Clerk of the Board in advance of the meeting if you wish to speak on an item.

None.

President Sear called for a short recess at 2:03 p.m. The Board of Directors reconvened at 2:10 p.m. Roll call was taken, and all Directors were present.

10. CONVENE IN CLOSED SESSION

Items discussed in Closed Session comply with the Ralph M. Brown Act.

10.1 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Government Code Section 54957(b)(1)

Title: General Manager

The Board adjourned to Closed Session at 2:10 p.m.

11. CONVENE IN OPEN SESSION

Report out on Closed Session items

The Board reconvened in open session at 3:24 p.m. President Sear stated nothing to report.

12. ADJOURNMENT

There being no further business to discuss, the meeting adjourned at 3:27 p.m. The next regular Board meeting will be on September 13, 2022.

Respectfully submitted,

Holly Gould, Clerk of the Board
Valley Sanitary District

DISBURSEMENTS
Approved at the Board Meeting of
September 13, 2022

40793 Chemco Products Co.	Heavy duty degreaser	\$1,050.47
40794 Cintas Corp	Uniforms, mats, towels, and etc - 8/25/2022	\$499.00
40794 Cintas Corp	Uniforms, mats towels and etc - 8/18/2022	\$480.60
40795 Debra Canero	CASA Annual Conference Reimbursement	\$931.50
40796 Fiesta Ford	Touch up paint	\$19.56
40797 Grainger	3 ring binder, driver set	\$144.05
40797 Grainger	Dry wipe dispenser	\$192.80
40797 Grainger	Pleated air filters	\$365.22
40797 Grainger	Ratchet faceshield	\$48.57
40797 Grainger	Fuses	\$63.08
40797 Grainger	Recirculating pump	\$236.30
40798 Linde Gas & Equipment Inc.	Tank rental - 7/20/2022-8/20/2022	\$147.70
40799 Master's Refreshment Services LLC	Water delivery - 8/22/2022	\$208.00
40800 McMaster-Carr Supply Co.	Brass quick align letter stencil kits	\$197.77
40801 Quinn Company	Air filter	\$53.27
40802 United Way of the Desert	PR 08/05/2022 - 08/18/2022 PD 08/26/2022	\$20.00
40803 West Coast Arborists, Inc.	Palm tree pruning	\$3,045.00
40804 Advanced Resources, LLC	Temp staffing - 8/1/2022-8/14/2022	\$3,720.00
40805 Austin Lopanec	WW grade 3 test reimbursement	\$295.00
40806 Automation Pride	Remote programming	\$95.00
40807 Beverli Marshall	AWWA Annual conference 2022	\$249.74
40807 Beverli Marshall	CSDA conference 2022	\$181.24
40808 Caltest Analytical Laboratory	Monthly samples - 8/24/2022	\$70.30
40808 Caltest Analytical Laboratory	Weekly samples - 8/24/2022	\$383.40
40808 Caltest Analytical Laboratory	Monthly samples - 08/30/2022	\$1,057.35
40809 Cintas Corp	First Aid Replenishment - 08/30/2022	\$458.89
40809 Cintas Corp	Uniforms, mats, towels, & Etc - 9/1/2022	\$497.39
40810 CPS HR Consulting	Sexual harassment and discrimination training - 8/17/2022	\$1,125.00
40810 CPS HR Consulting	Sexual harassment and discrimination training - 08/17/2022	\$4,050.00
40811 D & H Water Systems	Cl2 sensor CTE	\$1,796.08
40812 Debra Canero	CSDA Annual conference reimbursement 2022	\$43.50
40813 Dennis Coleman	CSDA annual conference reimbursement 2022	\$35.00
40814 Desert Hose & Supply	Brass adapter coupling	\$28.57
40814 Desert Hose & Supply	Chemical pump	\$65.16
40814 Desert Hose & Supply	Hypo repair parts, plugs, couplers	\$161.85
40815 Desert Sewer Supply, Inc.	Manhole risers	\$498.55
40816 DKF Solutions Group, LLC	Covid-19 exposure plan update	\$750.00
40817 Enthalpy Analytical, LLC	3rd qtr monitoring 2022 - green algae	\$950.00
40818 Grainger	Retrieving tool, magnetic	\$119.77
40818 Grainger	Angle broom	\$132.20
40818 Grainger	Detector tubes	\$637.45
40819 Hach Company	pH storage solution	\$131.91
40819 Hach Company	Sampler	\$6,826.90
40820 J.G. Tucker & Sons, Inc.	Cylinder calibration	\$328.47
40821 JWC Environmental Inc.	Drive shaft for auger	\$5,566.07
40822 Kaman Industrial Technologies	V belt	\$44.75
40823 Leadership Coachella Valley	Tuition - leadership	\$1,200.00
40824 McMaster-Carr Supply Co.	CPVC piping	\$576.52
40825 Plumbers Depot Inc.	Cues repair kit 12 pin metal cable end	\$1,078.69
40826 Quinn Company	Generator Rental 7/29/2022-8/3/2022	\$13,594.44
40826 Quinn Company	Troubleshooting Generator #2	\$8,636.83
40827 SC Fuels	Fuel delivery - 08/30/2022	\$3,803.75
40828 Southwest Networks, Inc.	Labor charges - August 2022	\$688.75
40828 Southwest Networks, Inc.	New HP workstation for Dev. Serv. Supervisor	\$2,066.25
40829 Staples Advantage	New purchases - August 2022	\$352.35
40830 Superior Protection Consultants	Security services - August 2022	\$9,672.00
40831 Thomas Scientific	Printer paper pk of 5	\$74.08
40832 Underground Service Alert	Board fee - September 2022	\$58.38
40832 Underground Service Alert	Dig alerts - September 2022	\$218.25
40833 Univar Solutions	Sodium hypo delivery - 8/25/2022	\$12,579.01
40833 Univar Solutions	Sodium Bisulfite delivery - 08/25/2022	\$6,615.52
40833 Univar Solutions	Ferric chloride - 9/2/2022	\$2,430.56
202208311 Domino Solar LTD	Electricity - July 2022	\$8,973.15
202208312 Imperial Irrigation District	Electricity - July 2022	\$40,486.31
202208313 Standard Insurance Company	Life and Disability insurance - September 2022	\$1,627.26
202209011 De Lage Landen Financial Services, Inc	Lease payment sharp copier - August 2022	\$212.07
202209012 Imperial Irrigation District	Electricity - July 2022	\$370.35
202209021 Colonial Life	PR 07/22/2022 - 08/04/2022 PD 08/12/2022	\$995.33
202209021 Colonial Life	PR 08/05/2022 - 08/18/2022 PD 08/26/2022	\$995.33
202209041 Verizon Wireless	Telephone service - August 2022	\$996.20
202209061 Indio Water Authority	Water- July 2022	\$2,023.75
202209071 FedEx	Shipping charges - 8/23/2022	\$172.28

202209072 FedEx	Shipping charges - 8/30/2022	\$173.35
202209091 Paychex - Direct Deposit	PR 08/19/2022 - 09/01/2022 PD 09/09/2022	\$91,119.76
202209092 Paychex - Fee	PR 08/19/2022 - 09/01/2022 PD 09/09/2022	\$259.70
202209093 Paychex - Garnishment	PR 08/19/2022 - 09/01/2022 PD 09/09/2022	\$284.46
202209094 Paychex - Tax	PR 08/19/2022 - 09/01/2022 PD 09/09/2022	\$42,630.76
202209095 Empower (formerly Mass Mutual)	PR 08/19/2022 - 09/01/2022 PD 09/09/2022	\$10.00
202209096 Mission Square (formerly ICMARC / Vantage Point)	PR 08/19/2022 - 09/01/2022 PD 09/09/2022	\$1,570.00
202209097 Nationwide Retirement Solution	PR 08/19/2022 - 09/01/2022 PD 09/09/2022	\$1,813.00
202209098 CalPERS 457	PR 08/19/2022 - 09/01/2022 PD 09/09/2022	\$1,070.00
202209099 CalPERS Retirement	PR 08/19/2022 - 09/01/2022 PD 09/09/2022	\$22,701.11
202209101 SPOK, Inc.	Pager service - September 2022	\$24.96
202209102 Burrtec Waste & Recycling Svcs	Grit removal - August 2022	\$2,180.89
202209103 Burrtec Waste & Recycling Svcs	Trash service - September 2022	\$256.84
202209121 Frontier Communications	Telephone service - September 2022	\$337.13
202209131 Time Warner Cable	Telephone service - September 2022	\$1,169.61
	Totals	\$324,101.41



**Valley Sanitary District
Board of Directors Meeting
September 13, 2022**

TO: Board of Directors

THROUGH: Beverli A. Marshall, General Manager

FROM: Jeanette Juarez, Chief Administrative Officer

SUBJECT: Quarterly Investment Report for the Period Ending June 30, 2022

<input type="checkbox"/> Board Action	<input type="checkbox"/> New Budget Approval	<input type="checkbox"/> Contract Award
<input checked="" type="checkbox"/> Board Information	<input type="checkbox"/> Existing FY Approved Budget	<input type="checkbox"/> Closed Session

Executive Summary

The purpose of this report is to provide information regarding the District’s investments to the Board and the public.

Strategic Plan Compliance

This item complies with VSD Strategic Plan Objective 5: Long-Term Financial Strength.

Fiscal Impact

There is no fiscal impact from this report.

Background

The State of California Government Code section 53646(b) requires agencies to present to the Board of Directors a report of their investments on at least a quarterly basis. As of June 30, 2022, VSD had \$61.2 million invested in LAIF and \$1.06 million invested in CalTRUST.

CALTRUST					
Quarter	As of	Total Shares Owned	Portfolio Value	Variance	Variance (%)
Q4	12/31/2021	106,912.226	\$ 1,089,435.58		
Q1	3/31/2022	107,060.525	\$ 1,063,111.01	\$ (26,324.57)	-2.42%
Q2	6/30/2022	107,331.068	\$ 1,057,211.02	\$ (5,899.99)	-0.55%

LAIF					
Quarter	As of	Ending Balance	Interest Rate	Interest Earned	Variance
Q4	12/31/2021	\$ 49,468,513.07	0.23%	\$ 28,973.61	
Q1	3/31/2022	\$ 56,497,486.68	0.32%	\$ 42,560.42	\$ 13,586.81
Q2	6/30/2022	\$ 61,185,047.10	0.75%	\$ 106,285.31	\$ 63,724.89

Recommendation

Staff recommends that the Board review and accept the Quarterly Investments Report for the period ending June 30, 2022.

Attachments

Attachment A: Quarterly LAIF Report for Period Ending June 30, 2022

Attachment B: Quarterly CalTRUST Report for Period Ending June 30, 2022

California State Treasurer
Fiona Ma, CPA



Local Agency Investment Fund
 P.O. Box 942809
 Sacramento, CA 94209-0001
 (916) 653-3001

July 18, 2022

[LAIF Home](#)
[PMIA Average Monthly Yields](#)

VALLEY SANITARY DISTRICT

SECRETARY/TREASURER
 45500 VAN BUREN
 INDIO, CA 92201

[Tran Type Definitions](#)

Account Number: [REDACTED]

June 2022 Statement

Effective Date	Transaction Date	Tran Type	Confirm Number	Web Confirm Number	Authorized Caller	Amount
6/16/2022	6/15/2022	RD	[REDACTED]	[REDACTED]	JEANETTE JUAREZ	6,000,000.00

Account Summary

Total Deposit:	6,000,000.00	Beginning Balance:	55,185,047.10
Total Withdrawal:	0.00	Ending Balance:	61,185,047.10



CalTRUST
 PO Box 2709
 Granite Bay, CA 95746
 www.caltrust.org
 Email: admin@caltrust.org
 Fax: 402-963-9094
 Phone: 833-CALTRUST (225-8787)

Investment Account Summary

06/01/2022 through 06/30/2022

SUMMARY OF INVESTMENTS

Fund	Account Number	Total Shares Owned	Net Asset Value per Share on Jun 30 (\$)	Value on Jun 30 (\$)	Average Cost Amount (\$)	Cumulative Change in Value (\$)
VALLEY SANITARY DISTRICT	[REDACTED]					
CalTRUST Medium Term Fund	[REDACTED]	107,331.068	9.85	1,057,211.02	1,084,605.83	(27,394.81)
Portfolios Total value as of 06/30/2022				1,057,211.02		

DETAIL OF TRANSACTION ACTIVITY

Activity Description	Activity Date	Amount (\$)	Amount in Shares	Balance in Shares	Price per Share (\$)	Balance (\$)	Average Cost Amt (\$)	Realized Gain/(Loss) (\$)
		VALLEY SANITARY DISTRICT					Account Number: [REDACTED]	
Beginning Balance	06/01/2022			107,231.040	9.91	1,062,659.61		
Accrual Income Div Reinvestment	06/30/2022	985.28	100.028	107,331.068	9.85	1,057,211.02	0.00	0.00
Change in Value						(6,433.87)		
Closing Balance as of	Jun 30			107,331.068	9.85	1,057,211.02		

Please note that this information should not be construed as tax advice and it is recommended that you consult with a tax professional regarding your account.



2022 CalTRUST Closures

Please note that the CalTRUST Funds will be closed for trading on the following days:

Date	Holiday
—*—	New Year's Day
January 17, 2022	Martin Luther King, Jr. Day
February 21, 2022	Washington's Birthday
April 15, 2022	Good Friday
May 30, 2022	Memorial Day
June 20, 2022 (observed)	Juneteenth National Independence Day
July 4, 2022	Independence Day
September 5, 2022	Labor Day
October 10, 2022	Columbus Day
November 11, 2022	Veterans Day
November 24, 2022	Thanksgiving Day
December 26, 2022 (observed)	Christmas Day

EARLY CLOSURES:

April 14, May 27, July 1, November 25, December 23, and December 30



**Valley Sanitary District
Board of Directors Meeting
September 13, 2022**

TO: Board of Directors

FROM: Beverli A. Marshall, General Manager

SUBJECT: Cancel Community Engagement Committee Meeting on Tuesday, September 20, 2022, Due to Committee Members' Attendance at the Special District Leadership Academy in Napa, CA

<input checked="" type="checkbox"/> Board Action	<input checked="" type="checkbox"/> New Budget Approval	<input type="checkbox"/> Contract Award
<input type="checkbox"/> Board Information	<input type="checkbox"/> Existing FY Approved Budget	<input type="checkbox"/> Closed Session

Executive Summary

The purpose of this report is for the Board to authorize the cancellation of this regularly scheduled meeting.

Strategic Plan Compliance

This item complies with VSD Strategic Plan Objective 6.6: Improve Governance.

Fiscal Impact

There is a nominal savings from cancelling this meeting.

Background

The Community Engagement Committee is scheduled for the third Tuesday of every other month at 1:00 P.M. President Sear and Vice President Canero are the members of the Community Engagement Committee and will be attending the Special District Leadership Academy in Napa, CA from September 18 through 22 and will not be able to participate in the Committee meeting on September 20. A special meeting will be called based on their availability in early October.

Recommendation

Staff recommends that the Board of Directors cancel the Community Engagement Committee meeting scheduled for September 20, 2022.

Attachments

None



**Valley Sanitary District
Board of Directors Meeting
September 13, 2022**

TO: Board of Directors

FROM: Beverli A. Marshall, General Manager

SUBJECT: Presentation by Lystek on Potential Biosolids Management Project and Discussion

<input checked="" type="checkbox"/> Board Action	<input checked="" type="checkbox"/> New Budget Approval	<input type="checkbox"/> Contract Award
<input type="checkbox"/> Board Information	<input type="checkbox"/> Existing FY Approved Budget	<input type="checkbox"/> Closed Session

Executive Summary

The purpose of this report is to discuss the District’s processing and disposal of its biosolids and viable options for future reuse of this byproduct.

Strategic Plan Compliance

This item complies with VSD Strategic Plan Objective 2.1: Increase recycling and reuse of resources and byproducts.

Fiscal Impact

There is no cost from this discussion. The estimated project cost is \$2.8 million. The FY 2022-23 budget includes \$200,000 in Operations for hauling dewatered biosolids to Arizona.

Environmental Review

There is no requirement for CEQA at this stage. The appropriate CEQA actions will be conducted should the project proceed.

Background

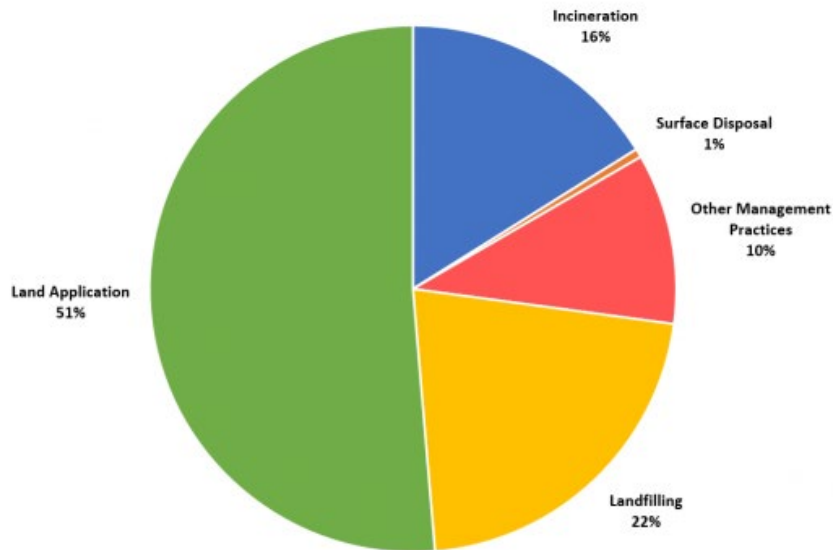
Solids removed during the wastewater treatment process results in biosolids. There are generally four allowable methods for disposal of this byproduct.

1. Land application – (the District’s current disposal method) biosolids are hauled to another site and prepared for use on allowable crops as soil conditioners.
2. Incineration – California no longer allows this except for a small number of agencies that have been grandfathered in for this method.
3. Landfilling – this method is going extinct in California due to zero waste goals.

4. Surface disposal – permanent stockpiling of biosolids if no identifiable use.
5. As a soil conditioner or fertilizer, biosolids are sought after because of its nutritional benefits.

Historically, the most widely used means for disposal of this byproduct is land application as soil conditioners or fertilizer for crops.

**Biosolids Use & Disposal from
Biosolids Annual Program Reports in 2019**



VSD hires a hauler to take the biosolids to Arizona where it is applied on crops identified as being able to accept it for this purpose. This option is becoming more difficult because of zero waste goals and more stringent regulatory requirements in California and Arizona. Over a 10-year equipment lifecycle, and assuming no changes in volume or hauling costs, eliminating this service would equate to a savings of \$2 million.

At its meeting on August 2, the Operations Committee discussed the options for biosolids reuse and recommended that a Lystek representative make a presentation to the full Board. After the presentation, the Board could then provide feedback and direction to staff on how to proceed with a biosolids management project.

Recommendation

Staff recommends that the Board receive the presentation by Lystek, discuss the potential project, and provide direction to staff.

Attachments

- Attachment A: PowerPoint Presentation by Lystek
- Attachment B: Biosolids Project Flyer
- Attachment C: Lystek Final Solution

More information about biosolids can be found on the EPA's website at: <https://www.epa.org/biosolids/basic-information-about-biosolids>.

VALLEY SANITARY DISTRICT PRESENTATION

James Dunbar, PE, General Manager,
California & US-West, Lystek International

September 13 2022

Lystek 

WHO We Are...LYSTEK

- Company started in 2000 (Canada) and expanded in US/California in 2014
- Founded on research for efficient, effective and economic biosolids solutions
- Staff is built around operations, in-house engineering, and administration support
- First commercial facility in 2008; California operations began in 2016
- 14 facilities (4 in US)

WHAT we are...

- Lystek THP: chemical (alkali), low-temperature/ non-pressure, physical hydrolysis technology
- Recover / re-use nutrients to a highest and best use; USEPA Class A standard and CDFA registered bulk fertilizer
- Product has been termed a “liquid compost” by our customers

WHAT we are...

- Fairfield and Goleta partnerships
- One of the largest advanced treatment facilities for biosolids/organics in California
- Fairfield design capacity of 150,000 wt/yr
- Goleta organics to energy research

WHERE we are...

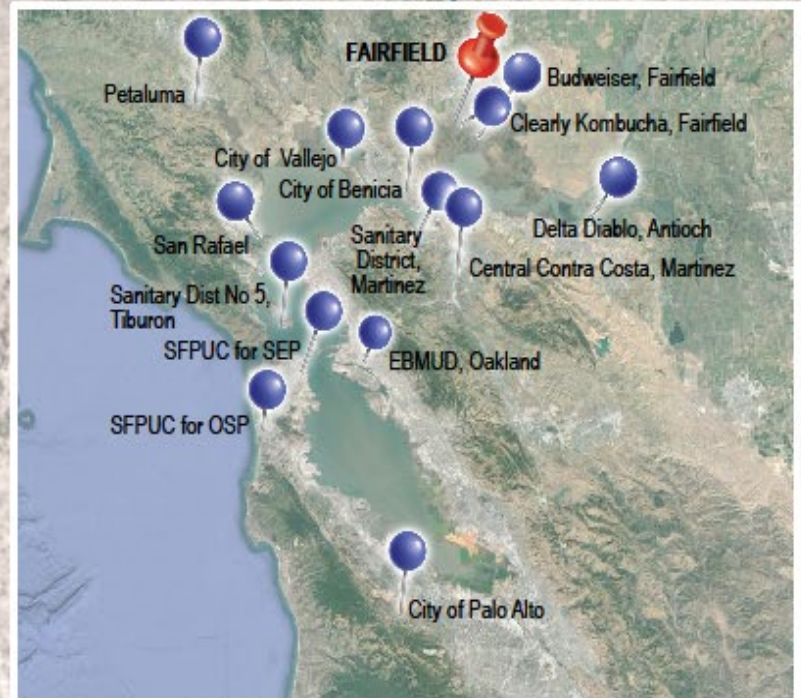
Coyote Valley Tribal Community

Gualala, Mendocino

Recology Sonoma, Healdsburg

Santa Rosa

Goleta



LEGEND



Technology Deployment



Regional Facility - OMRC
(Organic Materials Recovery Center)



OMRC Customer

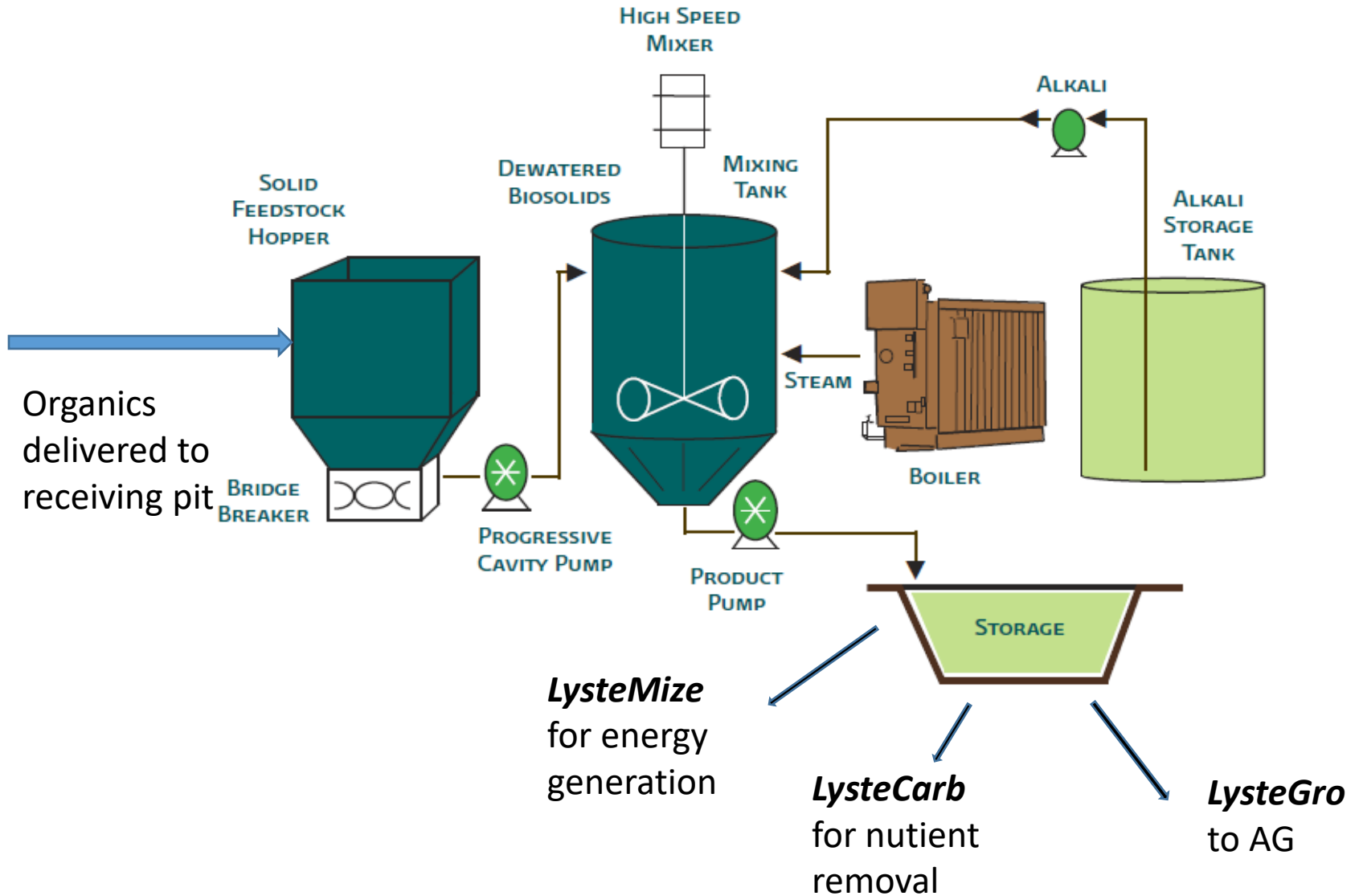
2022

CALIFORNIA, USA

LYSTEK TECHNOLOGY OUTPUTS

- Produces multi-purpose products:
 - **LysteGro**: Nutrient-rich biofertilizer – Class A (US EPA) & CDFA Registered – high organic matter & NPK
 - **LysteMize**: Digester re-feed enhancement to increase gas production (20%+) and reduce biosolid volumes (20%+)
 - **LysteCarb**: A cost effective, alternative carbon source for Biological Nutrient Removal

LYSTEK TECHNOLOGY



Lystek Land Application Equipment



LysteMIZE Digestion Enhancement

A multi-purpose, hydrolyzed product for Anaerobic Digester Enhancement:

- Re-feed 30% (or more) of product into AD
- Improves efficiency of digester performance
- Increases biogas yields by 20% or more
- Reduces biosolid volumes by 20% or more

COMMON VISION...SHARED GOALS

Lystek

VSD

Upgrade Biosolids Management
Increase Energy Potential
Expand Technology in Southern California
Reduce/Reuse/Recycle...don't destroy
Sustainable, Long-term Solution
Long-term security
Create and Sell Diverse & Marketable Products
Regional Solution Opportunity
Expand technology to other organic streams
Support local economy (jobs)
Class A and CDFA fertilizer
Regulatory Compliance

VSD + Lystek Partnership

- Options for project delivery (design/build/transfer or own & operate)
- Lystek provides end product marketing and land application services
- Work with local suppliers and engineers for implementation



VSD + Lystek Partnership

- Use existing assets and infrastructure as much as possible; reduces need for some permitting
- VSD and Lystek jointly develop the CEQA documents...can be completed in under six months
- Use of VSD/template contract documents
- Work as a single project team
- Project timeline is approx. 24 months

THANK YOU !!!

Questions

Answers

Discussion

The logo for Lystek is contained within a white circle with a green border. The word "Lystek" is written in a dark teal, sans-serif font. To the right of the text is a small green leaf icon. Below the company name, the tagline "Nothing wasted. Everything to gain." is written in a smaller, brown, sans-serif font.

Lystek
Nothing wasted.
Everything to gain.

Valley Sanitary District Sustainable Biosolids Management Project

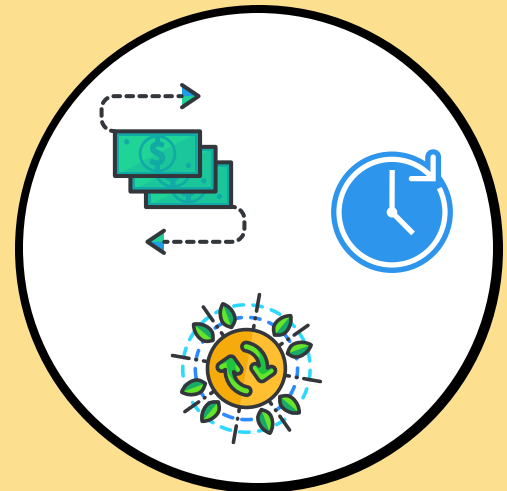


Challenges: Long-Term Solution

- Rising cost of hauling and permitting
- Diversion from landfill required
- Regulatory pressure to find beneficial uses
- Requires time and storage space
- No local or regional alternatives

Project: Organic Material Recovery

- High-quality crops and increased yields
- Enrich and condition soil
- Carbon reduces need for irrigation water
- Lower carbon footprint with local uses
- Low-cost compared to synthetic solutions



Step 1: Select Product & Partnership

- Liquid fertilizer for crop application
- Biochar for soil amendment
- Dry organic fertilizer.



Valley Sanitary District Sustainable Biosolids Management Project



Step 2: Project Design

- Identify site location
- Determine energy use and sources
- Design system for current and future needs
- Environmental and permit processes
- Community engagement

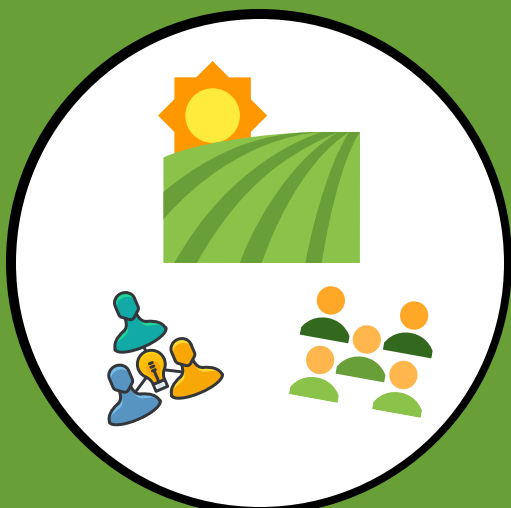
Step 3: Construction

- Continue current process during construction
- Engage local farmers and potential product users
- Run system in parallel with current process
- Dismantle outdated process after test phase completed



Step 4: Regional Expansion

- Approach local agencies for partnerships
- Develop regional partnerships through word-of-mouth and industry presentations
- Expand product availability outside of Coachella Valley





Valley Sanitary District, California
Biosolids Management Solution

Lystek 
Nothing wasted.
Everything to gain.

Valley Sanitary District, California

Biosolids Management Solution

Prepared For:

Beverli Marshall

Valley Sanitary District
45500 Van Buren Street
Indio, California, 92201

Prepared By:

Lystek International
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Contact Person:

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General Manager, Fairfield OMRC
Business Development Manager, Western
US
707-419-0084
jdunbar@lystek.com

Submitted: July 27, 2022



July 27, 2022

Beverli Marshall
General Manager
Valley Sanitary District
45500 Van Buren Street
Indio, CA 92201

Subject: **Concept Proposal for Biosolids Management Solution
Beneficial Use Services for Dewatered Biosolids**

LYSTEK INTERNATIONAL (Lystek) is pleased to submit the enclosed concept proposal in response to a request from Valley Sanitary District (VSD). This concept is to assist VSD management and staff in evaluating options for advanced treatment of biosolids and beneficial uses for biosolids-derived end products.

The California-based Lystek team has over 100 years of combined working knowledge of biosolids and residuals management as well as transportation logistics. The Lystek company was founded more than 20-years ago and has since grown into North America's leading provider of Thermal Hydrolysis Process solutions for the beneficial and sustainable management of biosolids and organics. We currently service over 55 biosolids/residual generators in our mutual effort to maximize resource recovery at each step of the operations. Our efforts to date have resulted in over 1.8-million tons of beneficial use end products being sold as a high-value agricultural soil amendment – benefiting farmers and ranchers. The award-winning Lystek system reduces costs, volumes and green-house gas emissions (GHG's) by converting municipal and industrial wastewater biosolids into a high-value, nutrient-rich biofertilizer (LysteGro®). Lystek has been providing high-quality services to the wastewater community in the San Francisco Bay Area since 2016 and has processed over 250,000 wet tons of biosolids since operations were initiated. Lystek's personnel have the expertise, experience, and ability to support the goals of VSD in evaluating viable options related to biosolids solutions.

The enclosed Lystek concept proposal includes the following:

- Technical Proposal which describes the type of technology that will be used to process, store and/or reuse the biosolids. General requirements include the management options, operating schedule, and capacity of the plant. Operating characteristics include the process methods, equipment, operating and contingency plans, and overview of permitting, environmental or regulatory restrictions.
- Team Organization and Qualifications describes the qualifications of Lystek and experience in performing similar work in size and scope.
- Financial Information including content indicating the financial strength of the Company

Lystek's goal since we began operations is to meet the challenges in moving forward to comprehensive biosolids solutions for the next generation. Our concept proposal is prepared with the belief that a cooperative partnership will result in the best possible solutions **technological – economical – performance** for Valley Sanitary District. This is based on the successful record that Lystek has built over the last 20+ years, including the 6+ years at the Fairfield, California facility. It is Lystek's desire to be a long-term partner with Valley Sanitary District as the management of biosolids becomes increasingly subject to regulations and restrictions on traditional practices.

In 2013, a Water Environment Federation (WEF) workshop report stated *"due to concerns with pathogens and odors, there is a distinct shift away from Class B land application and towards more advanced, Class A treatment options."* By requesting this concept proposal, the **Valley Sanitary District is taking a leadership and pro-active role in the safe management of biosolids by specifying a reuse in a beneficial way, producing a usable product, and/or usage of biosolids in an environmentally sound manner**, and ensuring that organic resources, such as biosolids, are utilized for sustainability and productive uses in local/regional markets.

Please feel free to contact me if there are any questions or follow-up requests.

Sincerely,

James E. Dunbar, P.E.
General Manager
LYSTEK INTERNATIONAL LIMITED
1014 Chadbourne Road
Fairfield, California 94534
707-419-0084
jdunbar@lystek.com

Attached: Concept Proposal

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- Appendix E – Conceptual Drawings
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- Appendix G – Technical Specifications Sheet
- Appendix H – Advantages of LysteGro

1 INTRODUCTION

The Valley Sanitary District was founded in 1925 and is governed by the California Sanitary Act of 1923. The District is a California Special District governed by a locally elected Board of Directors and is located in central Riverside County to serve primarily the City of Indio and limited surrounding areas. The VSD is planning to evaluate alternative solutions for biosolids management for the wastewater treatment plant in Indio. Presently, biosolids being produced are stored onsite. The previous practice of transportation of dewatered biosolids to remote sites for land application has been stopped due to cancelation of service provider contracts.

We understand that VSD has implemented anaerobic digestion as a part of its biosolids management process and plans to add an additional digester in the near future. This will allow for energy recovery (in the form of biogas production) and reduced overall solids management quantities. Biogas produced from the digester on site is currently being flared. An evaluation of post-anaerobic digestion solutions could allow for energy recovery (with digestion enhancement) and production of Class A quality biosolids-derived end products. This would ensure biosolids are managed in a sustainable way that has the capacity to meet the area's growing population. To meet this objective, we propose the implementation of a **Lystek THP® process** to treat VSD's biosolids and produce a concentrated liquid fertilizer, **LysteGro®**, while at the same time providing opportunities for green energy production with **LysteMize®**.

The Lystek team offers an unparalleled depth and breadth of experience in designing, constructing, and operating advanced biosolids resource recovery solutions. Our multi-disciplinary engineering team has a proven track record of delivering award-winning resource recovery facilities. We are pleased to provide this opportunity for VSD to build a reputation as an innovative regional leader in sustainability with a forward-thinking biosolids program. Our technology is proven, scalable and simple to operate and maintain while providing long-term solutions for biosolids management. Lystek is a Canadian owned company with its United States operations headquartered in California. We have more than 20 years of experience as the leaders in biosolids and organics management in North America.

One System. Multiple Benefits.

- ✓ Production of a **saleable fertilizer** – LysteGro providing a local resource to the agricultural community
- ✓ Comprehensive **fertilizer management services** with revenue sharing
- ✓ Operational advantages associated with a **liquid product**
- ✓ **Production of additional biogas** with LysteMize digestion for use on-site and potential off-site sale of green energy

We are excited to offer our proven Thermal Chemical Hydrolysis Process: Lystek THP. This technology leverages an innovative and proprietary combination of thermal, chemical, and physical processes to transform biosolids into a concentrated liquid fertilizer, LysteGro, at low life cycle costs compared to alternatives. Lystek THP has a small footprint and is modular and



scalable allowing for future growth. Lystek technology offers significant financial and environmental benefits including reduced greenhouse gas emissions and operational complexity. The technology is flexible and can accept a variety of feedstock materials including undigested and digested biosolids at a range of solids concentrations. We are flexible in our implementation approach and have experience with a variety of options including: DBOO (design, build, own, operate), DBT (design, build, transfer), and TES (Technology and Equipment supply) deployments of our solution.

VSD is an excellent geographic location for LysteGro fertilizer production and distribution. The LysteGro product is registered with the California Department of Food and Agriculture as a bulk fertilizer which is an acknowledgement of its commercial value as a high-nutrient fertilizer. We have significant demand for LysteGro from our customers in northern California and believe that this interest exists in close proximity to Indio. We sell more than 100,000 tons (25,000,000 gallons) of LysteGro annually in northern California, with demand continuing to outpace supply. With recent commercial fertilizer supply issues and price increases, VSD can play a significant role in assisting with the security of agricultural production in the region. In addition to this, implementing Lystek technology will contribute positively to GHG reduction while producing a valuable product for local farmers and allow for the potential to generate revenues and off-set operating expenses for VSD rate-payers.

Our approach and technology represent a proactive leading-edge solution that meets or exceeds current regulations. As part of our approach to partnering with agencies, we are pleased to offer our comprehensive LysteGro management service including product marketing and best practice use to provide VSD with program compliance, stability, and peace of mind. As VSD approaches its 100-year anniversary of existence, this would serve as an excellent opportunity to showcase its vision for a safe and secure future.

The details of this solution, including equipment specifications, operating parameters, and conceptual layout, are described below.

2 ABOUT LYTEK

Lystek is North America's leading provider of Class A thermal hydrolysis solutions for biosolids and organics management. We continue to grow at an ever-increasing rate, despite challenges the biosolids and organics management sector is facing. We remain independent and focused on providing technical and operational excellence to our partners and clients. If we need expertise outside of our core businesses, we team with experienced companies that provide synergies, not distractions, to meet our project goals and objectives. Lystek has successfully and sustainably scaled our operations across new geographical markets by growing our substantial in-house capabilities and developing strong industry relationships. We collaborate effectively with project teams to put the most effective offering forward to our customers. Lystek

- ✓ **Over 55 generators serviced**
 - ✓ **17 Lystek THP Modules operating world-wide**
 - ✓ **4 NEW facilities in design / construction**
- Over 1.8 Million tons of LysteGro biosolids produced and sold**



maintains long standing relationships with senior leaders in the engineering and consulting sectors to keep our operations at the forefront of technology advancement. We work in partnership with municipalities, wastewater treatment plants, and private sector clients to recover valuable nutrients from biosolids and other organic feedstocks.

Development of the patented [Lystek THP®](#) process began in 1998, spearheaded by industrial microbiologists at the University of Waterloo. Leveraging this strong foundation, and a consistent commercial growth trajectory, our organization now provides resource recovery solutions to more than 55 utilities world-wide, with more being added each year.

We service a range of small, medium, and large generators with both on and off-site solutions.

Our Canadian operations commenced in 2000 and deployment of Lystek technology currently services utilities such as Toronto, Guelph, Hamilton, and many others. Our Canadian flagship site, the Southgate Organic Materials Recovery Center (OMRC), is a large regional organics processing centre with an annual operating capacity of 165,000 wet tons. It has serviced over 30 Ontario generators since opening in 2013. Our flagship facility in the U.S., the Lystek Fairfield OMRC, is co-located at the Fairfield-Suisun Sewer District (FSSD) in California. Commissioned in 2016, this regional facility has the capacity to process 150,000 wet tons of biosolids and organic residuals annually. This facility receives digested and undigested third-party residuals from customers including the FSSD as well as outlying communities such as San Francisco, Santa Rosa, Petaluma, and Palo Alto. From 2016 when the facility opened until 2021, the facility has received and processed over 250,000 wet tons of biosolids, commercial organic sludges, and food/beverage organic liquids. This facility produces a Class A biosolids fertilizer that is beneficially applied to local land in an environmentally sound manner. A portion of the processed product is also designed to be recirculated through the FSSD's anaerobic digesters for volatile solids reduction and to optimize biogas production for energy recovery.

Our in-plant installations, such as in St. Cloud, MN, and Centre Wellington, ON, are fully integrated with the existing WWTP solids processing. These installations offer on-site, easy to-operate solutions that are economical and offer long-term program security. Our locations serviced in California can be seen below in [Figure 2-1](#).

See [Appendix A](#) for a summary of our installations and [Appendix B](#) for project case studies.





Figure 2-1 Map of Lystek's California customers

We are committed to long-term partnerships with our customers and leverage our expertise to offer comprehensive technology, design-build, product management, and communications and engagement support.

Lystek's management team offers proven national and international experience in the wastewater, organics, agriculture, and waste management industries to implement our technology and aid in developing long-term solutions.

In addition to wastewater generated biosolids, Lystek can receive waste/sludges from the food and beverage commercial sector. This type of material can be used in Lystek technology to capture the same benefits of organic nutrients in the final LysteGro product. Two feedstocks worth highlighting are waste sludges from the Budweiser Brewery (in Fairfield) and expired liquid concentrate from Blue Pacific Flavours (also in Fairfield). The Budweiser dewatered sludge is received daily (approximately 1,000 wet tons annually) and the Blue Pacific Flavours liquids are received in bulk on an as requested basis.

Lystek believes in the concept of maintaining locally developed resource recovery for local uses. We believe it is important to deliver resources to local users and offset the need for remote industrialization of chemical or hydro-carbon based fertilizers.

3 PROPOSED LYTEK SOLUTION FOR THE VALLEY SANITARY DISTRICT

We understand that the Valley Sanitary District is experiencing challenges related to year-round space for drying and service providers for the transportation of biosolids. In light of this, we propose the implementation of Lystek technology. In doing so, the Valley Sanitary



District can transition to a proven, sustainable, and long-term solution for biosolids management while creating a Class A biosolids fertilizer.

This proposed solution has been developed using the assumptions noted in [Table 3-1](#).

Table 3-1 Project Assumptions









Predicted biosolids generation rate:	1,135 dry tons/year
Operating hours per year:	2,080 (8 hours/day, 5 days/week)
LysteGro Class A fertilizer per year:	7,567 wet tons (assumed 15% solids)

*We propose one **LY10 THP Module** to meet the projected needs of the Valley Sanitary District.*

Note: the module has been sized to have a duty load of no more than 80% capacity.

3.1 PROJECT BENEFITS

Lystek THP will achieve multiple benefits for the Valley Sanitary District including:

-  Improvement of operational efficiencies.
-  Modular and flexible system allowing for expansion in processing capacity to accommodate future flows.
-  Production of Class A biosolids fertilizer LysteGro.
-  Comprehensive fertilizer management services with revenue sharing opportunities for the VSD.
-  Cost effective, sustainable fertilizer source for the agricultural community.
-  Operational advantages associated with a liquid product.
-  Fully automated and easy to operate system.
-  The ability to produce additional biogas for beneficial reuse on site.

3.2 LYSTEK THP®

Lystek THP is a unique, thermal-chemical hydrolysis process employing high-speed shearing, alkali, and low-pressure steam injection. The technology can process organic feedstocks to produce a multi-purpose, hydrolyzed product.

This process provides operational flexibility. Lystek THP has multiple product uses, including **LysteGro®** Class A biosolids fertilizer, **LysteMize®** digester enhancement process, and **LysteCarb®** alternative carbon source. The benefits associated with implementing this system and our comprehensive service offering are outlined in [Appendix C](#).

For a comparison of the differences and similarities between Lystek THP and alternative Class A biosolids processing and management options see [Appendix D](#).



3.3 INTEGRATION OF THE LYTEK MODULE

We propose the Lystek THP Module is incorporated at the end of the solids treatment train at the Valley Sanitary District in Indio, California.

Additional dewatering equipment to ensure biosolids enter the reactor at greater than 15% solids may be required. This will ensure the system is cost effective and allow the plant to realize the benefits of reduced residual volumes. The process flow schematic is outlined below in Figure 3-1. The dewatering equipment can be placed directly above the biosolids storage hopper, which reduces material handling capital and operating costs. This represents a significant avoided cost in conveyors, piping, and truck loading facilities. Dewatering equipment can be sourced and installed directly by the Valley Sanitary District or Lystek is experienced and can incorporate dewatering into the final design if requested.

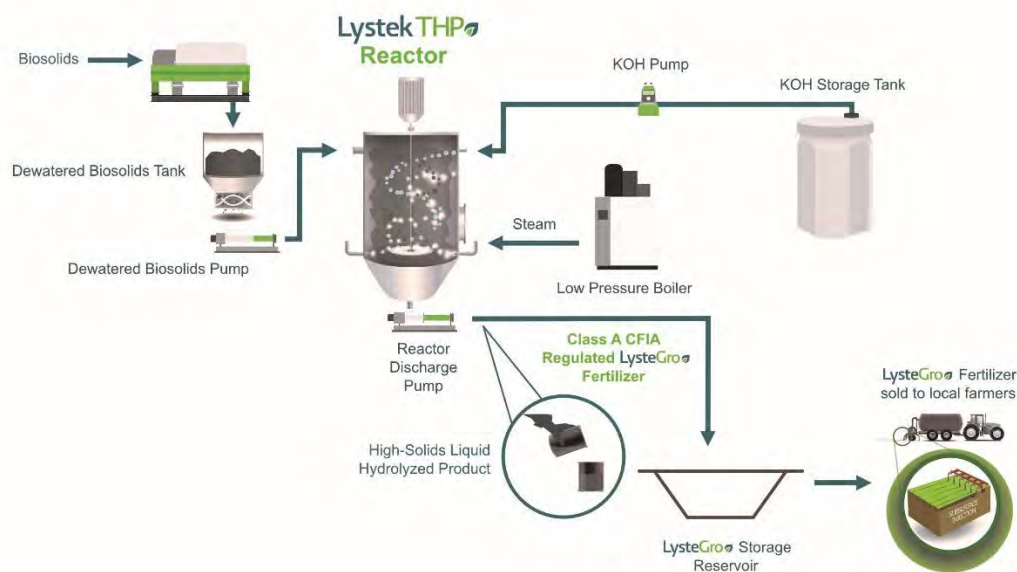


Figure 3-1 Lystek Process Flow Schematic

A conceptual facility layout has been included (Appendix E) to demonstrate the compact and modular nature of the Lystek THP system.

Note that this layout is a conceptual starting point and can be adapted to alternate geometries in order to suit the available real estate. We have experience integrating our system with both new builds and retrofitting existing infrastructure to accommodate the overall footprint.

The overall footprint is approximately 1,600 square feet for one LY10 Module.

In addition to the system as described above, an odor treatment system may need to be implemented due to the proximity of the plant to both residential and commercial areas. We are capable and willing to discuss options, expected costs, and our experience with odor control should it be determined that it should be implemented at this site.

3.4 PROCESS DESCRIPTION

Dewatered biosolids, ideally in the range of 16-18% TS, are fed into the dewatered biosolids storage tank and then pumped using progressive cavity feed pumps into the Lystek Reactor (see [Figure 2](#) for example installation).

Lystek THP technology requires feedstock at lower solids content compared to existing operations and other Class A treatment technologies, which will result in polymer cost savings. We have proven this approach in past projects with vendors such as Andritz, GEA, Alfa-Laval, and BDP as key project partners.

Within the Reactor, the combination low-pressure steam, potassium hydroxide (an agronomically valuable chemical), and physical shearing transform the material into a homogenized and pumpable high-solids content, liquid product.

The Reactor operates at atmospheric pressure and is insulated to reduce heat loss during processing and stand-by times. The Reactor operates in a semi-continuous mode, meaning that the Reactors are regularly filled to their working capacity while steam, alkali, and shear are applied. Following the confirmation of temperature and hold criteria to meet USEPA Class A biosolids requirements, the finished product, LysteGro, is discharged to storage on a continuous operating cycle to maximize the throughput of the system. The product is stored between application seasons. The newly processed material has a solids content in the range of 13-16% but has the physical properties of a low-solids liquid product that can be handled using conventional liquid pipes, pumps, and application equipment.

The characteristics and benefits of LysteGro biosolids fertilizer are outlined in detail in [Section 5](#) below along with an overview of our Product Management Services offering.

3.5 LYSTEMIZE ENHANCED DIGESTION

Should Valley Sanitary District wish to produce additional biogas on site, there is opportunity to do so with a LysteMize program using the hydrolyzed material produced from the same Lystek THP Module. This will have an added benefit of increasing volatile solids destruction and further reducing the residual volumes requiring management offsite.

The implementation of Lystek THP can increase the processing capacity of existing digesters by several mechanisms:

- 1) Particle size reduction, feedstock homogenization, and viscosity reduction due to treatment by Lystek THP can improve mixing dynamics in anaerobic digesters, which can improve digester kinetics.



Figure 3-2 Lystek LY10 Module installed with dewatered biosolids storage tank (left) and Lystek THP Reactor (right)



- 2) Lystek THP solubilizes carbon that would go otherwise undigested in anaerobic digesters creating additional biogas and eliminating solids.
- 3) Owing to product homogeneity, highly solubilized carbon, and enhanced activity, the hydrolyzed substrate will generate renewable biogas faster than unhydrolyzed material.

LysteMize can be implemented in either a refeed configuration or a storage configuration. In a refeed configuration as seen in [Figure 3-3](#) below, a portion of the hydrolyzed product is returned to the digester for additional degradation. In the storage configuration as seen in [Figure 3-4](#) below, the fertilizer storage tank roof is modified to create a fully anaerobic environment, which enables anaerobic digestion. Due to the nature of the hydrolyzed material from Lystek THP, there is no heating or mixing requirement to generate biogas in this configuration.

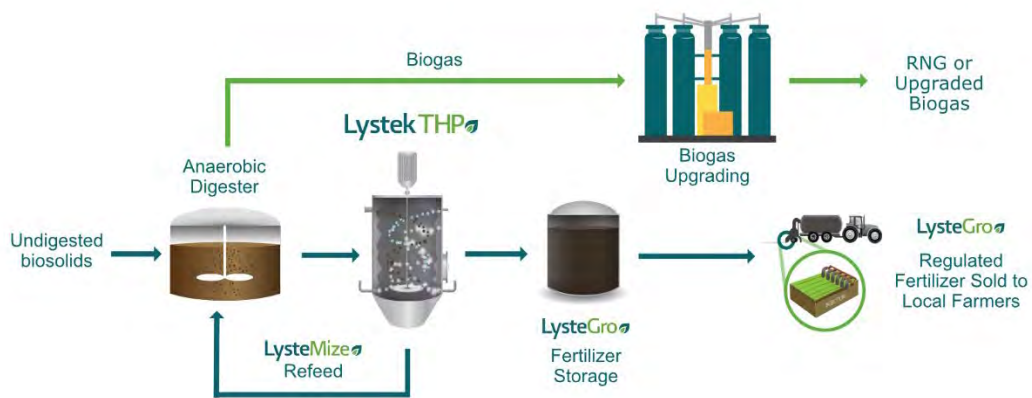


Figure 3-3 LysteMize Refeed Process Flow

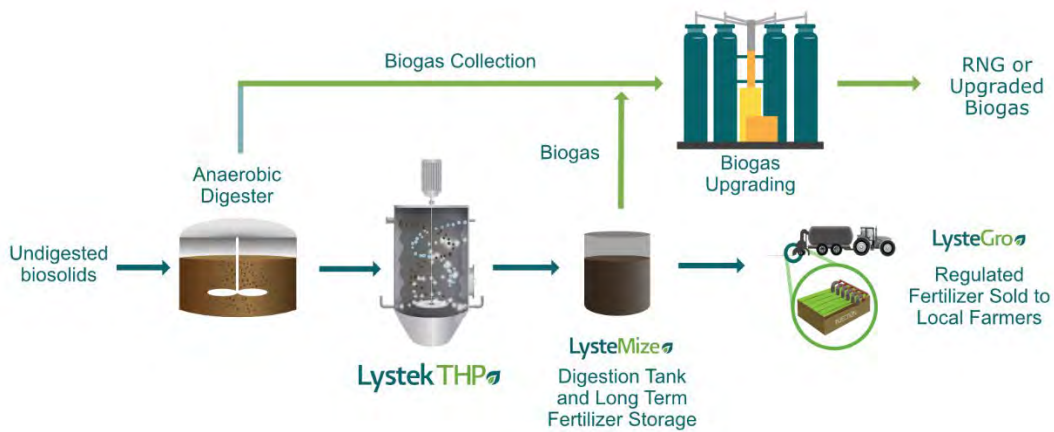


Figure 3-4 LysteMize Storage Process Flow

Information outlining an example of refeeding Lystek processed material into anaerobic digesters in Goleta, California can be found in [Appendix F](#).

3.6 GREENHOUSE GAS IMPACTS

Beneficial use of biosolids consistently allows for a smaller carbon footprint than other disposal oriented biosolids management practices. Land applying biosolids sequesters carbon in the soil and provides further GHG offsets with the replacement of synthetic nitrogen and phosphorous fertilizers. Considerations when comparing various land application programs include factors such as the finished product concentration, distance travelled to field, energy input associated with processing, chemical inputs, and application methods.

Lystek THP goes beyond the benefits of conventional land application, providing advanced treatment to transform biosolids and residuals into a high-quality concentrated liquid Class A US EPA-registered fertilizer in a very energy efficient manner. The process optimizes the energy inputs required for treatment and transportation of residuals by operating at a higher solids concentration, while maintaining the liquid properties of the material: essential for efficient processing, conveyance, transportation, and land application.

The only chemical addition in the treatment process, KOH, provides a beneficial addition of potassium to the fertilizer, and therefore offsets the use of mined potassium by the farmers.

Further GHG reductions could be realized by integrating the LysteMize process at the Valley Sanitary District to enhance biogas production.

While the exact mass of CO₂-equivalent GHGs avoided depends entirely on site specific processing and management conditions, we have always found our LysteGro operating scenarios to present net negative GHG emissions.

The major benefits of Lystek THP are centred on the liquid advantage, providing advanced treatment with an energy efficient process. Liquid processing is simple from an operational perspective, saves on processing costs, provides significant health and safety advantages, and benefits the overall fertilizer value (retaining the soluble nutrients), optimizing efficiencies, and GHG reduction.

3.7 SYSTEM OPERATIONS

Due to the highly automated and easy to operate nature of the system, minimal staff intervention is required. Under typical conditions operators need only monitor the system in the event of an alarm notification. This approach has been proven and confirmed throughout our existing in-plant deployments.

The processing parameters associated with this system are noted in [Table 3-2](#).

Table 3-2 Estimated Processing System Operating Parameters

Electrical consumption for processing	Average 60 kW-h per dry ton
Heat requirements for processing	Average 1,100,000 BTU per dry ton ¹
50 w/w% caustic potash solution	Average 170 lb per dry ton ²
Operating temperature set point	167°F / 75°C
Solids content – LysteGro product	13 - 16%
Viscosity – LysteGro product	6,000 – 10,000 cP



¹Dependent upon biosolids feed temperature into the Lystek Reactor

²Estimated based on average dosing rates for digested feedstock

Further information detailing the operating inputs of the Lystek THP solution can be found on the attached Technical Specifications Sheet, provided as [Appendix G](#).

3.8 PRODUCT STORAGE

Once the biosolids have been processed and transformed into LysteGro, they are pumped into enclosed storage. The material is stored in a contained environment to maintain product quality for our agricultural customers.

We have experience with above or below ground tanks, steel or concrete, retrofitting existing liquid storage tanks, as well as lined and covered reservoirs. Based on a previous site visit, we recommend an above-ground storage tank be placed in the area that is currently the concrete-lined basin used for drying solids on the East side of the facility as shown in the yellow circle in [Figure 3-5](#) below.



Figure 3-5 Product Storage Location

The concentrated and homogenous nature of the Class A biosolids fertilizer will provide the Valley Sanitary District with the operational security and flexibility they desire. Further, the homogenous nature of LysteGro eliminates the need for any decanting, mixing, aeration, or cleanout activities in the storage tanks and the capital and operational costs associated with this.

Given the land application seasonality typical for the region, we recommend the installation of a minimum of three months storage on site. While the exact tank dimensions will depend on design requirements, the outline represents what a 40 foot diameter tank would look like on site.

3.9 MAJOR EQUIPMENT LIST

We recommend one LY10 Lystek THP Module to meet the Valley Sanitary District in Indio's projected biosolids processing needs with operations completed in a 40-hour week. Redundancy will be achieved with extended operating hours.

Each Module includes the Lystek THP Reactor as well as the associated pumps, tanks, and supporting auxiliary systems. Listed below in Table 3-3 is the major elements associated with the proposed system.

Table 3-3 Proposed Equipment List for each LY10 Module

Element	Quantity	Function
Dewatered Biosolids Tank	1	Receives and stages dewatered biosolids from dewatering equipment
Dewatered Biosolids Pump	1	Progressive cavity pump feeds the Reactor
Lystek THP Reactor and Disperser	1	Transforms biosolids into CFIA regulated LysteGro biosolids fertilizer
Reactor Discharge Pump	1	Positive displacement pump transports LysteGro fertilizer from the Reactor to the LysteGro Storage
KOH Storage Tank	1	Double walled storage tank to store KOH solution
KOH Pump	1	Doses KOH solution to Reactor
Boiler	1	Low pressure boiler (<15 PSI) provide steam heat to the Reactor

As mentioned above, if additional dewatering or odor treatment equipment are determined to be required, the equipment list will be updated to reflect such changes.

4 PRODUCT MANAGEMENT

Part of our overall strategic approach is to provide a turnkey product and service offering to our customers. This includes management of the LysteGro product and all associated costs. Our team effectively manages large and small-scale LysteGro sales and application programs across North America.

Our team has the experience and expertise needed to develop and manage an effective and professional fertilizer marketing and application program for the region surrounding the Valley Sanitary District in the Indio, California area.

This section will provide an outline of the benefits of producing Class A biosolids and the approach we will use to manage the LysteGro marketing, sales, and distribution.

The Lystek THP system transforms biosolids and residuals into a Class A biosolids product that is pathogen free and in high demand.

4.1 LYSTEGRO® CLASS A BIOSOLIDS

The Lystek THP system transforms biosolids and residuals into a pathogen free, Class A biosolids product that is in high demand by the end customer. *LysteGro meets all criteria for Class A biosolids as classified by the US EPA.* This system and our product management methods have been designed and proven to maximize the value of the LysteGro for both the agricultural customer and utility.



Figure 4-1 Examples of LysteGro Hauling and Application Equipment.

LysteGro is a valuable fertilizer with proven performance as a commercial fertilizer replacement with predictable nitrogen, phosphorus, and potassium (NPK) values. LysteGro is pathogen-free, concentrated and remains fully pumpable with conventional liquid handling and application equipment. In addition to the macronutrient value, LysteGro is beneficial to farmers for several reasons, specifically:

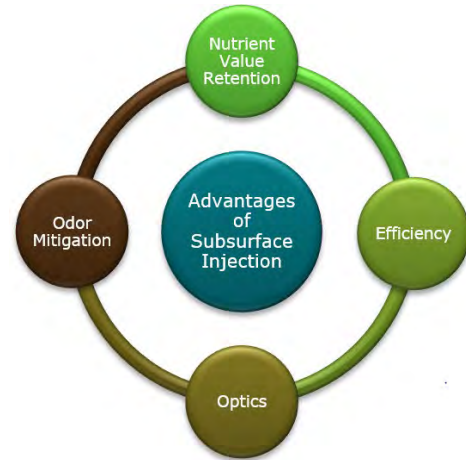
Cost Savings: We market LysteGro to farmers at an affordable price based on the macronutrient content of the material. Notably, LysteGro biosolids fertilizer contains added Potassium (K), a key nutrient that is present in only very low quantities in other biosolids, providing significant value to the farmer. Benefits of LysteGro application are realized over multiple years due to the slow-release nature of the nutrients in the product and improvements in soil health.

Micronutrients: Micronutrients important for crop growth, including calcium, sulfur, zinc, copper, and several others inherent in biosolids, provide the farmer with an affordable option for these nutrients that are expensive to purchase in the commercial fertilizer form. The value of micronutrients in LysteGro is not factored into the fertilizer pricing to the farmer, so this is an added benefit.

Organic matter: The addition of organic matter to soils will help to improve overall soil health, including improved water holding capacity, soil structure and tilth, increased microbial activity as well as increased resilience to severe weather conditions.

Lystek technology proudly makes use of 100% of the biosolids as feedstock to produce this award-winning fertilizer: there are no liquid or solid sidestreams from the Lystek processing technology. Lystek obtained registration of its end product as bulk fertilizer from the California Department of Food and Agriculture in 2016. Since opening the OMRC facility, Lystek has received approval from Solano, Yolo and Colusa Counties for year-round unrestricted LysteGro to be beneficially used without constraints imposed on traditional biosolids-based materials.

LysteGro is subsurface injected to increase soil contact, ensure maximum nutrient use efficiency, and mitigate odors and run-off potential. The in-field aesthetics and cleanliness of the injection operation that we employ is superior to alternative surface application methods. The liquid nature of LysteGro allows for loading and off-loading efficiencies as well as odor mitigation at the plant and throughout transportation.



The advantages of producing a high-solids liquid product and our approach to product management are described further in [Appendix H](#).

We will work with local and regional farmers, ranchers, and contractors to ensure LysteGro is hauled and applied based on our internal best management practices.

These requirements meet state and federal regulations for Class A biosolids and incorporate best management practices that are standard for the agricultural industry.

Since our first commercial scale plant was built in 2008, more than 1.8 million tons of LysteGro fertilizer has been produced. During that time, **Lystek has never landfilled any sludge, biosolids, or other organic residuals that were intended for processing at one of our commissioned facilities.** As a result, **we have sold and land applied every single ton of fertilizer we manage**, a record we are exceptionally proud of.

It is also well known that global supplies of phosphorus, a key ingredient in the manufacture of chemical fertilizers, are being rapidly depleted. There is therefore a role for Valley Sanitary District to play in helping to ensure that organic resources, such as biosolids, are beneficially utilized for agricultural sustainability.

4.2 MARKETING AND SALES

We have developed a proven and successful marketing program for LysteGro in North America. We are capable and willing to assume full responsibility for the fertilizer distribution program at the Valley Sanitary District in Indio and are currently performing this service for most of our customers.

The combination of our cost-effective technology and our ability to provide back-end product management offers a turnkey service to our customers. This full-service approach sets us apart from alternative technology providers.

We have invested significant resources into developing a professional product management team and the resources required to facilitate this. We employ agricultural professionals (Certified Crop Advisors, Professional Agrologists, etc.) who have an educational background

in environmental science and as a result, we understand and focus on both the needs of our agricultural customers and the importance of environmental stewardship.

*We have sold over
1,800,000 tons of LysteGro
in North America!*

To date, we have sold all LysteGro fertilizer (over 1,800,000 tons) we manage, and we intend to do the same with the product produced at the Valley Sanitary District.

With commercial fertilizer prices and demand for organic amendments from the agricultural sector expected to increase, the value of LysteGro fertilizer will continue to rise over time and have greater value to customers. This represents a built-in hedge against future rising management prices.

Over the next 20 years, these market trends will continue as society continues to prioritize resource recovery, soil health, and sustainability.

In summary, our approach to product management is to ensure that the material is handled and applied in the most effective manner possible to optimize the value of the material while also engaging the local agricultural community to demonstrate product value. This long-term strategy is proven to effectively develop a stable market of loyal customers who understand the value of the product and are willing to pay for it.

"After my first application of LysteGro, I saw immediate results in my pasture crop as compared to my field without the product. The Lystek staff are very accommodating to my schedule and easy to work with. The application equipment used was effective and had no negative impact on my existing operation."

Ryan Mahoney, Rio Vista Rancher

With Lystek as its partner, the Valley Sanitary District would have the option to leverage our proven successful approach or simply request our assistance, where required, to manage the product.

5 QUOTATION

5.1 LYSTEK THP TECHNOLOGY AND EQUIPMENT SUPPLY

Based on our current understanding of the needs of Valley Sanitary District in Indio, California we are pleased to offer one LY10 module a (equipment supply and technology licence) for one LY10 Module with accessories: **US \$ 2,785,000**

This is a preliminary estimate that would require additional information from the Valley Sanitary District for confirmation. The cost accounts for the technology licence, mechanical and electrical equipment, and software associated with the Lystek THP LY10 Module and is contingent on the project assumptions. This cost does not include installation, LysteGro storage, interconnect wiring and piping, utility connections, freight, or integration of the Lystek SCADA system into the overall facility SCADA. Additional dewatering equipment and odor control equipment may also be required as discussed previously in the proposal. These components would result in additional line items and an adjusted quotation from what is listed above.



This quotation is provided based on commodity and material pricing at the time of proposal delivery and is valid for 90 days.

The quoted price in this proposal has been calculated based on the current market prices required to manufacture the quoted equipment and services pursuant to regulations, duties and law in effect as of the date of this proposal. In the event that the introduction of new tariffs, levies, duties, regulations, or any type of legislation by a domestic or foreign government has the effect of increasing the price of the quoted equipment or services, Lystek reserves its right to adjust its quoted price in order to reflect these increases in cost. Nothing in this document or in any of the applicable contractual documentation shall be construed as a waiver of this right.

5.2 LYSTEGRO® MANAGEMENT FEE

This full-service offering includes all marketing, sales, hauling, and regulatory reporting requirements of the product. We ensure that all local, state, and federal regulations are adhered to along with Lystek's industry leading best management practices.

With more time to fully evaluate the potential market, we would be able to provide an accurate range for our expected LysteGro Management Fee. Should discussions progress on this opportunity, we will fully evaluate the market in the Indio, California area in order to provide a firm and accurate price.

Revenue Sharing Agreement

As part of the management contract for LysteGro, we will also offer a revenue sharing agreement to the Valley Sanitary District. Any revenue paid by the farmer for the product over and above an agreed upon selling price will be shared 50/50 between the Valley Sanitary District and Lystek. Revenue sharing allows the Valley Sanitary District to directly benefit from the production of a high-quality Class A biosolids fertilizer.

6 SUMMARY

We thank you for the opportunity to propose a Class A biosolids processing and management solution for the Valley Sanitary District in Indio, California.

This approach will enhance Valley Sanitary District existing biosolids management operations with a sustainable Class A biosolids program that will offer program security and economic stability and continue to recover the valuable nutrients found in these residuals. Our comprehensive program will be part of this sustainable and forward-thinking transition to a long-term solution. This solution can effectively meet and manage the Valley Sanitary District's current biosolids as well as being scaled to meet future needs.

This offer also includes comprehensive product management services to develop a long-term biosolids program in the region and ensure best-practice use of LysteGro. This offers Valley Sanitary District a hands-off, worry-free, and sustainable solution.

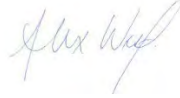
We look forward to working with the Valley Sanitary District to address their biosolids management challenges with an advanced, Class A solution that will be a model in the Region.

This will enhance resource recovery, operational and management efficiencies on site, and will set the Valley Sanitary District up for a sustainable solution that can easily accommodate increased flows or regulatory changes.

Thank you for your consideration. We look forward to future discussions.



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APPENDICES

Appendix A

Lystek Installations

Location (Commissioned)	Pop.	Volumes Currently Processed (DT/Y) ^{1,2}	Site Installation Details	Module Size	Feedstock	Lystek Products/ Processes	LysteGro Storage
Guelph, ON (2008)	132,000	2,500	On-Site - Retrofit	2 - LY6	Anaerobic Digested Biosolids	LysteGro, LysteMize	Modular Transportable Above Ground Storage Tanks
St. Marys, ON (2010)	7,300	240	On-Site - Retrofit	LY3	Originally: Anaerobic Digested Biosolids Current: Aerobic Digested Biosolids	LysteGro, LysteMize, LysteCarb	Below Ground Concrete Tank
Elora, ON (2014)	7,500	130	On-Site - Retrofit	LY6	Aerobic Digested Biosolids	LysteGro	Below Ground Concrete Tank
North Battleford, SK (2014)	14,300	490	On-Site - Retrofit	LY6	Aerobic Digested Biosolids	LysteGro	Retrofitted Reservoir – Lined & Covered
St. Thomas, ON (2018)	41,800	1,500	On-Site - New Build	LY6	Undigested Residuals	LysteGro	Above Ground Tank
St. Cloud, MN (2018)	120,000	1,500	On-Site - Retrofit	LY10	Anaerobic Digested Biosolids	LysteGro	Repurpose - Below Ground Concrete Tank
Innisfil, ON (2019)	36,500	555	On-Site - New Build	LY3	Aerobic Digested Biosolids	LysteGro	Retrofit - Above Ground Tank with Floating Cover
Goleta, CA (2019)	N/A	Demo / R&D	On-Site - Skid Unit	N/A	Source Separated Organics (UC Santa Barbara), Biosolids (Goleta Sanitary District)	LysteMize	N/A
South Huron Valley, MI (2022)	87,000	1,950	On-Site - Retrofit	LY10	Undigested Biosolids	LysteGro	Below Ground Concrete Tank

Design, Build, Transfer Installations

Location (Commissioned)	Pop.	Volumes Currently Processed (DT/Y) ^{1,2}	Site Installation Details	Module Size	Feedstock	Lystek Products/ Processes	LysteGro Storage
Sharjah, UAE (2022)	1.4 M	1,240	Off-Site – Container Module	LY3	Aerobic Digested Biosolids	LysteGro	N/A
Commerce Township, MI (Coming Soon!)	44,000	480	On-Site Retrofit	LY10	Undigested Biosolids	LysteGro	Above & Below Ground Concrete Tanks
Erin, ON (Coming Soon!)	12,000		On-Site	LY10	Undigested Biosolids	LysteGro LysteMize	Above Ground Steel Tanks

¹Approximate current volumes processed in dry metric tonnes per year

²Current site processing dependent upon hours of operation and regulated processing rates

**Customer references available upon request*

Location (Commissioned)	Module Size	Site Capacity (WT/Y) ¹	Site Details	Deployment Structure	Lystek Products/ Processes	Feedstock	LysteGro Storage
Southgate, ON (2012)	3 – LY10	165,000	Off-Site - Regional Facility, Greenfield	DBOO	LysteGro	Undigested / Digested Biosolids & Organics from Various Municipalities	Reservoirs – Lined & Covered
<p>Serving generators such as:</p> <ul style="list-style-type: none"> - Toronto, Halton, Hamilton, Kitchener, Guelph, Niagara, Orangeville, Tay Township, West Grey, Gravenhurst, Peterborough, Huntsville, Mississauga, Brantford, Arthur, Innisfil, Meaford, Owen Sound, Midland, Walkerton, Centre Wellington, Mono, Biox Ltd. 							
Iroquois, ON (2012)	1 – LY10	45,000	Off-Site - Regional Facility Upgrade	DBT	LysteGro	Undigested / Digested Biosolids from Various Municipalities	Below Ground Concrete Tank
<p>Serving generators such as:</p> <ul style="list-style-type: none"> - Ottawa, Toronto, Peterborough, among others 							
Fairfield, CA (2016)	2 – LY10	150,000	On-Site - P3 Regional Facility	P3 - DBOO	LysteGro, LysteMize	Undigested / Digested Biosolids from Various Municipalities	Reservoir – Lined & Covered
<p>Serving generators such as:</p> <ul style="list-style-type: none"> - Fairfield-Suisun Sewer District, City and County of San Francisco, East Bay Municipal Utility District, Santa Rosa, Central Marin Sanitation Agency, Petaluma, Benicia, Palo Alto, City of South San Francisco, Budweiser Brewing in City of Fairfield 							

¹Site capacity represented in wet tons (average 15% TS) per year

*Customer references available upon request

Appendix B

Case Studies

Addition of Lystek THP Extends Storage and Reduces GHG Emissions

Town of St Marys, Ontario

Lystek 
Nothing wasted.
Everything to gain.



St. Marys wanted to be at the forefront of wastewater treatment technology.

ABOUT

St. Marys is a Town located about 40 kilometers north of London, Ontario in Perth County, with a population of approximately 7,200 residents. www.townofstmarys.com

CHALLENGES

- Regulatory guidelines increased to require additional on-site biosolids storage capacity (240 days) for wastewater treatment plants
- Increasing costs for biosolids management
- Desire to improve environmental performance of existing plant facilities

SOLUTION

St. Marys WWTP selected Lystek THP as an advanced biosolids treatment technology, providing these benefits:

- Dramatic reduction in biosolids volumes and adherence to new regulatory guidelines for biosolids storage without adding new tanks

- Ability to develop an integrated sludge management plan, tying together biological nutrient removal (BNR), anaerobic digestion and Lystek THP to optimize nutrient recovery and reduce greenhouse gas (GHG) emissions
- Production of a Canadian Food Inspection Agency (CFIA, or Class A) regulated fertilizer from biosolids for use on local farmland
- Flexibility in process – Lystek THP produces fertilizer from digested or undigested sludges

RESULT

- Reduced biosolids volumes by up to 75%
- Optimized BNR process and anaerobic digestion, when operational
- Production of (Class A) biosolids fertilizer, even after removal of anaerobic digesters
- More than **15,000 tonnes** of fertilizer sold and applied to local farmland



KEY METRICS

Population Served: 7,200

WWTP Rating: 5,560 m³ / day (1.5 MGD)

Lystek THP Processing Footprint: 74 m² (800 ft²)

Lystek THP Module Size: 1 x LY3 (0.3 dry tons / hr)

Feedstock: Municipal biosolids (aerobically digested)

In 1990, the St. Marys wastewater treatment plant (WWTP) began operating with primary and secondary conventional activated treatment followed by anaerobic digestion of sludge. Digested biosolids were applied as a soil amendment to surrounding agricultural land from April to November. This non-agricultural source material (NASM or Class B) was stored over the winter.

Storage capacity at the WWTP became a concern when the Nutrient Management Act was amended in 2007, recommending 240 days of biosolids storage by 2009. With a maximum influent processing capacity of 5,560 m³ per day, the on-site storage capacity only provided about 90 days of storage.

In response to this and increasing influent volumes at the plant, the Town of St. Marys retained their engineering firm, GHD (formerly Conestoga Rovers and Associates) to evaluate alternative sludge management strategies at the plant. Ultimately, GHD recommended the town implement a management strategy that integrated BNR, anaerobic digestion, and Lystek THP, "We believed this combination would provide the town with the most cost effective solution when both capital investment and lifecycle costs are considered," confirmed Andrew Lugowski, P.Eng., Associate at GHD.

The Lystek system offered multiple benefits to the Town's wastewater process and biosolids management, including:

- Reduced biosolids volumes by concentrating the solids (dewatering to produce a 10-15% liquid compared with previous 3% solids NASM)
- Optimization of both biological nutrient removal and anaerobic digestion processes through re-feeding of Lystek-processed product (LysteCarb & LysteMize), further reducing biosolids volumes and improving efficiencies
- Production of a CFIA regulated fertilizer product from biosolids, which is sold to local farmers

Lystek THP was implemented at the St. Marys WWTP in 2012. Both the LysteMize and LysteCarb re-circulation options were implemented to enhance the BNR and

anaerobic digestion processes at the plant. Ultimately, the WWTP was able to increase the capacity of the existing storage tanks from 90 days to 300 days.

In 2015, the anaerobic digestion process was taken offline due to required infrastructure repairs. Lystek THP was able to continue processing biosolids at the WWTP that were not anaerobically digested and meet the same quality parameters for use as a fertilizer product (Class A biosolids). The Town elected to save cost on repairs to their digester, and continue operations without digestion, leaving Lystek THP as its primary biosolids process option.

Overall, implementation of Lystek THP at the St. Marys WWTP provided the Town with a stable and secure biosolids processing and management program. This technology extended capacity, life and optimizing various treatment processes, all while producing a saleable fertilizer (Class A biosolids) product. To date, the town has recycled more than 15,000m³ of LysteGro fertilizer produced from biosolids to local farmland.



About Lystek

Lystek is a leading provider of Thermal Hydrolysis solutions for the sustainable management of biosolids and organics. The multi-use, award-winning Lystek system reduces costs, volumes and GHG's by converting municipal and industrial wastewater treatment facilities into resource recovery centers. The technology transforms organic waste streams into value-added products and services, such as the patented LysteMize[®] process for optimizing digester performance, reducing volumes and increasing biogas production; LysteGro[®], a high-value, nutrient-rich fertilizer and LysteCarb[®], an alternative source of carbon for BNR systems.

Retrofit Creates Sustainable Biosolids Management Solution

Fairfield-Suisun Sewer District, California

Lystek

Nothing wasted.
Everything to gain.



Fairfield-Suisun Sewer District enters into a unique Public-Private Partnership (P3) with Lystek to bring first, comprehensive biosolids management solution to the San Francisco Bay Area.

ABOUT

Located about 40 miles north-east of San Francisco, the Fairfield-Suisun Sewer District (FSSD) services over 135,000 people and operates 70 miles of sewer, with 13 pumping stations within 48 square miles in central Solano County.

www.fssd.com

CHALLENGES

- High and rising costs for biosolids management; diversion from landfill required
- Regulatory pressures to move towards higher treatment and beneficial use
- Under-utilized assets and spacious site
- Lack of coordinated biosolids management solution for the Bay Area

SOLUTION

The Fairfield-Suisun Sewer District entered into a 20 year (+10) public-private partnership (P3) agreement with Lystek International Ltd. to develop a regional Organic Material Recovery Center (OMRC), implementing Lystek THP under a design-build-own-operate model, providing these benefits:

- Long term sustainable biosolids management solution with extended program security
- Production of a high-quality Class A biosolids product, registered as a bulk fertilizer with the California Department of Food and Agriculture (CDFA)
- Generate revenue and local jobs; establish a regional solution for other Bay Area utilities

RESULT

- Currently providing biosolids management solutions to more than 10 Bay Area utilities
- More than **250,000 tons** (as of 2021) of biosolids converted into fertilizer and applied to local farms
- Increased biogas generation through the LysteMize process



KEY METRICS

WWTP Rating (FSSD): 5,000 m³ / day (23.7 MGD)

Population Served: 135,000

Lystek OMRC Annual Capacity: 150,000 tons

Lystek THP Module Size: 2 x LY10

Lystek THP Processing Footprint: 2,500 sq ft.

Feedstock: Municipal biosolids (anaerobically digested, aerobically digested, undigested), anaerobically digested organic waste products, organic-based liquid materials and processed food-grade wastes

The FSSD oversees wastewater treatment and sanitary sewers in northern California's Solano County. Prior to engaging with Lystek, the District had been sending their biosolids to landfill for use as daily cover for decades. In the early 2010s, regulatory changes began to address organic materials in landfills, and it was clear that the State would be requiring biosolids to be diverted from landfills to beneficial use. In addition, the San Francisco Bay Area expressed the need to develop regional solutions for biosolids management.

FSSD has had a long history of looking for innovative solutions for its wastewater treatment program. In 2015, the District and Lystek International developed a public-private partnership (P3) project on-site at the FSSD wastewater treatment plant (WWTP). The partnership agreement allowed the development of the Fairfield Organic Material Recovery Center (OMRC) as a regional biosolids and organics management facility, owned and operated by Lystek, leveraging under-utilized infrastructure and assets at the FSSD plant. This facility became operational in 2016, for a duration of 20 years, with a 10-year optional extension.

The OMRC accepts organic residuals year round, produces a fertilizer product, **LysteGro®** using our patented Lystek THP technology, and stores the Class A fertilizer product onsite during inclement weather periods. LysteGro is sold and applied to agricultural soil throughout the year, as field conditions allow. The material is classified as a Class A biosolids by USEPA (Part 503 standards) and has received a bulk fertilizer registration by the California Department of Food and Agriculture (CDFA). This dual-designation has allowed LysteGro to be widely used and accepted by area farmers and ranchers as an alternative to synthetic fertilizers. The use of LysteGro is now accepted in multiple counties which have historically been restrictive to traditional Class B biosolids and land application practices.

The other major opportunity of the FSSD-Lystek partnership involves enhanced digestion and biogas generation. FSSD operates anaerobic digesters to treat wastewater solids and utilize the biogas for onsite co-generation (electricity plus heat for the digesters). This practice reduces the overall plant energy dependence on fossil-fuels sources. Through the LysteMize process, a portion of the Lystek THP hydrolyzed material can be re-fed to anaerobic digesters to increase volatile solids destruction and boost biogas yields. The LysteMize process began operations in 2019 at FSSD, refeeding processed biosolids from FSSD and third party generators to the digesters. Due to new California legislation related to organics diversion from landfills, generators of undigested biosolids who send their material to the OMRC are able to obtain diversion and recycling credits for the volumes processed with the use of the Lystek technology and enhanced digestion.

This successful P3 partnership between FSSD and Lystek has offered Bay Area agencies a reliable, sustainable and cost-controlled biosolids management solution. Generators now have a convenient resource recovery facility which produces and manages a Class A biosolids fertilizer and is capable of reducing GHG emissions through additional biogas recovery in the FSSD digesters. The successful LysteGro management program has sold and applied more than 350,000 tons (as of 2021) of CDFA registered fertilizer, and is in demand from area farmers and ranchers.



About Lystek

Lystek International, founded in 2000, is the leading provider of advanced, thermal hydrolysis solutions in North America, with operations Globally. Lystek is a full-service company offering technology supply and installation services, worry-free regional processing solutions, and comprehensive LysteGro sales and management services. Lystek THP® is proven across a range of small, medium, and large communities. We work with public and private sector clients to enhance operations, reduce GHG emissions, and recover valuable nutrients and carbon from biosolids and organic feedstocks through the production of increased renewable biogas with LysteMize® and LysteGro® Class A quality biosolids fertilizers.

Appendix C

Lystek THP Product and Service Offering

ABOUT LYTEK INTERNATIONAL

Lystek was founded in 2000 at the University of Waterloo, in Ontario Canada and is owned by the Tomlinson Group. We are a multi-award-winning organics processing and management company, with locations across North America.

Lystek has proven this technology and service offering across a range of small, medium, and large communities in North America. We work with public and private sector clients to enhance operations and recover valuable nutrients from biosolids and other organic feedstocks.

We work with our customers as long-term partners. Owning and operating our own facilities allows us to conduct ongoing commercial-scale research and development. In doing so, we continuously optimize our technology and processes to realize operational improvements. As part of our commitments to our customers, we share these enhancements to maximize their investment in the Lystek solution.

"It was unreal, how easy the deployment of this system was. This, combined with the small footprint, low cost and excellent support from the Lystek team - it was almost like the system was designed especially for our facility."

Stewart Schafer, Director of Utility Services, City of North Battleford



WHAT WE OFFER

Design-Build-Transfer, Technology & Equipment Supply

We have extensive experience working with generators and consulting engineers to design and build a solution that is ideal for each facility.

We have deployed our technology as new builds as well as retrofitted our Modules into existing infrastructure.

We are equipped to provide complete design-build-transfer services for generators looking to implement Lystek THP. We are also comfortable supplying our technology as part of a broader team.

Regional Solutions

We own and operate large regional Organic Material Recovery Centres (OMRCs) in Fairfield, California and the Township of Southgate, Ontario.

The OMRCs receive digested & undigested material (1-35% TS) from generators in the region. These facilities produce Class A quality biosolids fertilizer that is sold to the local agricultural market for beneficial use.

Contact us for more information about having your residuals processed at these facilities.

Comprehensive Product Management

We offer comprehensive product management services assuming full responsibility for the LysteGro fertilizer program for our in-plant installations.

Utilities can take comfort in knowing their biosolids are handled according to industry best management practices.

The combination of our cost-effective technology and product management service provides a turnkey solution our customers are satisfied with.

This full service approach sets us apart from technology vendors.

Lystek

Nothing wasted.
Everything to gain.

One System Multiple Benefits for Biosolids & Organics Management

Lystek THP® is an innovative and award-winning resource recovery solution with multiple benefits for biosolids and organics management.

Lystek's unique, physical-chemical thermal hydrolysis process uses a combination of high speed shearing, alkali, and low pressure steam in an enclosed Reactor to transform digested or undigested biosolids and/or organics into a multi-purpose hydrolyzed product.

The process disintegrates microbial cell walls and hydrolyzes complex macromolecules into simpler and readily biodegradable compounds. This provides operational flexibility, with multiple uses for process optimization and resource recovery:

- LysteGro® Class A Biosolids Fertilizer
- LysteMize® Anaerobic Digester Optimization
- LysteCarb® Alternative Carbon Source

This process transforms dewatered feedstocks, ideally in the range of 16 - 18% total solids, into a high-solids (13-16%) liquid product with a viscosity below 10,000 centipoise. This product is fully pumpable using traditional liquid processing, handling, and application equipment.

The system has a small footprint and is simple to operate, modular, and flexible. Lystek THP can be easily integrated into existing WWTPs typically at the end of the solids process train, with little to no disruption to other WWTP processes.

This process can be deployed as an on-site or off-site solution (regional facility) and is scalable to service small, medium, and large residual generators.

Due to the user friendly and easy to operate nature of Lystek THP, typically no additional operators are needed beyond existing staff and no specialized operator certifications are required.



BENEFITS:

- Recovers valuable nutrients & organics
- Energy efficient process
- Easy to operate and maintain, with no additional operators required
- Small processing footprint with ability to retrofit into existing infrastructure
- Comprehensive product management services
- Processes digested or undigested residuals
- Mitigates odors with an enclosed system
- Integrates easily with multiple resource recovery technologies

"Use of this proven technology and development of this project is playing an important role in capping operational expenses related to biosolids management. It also allows us to diversify our resource recovery options by leveraging existing, under-utilized infrastructure to generate additional revenues, further offsetting costs"

Greg Batruup, General Manager,
Fairfield-Suisun Sewer District



One System. Multiple Uses.

Lystek THP provides operational flexibility. By installing one THP Module, utilities can produce Class A quality biosolids fertilizer (LysteGro) and have the flexibility to recirculate the hydrolyzed material to enhance anaerobic digester performance (LysteMize) or be used as a supplemental carbon source for BNR (LysteCarb). This technology optimizes full-cycle resource recovery.

LysteCarb Alternative Carbon

Carbon is required to facilitate the removal of both Nitrogen (N) and Phosphorous (P) in biological nutrient removal (BNR) systems. When WWTPs do not have sufficient organic carbon in their incoming wastewater, a consistent, supplemental source of carbon is used to ensure reliable performance.

Lystek hydrolyzed biosolids can be used as a safe, cost-effective alternative carbon source. We call this product LysteCarb®. Not only does LysteCarb contain a much higher COD:N:P ratio than raw wastewater, but the material is also much higher in concentrations of readily biodegradable COD (SCOD). This product can thereby replace costly conventional chemicals such as methanol, glycerol, or acetic acid.

When recycled in BNR systems, LysteCarb provides readily available carbon for denitrification and Enhanced Biological Phosphorus Removal (EBPR).

Simply put, LysteCarb offers enhanced BNR system operations with a safer, cost effective source of carbon for enhanced biological denitrification and phosphorous removal. This process also reduces residual volumes requiring management.

LysteCarb and LysteMize Characteristics	
Soluble Chemical Oxygen Demand (SCOD)	40-50%
Total Chemical Oxygen Demand (TCOD)	105,000 - 150,000 mg/L
Volatile Fatty Acids (VFA)	10,000 - 15,000 mg/L

LysteMize Digester Optimization

Lystek THP solubilizes organic compounds, making the digested residuals more amenable to further biodegradation when re-fed to anaerobic digesters (AD). This is referred to as LysteMize®.

Lystek's hydrolyzed product contains 40-50% of the TCOD as SCOD, and significantly increased VFAs versus typical biosolids.

The addition of this substrate to the digester allows for quicker conversion to biogas. This not only improves the biodegradability of organic compounds in the hydrolyzed product that were not digested in the first pass through, but also enhances overall digester kinetics.

LysteMize enhances biodegradation of volatile solids by up to 20% and can increase biogas yields by up to 40%. This optimizes resource recovery and further minimizes residuals requiring management offsite.

LysteGro Biosolids Fertilizer

Lystek THP's cornerstone product is a pathogen free, high-solids liquid fertilizer product, called LysteGro®. LysteGro meets the US Environmental Protection Agency's (EPA) criteria for a Class A biosolids and the Canadian Food Inspection Agency's (CFIA) criteria for a registered fertilizer.

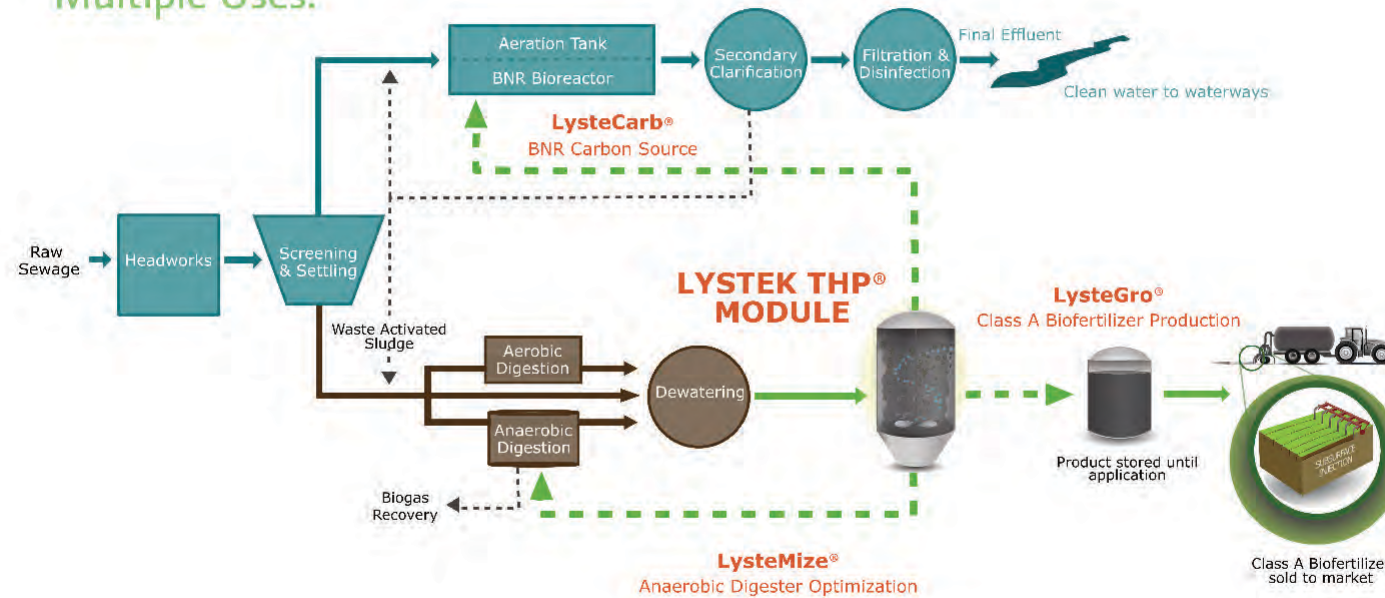
Growers value LysteGro because of the predictable NPK values, organic matter, soil incorporation and, most importantly, the fertilizer's performance.

Third-party studies have shown LysteGro can completely replace commercial fertilizers and result in superior crop yields.

LysteGro is injected into the soil subsurface during application to maximize nutrient use efficiency and mitigate odor and run-off potential. The in-field aesthetics and cleanliness of the injection operation that we employ are superior to surface application methods.

Our technology and product management services are proven to maximize value for both the end-user and generator. We have sold over one million tons of LysteGro, with market price continuing to rise. This rising fertilizer value can be used to offset utility's biosolids program costs.

One System. Multiple Uses.



Community Fertilizer Programs

- Long-term sustainable program
- Produce a valuable fertilizer
- Good value to local farmers
- Opportunity to offset program costs
- Closing the loop between generators and local agriculture

Advantages of a High-Solids Liquid Biosolids Fertilizer

- Simple, cost effective liquid pumping and storage systems
- Transportation loading and unloading efficiencies
- Odor mitigation with enclosed system
- Efficient and cost effective land application
- Maximizes carbon and nutrient value
- Mitigates risk of runoff and enhances environmental protection
- Improves in-field aesthetics with subsurface injection
- Quality fertilizer improves yields and reduces input costs



ABOUT LYTEK INTERNATIONAL

Lystek was founded in 2000 at the University of Waterloo, in Ontario Canada and is owned by the Tomlinson Group. We are a multi-award-winning organics processing and management company, with locations across North America.

Lystek has proven this technology and service offering across a range of small, medium, and large communities in North America. We work with public and private sector clients to enhance operations and recover valuable nutrients from biosolids and other organic feedstocks.

We work with our customers as long-term partners. Owning and operating our own facilities allows us to conduct ongoing commercial-scale research and development. In doing so, we continuously optimize our technology and processes to realize operational improvements. As part of our commitments to our customers, we share these enhancements to maximize their investment in the Lystek solution.

"It was unreal, how easy the deployment of this system was. This, combined with the small footprint, low cost and excellent support from the Lystek team - it was almost like the system was designed especially for our facility."

Stewart Schafer, Director of Utility Services, City of North Battleford



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Greg Batruup, General Manager,
Fairfield-Suisun Sewer District



Appendix D

Why Choose Lystek THP

WHY CHOOSE LYTEK THP®

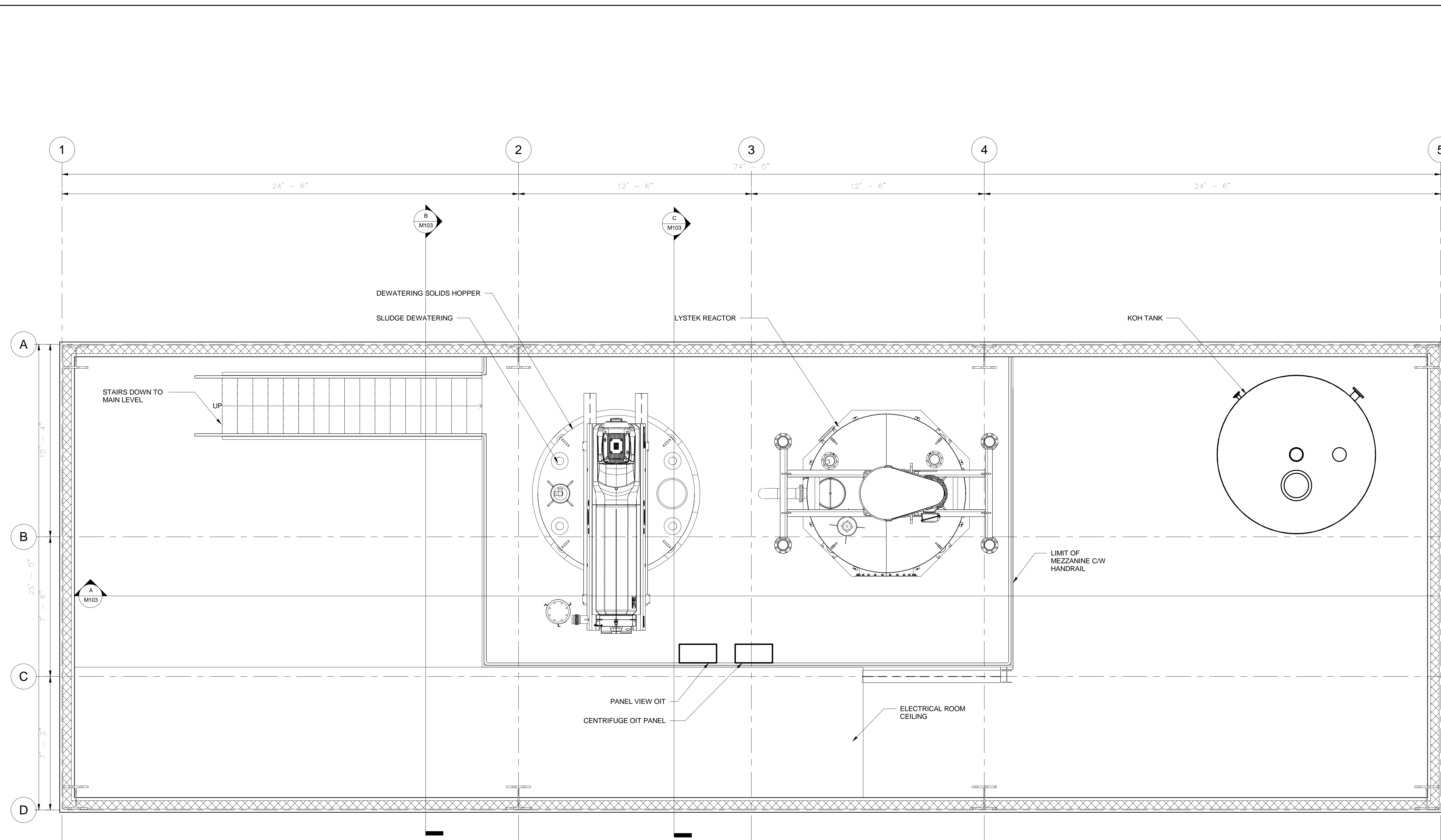
Comparing Lystek THP to Alternative Class A Treatment Technologies



	Heat Dried Pelletized Product	Alkaline Stabilized Dry Product	Compost	High Pressure THP	Lystek THP®
OPERATING BENEFITS					
No additional operators required	✗	✗	✗	✗	✓
Does not disrupt upstream processes	✓	✓	✓	✗	✓
Small processing footprint	✗	✗	✗	✗	✓
Rapid processing time	✗	✗	✗	✓	✓
Fully enclosed system, minimal process air	✗	✗	✗	✓	✓
No potential for dust generation	✗	✗	✗	✓	✓
Digester enhancement	✗	✗	✗	✓	✓
Multiuse carbon source for nutrient removal	✗	✗	✗	✗	✓
FERTILIZER PRODUCT BENEFITS					
Market ready fertilizer	✓	✓	✓	✓	✓
High solids liquid advantage	✗	✗	✗	✗	✓
Sub-surface injected	✗	✗	✗	✗	✓
Full NPK nutrient value	✗	✓	✗	✗	✓
Suitable for precision agriculture	✓	✗	✗	✗	✓
ECONOMIC BENEFITS					
Low capital cost	✗	✗	✓	✗	✓
Fertilizer revenue sharing options	✗	✗	✗	✗	✓
Reduced dewatering polymer consumption	✗	✗	✗	✗	✓
ENVIRONMENTAL BENEFITS					
Contributing to the circular economy	✓	✓	✓	✓	✓
Reduced energy inputs	✗	✗	✓	✗	✓

Appendix E

Conceptual Drawings



1 02-MEZZANINE
3/8" = 1'-0"

CONCEPTUAL

Automated Engineering Technologies Ltd.
 91A Duke Street, Guelph, Ontario N1E 5L1 (519)821-8644
 397 Romeo Street S., Stratford, ON, N5A 4V1 (519)273-9318 WEB: www.autoengtech.on.ca

No.	REVISION	DATE

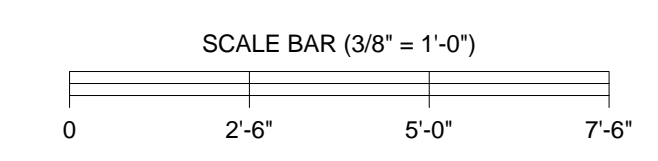
APPROVED BY:

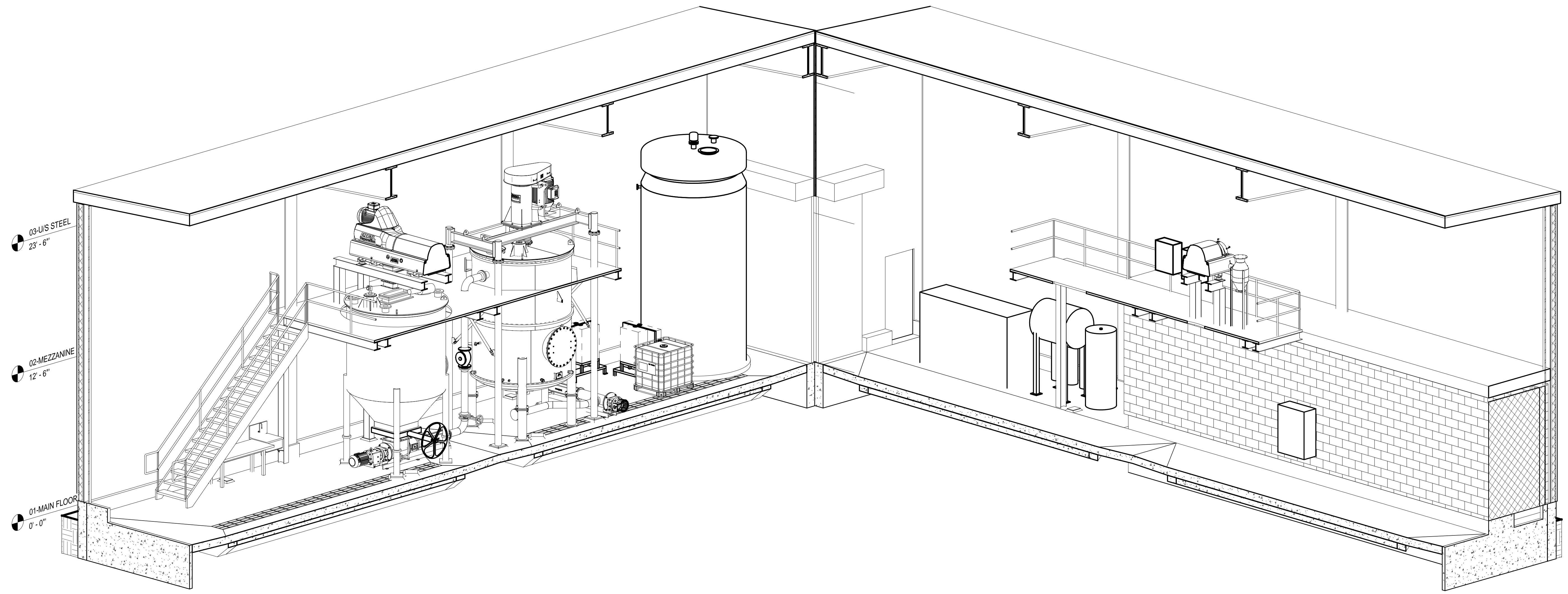
LYSTEK

LY10 ARRANGEMENT MEZZANINE LEVEL

Lystek International
 125 McGovern Drive, Unit #1
 Cambridge, Ont., Can., N3H 4R7
 Phone: 1-888-501-6508
 Fax: 1-888-501-7429
 Web: www.lystek.com

DESIGNED BY: T.P.	REVIEWED BY: M.B.	DRAWN BY: C.F.	DATE: 08/14/2020
SCALE: 3/8" = 1'-0"	PROJECT No. -	DRAWING No. M102	





CONCEPTUAL

Automated Engineering Technologies Ltd.
 91A Duke Street, Guelph, Ontario N1E 5L1 (519)821-8644
 397 Romeo Street S., Stratford, ON, N5A 4V1 (519)273-9318 WEB: www.autoengtech.on.ca

No.	REVISION	DATE

APPROVED BY:

LYSTEK

LY10 ARRANGEMENT ISOMETRIC VIEWS

Lystek International
 125 McGovern Drive, Unit #1
 Cambridge, Ont., Can., N3H 4R7
 Phone: 1-888-501-6508
 Fax: 1-888-501-7429
 Web: www.lystek.com

DESIGNED BY: T.P.	REVIEWED BY: M.B.	DRAWN BY: C.F.	DATE: 08/14/2020
SCALE:	PROJECT No. -	DRAWING No. M104	

Appendix F

EPIC Digestion/Co-Generation Demonstration Project

The Issue

Food and other organic material represents more than two-thirds of all landfilled waste annually in California (alone). An estimated six million tons of this is food waste. As it degrades in landfills, all of this material produces methane, a powerful greenhouse gas (GHG). In response to this growing problem, the State of California passed legislation to increase organics recycling by 50% over 2014 levels by 2020, creating an opportunity for innovative solutions with better uses for this organic waste to ease the burden on landfills and reduce GHG's.

The Project

Seeing an opportunity to contribute to the resolution of several challenges at once, Lystek International facilitated a partnership between the Goleta Sanitary District and the University of California, Santa Barbara with assistance from the California Energy Commission's Electric Program Investment Charge (EPIC) program.

The Lystek-Goleta Digestion & Co-Generation project will demonstrate that it is possible and economically viable to divert waste from landfills, make better use of these organic materials and create valuable products – including green energy.



The Partners

The partners have collaborated on an innovative project to process biosolids from the Sanitary District and food waste from UCSB, with the intention of performing additional, pilot testing with other organic materials. This initiative will also demonstrate how proven technologies can be leveraged to optimize the performance of existing anaerobic digesters at wastewater treatment plants as an alternative to landfilling.

The Benefits



Economy

A high-value end-product at low cost. The demonstration project will show that organic waste can be reliably and cost-effectively converted into a renewable fuel and a high-nutrient biofertilizer. Projects like this help to reduce the cost of climate change mitigation and support local economic development through new jobs.



Environment

Healthier people, healthier landfills. Diversion of organic material saves space in landfills while reducing greenhouse gas emissions. Properly managed organics processing is also a healthy and sustainable solution to public health and environmental risks posed by landfilling.



Energy

Biogas generated can be converted into green energy. Full-scale projects leveraging proven technologies that result in successful demonstrations can help reduce our dependency on fossil fuels and support alternative approaches to recover resources and produce sustainable energy.



Proven Technologies – Working in Unison

This demonstration project will show how, when combined into a single process train, proven technologies can work together to:

- Improve organic material processing – divert waste from landfill
- Optimize digester performance to reduce waste volumes and increase biogas generation for conversion to green energy
- Produce a Class A quality biofertilizer product

Step 1: Organic waste depackaging

The **Smicon SMIMO30** unit is a proven European technology for pre-processing source-separated organics into a high-quality feedstock for anaerobic digestion. It depackages and separates packaged food waste with 99% efficiency, preparing the organic food waste for digestion.



Step 2: Digestion

The small, agitated feed tank in this step is custom designed by Lystek. The digestion process also includes two 8m³ **anaerobic digesters**, and one digestate holding tank. The depackaged organic material is pumped to the digester feed tank, and the slowly fed to the anaerobic digesters. In the anaerobic digesters, biogas is produced and collected for conversion to energy. Digestate flows out of the digesters into the holding tank, where it is either discharged to the Goleta Sanitary District or held for further processing.



Refeeding of the Lystek-processed material into anaerobic digesters results in higher volatile solids breakdown, higher gas yields, and reduced biosolids volumes.

Step 3: Lystek Thermal Hydrolysis Process

The patented and proven **Lystek THP[®]** system leverages a combination of heat, alkali, and high shear mixing to achieve effective lysis (breakdown) of the biological material in biosolids and organic materials. The process hydrolyzes macromolecules into smaller molecules that are also amenable for further utilization as a carbon source and biodegradation in any biological media, such as soil, digesters or biological nutrient removal (BNR) systems.



This demonstration project will show how increased biogas generated during the digestion process can be converted into green energy. It also showcases how this unique technology can be utilized to stabilize the organic fraction and create a product that qualifies as a USEPA Class A quality biofertilizer product.

CONTACT

Recipient: Lystek International Ltd.
James Dunbar, General Manager
Phone: (707) 419-0084
Email: jdunbar@lystek.com

GRANT INFORMATION

Grant Amount: \$1,589,163
Co-funded Amount: \$1,500,000
Project Location: Goleta Sanitary District,
1 Moffett Pl, CA 93117, USA



Appendix G

Technical Specifications Sheet



Lystek 
 Nothing wasted.
 Everything to gain.

Lystek THP[®] Technical Specifications

About the Technology

Lystek THP[®], a low-temperature Thermal-Chemical Hydrolysis Process, is a sustainable solution to biosolids and organics management with full-cycle resource recovery.

Lystek THP transforms raw or digested residuals into a Class A quality biosolids fertilizer and multi-use hydrolyzed product. This technology provides operational flexibility with multiple product uses, including LysteGro[®] Class A biosolids fertilizer, LysteMize[®] digestion enhancement process, and LysteCarb[®] alternative carbon source.

Operating inputs are low pressure steam, high speed shearing, and alkali, all applied simultaneously in an enclosed Reactor.

One System. Multiple Benefits:

Lystek THP has a small footprint, is cost effective, efficient, and reliable.

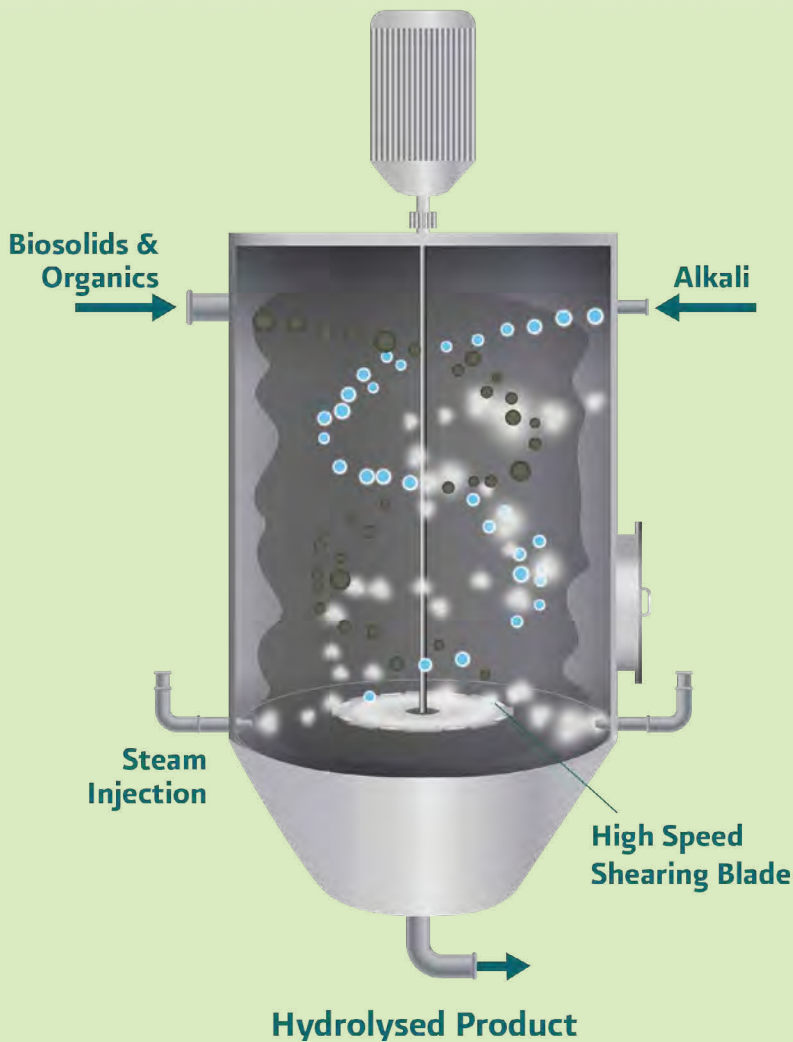
Modular design makes it scalable and easy to deploy (or retrofit). The system is fully automated and simple to operate and maintain.

Additional advantages include:

- Produces a marketable, high-solids liquid Class A quality fertilizer
- Optimizes anaerobic digestion; increasing biogas production for green energy while decreasing residual volumes through improved volatile solids reduction (VSR)
- Produces a safe, cost-effective alternative source of carbon for biological nutrient removal (BNR) systems
- Significantly reduces liquid biosolids volumes
- Augment to existing plants - does not disrupt existing processes
- Autonomous and efficient operations and easy to maintain
- Comprehensive, worry-free LysteGro product management services



Lystek THP[®] Reactor



- LysteGro[®] - Class A Biofertilizer
- LysteMize[®] - Digestion Enhancement
- LysteCarb[®] - Alternative Carbon Source

Moduleⁱ Sizing

Module size	LY3	LY6	LY10
Processing rate (dry tons per hour)	0.3	0.6	1.0
Nominal processing footprint ⁱⁱ (ft ²)	800	1,250	1,600

Key Operating Parametersⁱⁱⁱ

Electrical consumption	60 kWh per dry ton
Heat requirement ^{iv}	1,100,000 BTU per dry ton
50% liquid alkali solution ^v	120 - 200 lb per dry ton
Operating temperature	167°F
Solids content - processed product	13 - 16%
Viscosity - processed product	5,000 - 10,000 cP

Valuable End Products and Processes

LysteGro [®] biofertilizer	Pathogen free, nutrient-rich, Class A quality fertilizer
LysteMize [®] digestion enhancement	Increase biogas production and volatile solids reduction
LysteCarb [®] alternative carbon source	Eliminate use of costly chemicals (i.e. methanol or glycerol) used for BNR

- ⁱ Module includes the THP Reactor and associated process equipment.
- ⁱⁱ Minimum space required for processing equipment only (Module, alkali storage, boiler). Product storage and ancillary system requirements will vary by site conditions.
- ⁱⁱⁱ Operating parameters are estimates only and will vary according to site conditions, feed stock characteristics, and intended use of hydrolysed product.
- ^{iv} Dependent upon biosolids feed temperature into the Reactor. Heat requirements estimated based upon an average feed temperature of 60°F.
- ^v Typically potassium hydroxide (KOH).

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 lystek.com

Appendix H

Advantages of LysteGro



Advantages of LysteGro

Class A Quality, High Solids Liquid Biosolids Fertilizer

The Lystek Thermal Hydrolysis Process (**Lystek THP®**) technology produces a concentrated high solids liquid product, **LysteGro®**, that is considered a Class A biosolids in the US and a registered fertilizer with the Canadian Food Inspection Agency (CFIA) in Canada and with the California Department of Food and Agriculture (CDFA) in California. LysteGro has a solids content ranging from 13 – 16% with a viscosity below 10,000 centipoise. This means that it is fully pumpable using traditional liquid manure handling and application equipment.

There are several advantages to producing and managing a Class A quality, high solids liquid biosolids fertilizer.

Simple and Cost Effective Liquid Pumping and Storage Systems

Pumping LysteGro from processing to storage and from storage to truck loading is completed with standard pumps proven within the industry. This allows for rapid, familiar and low maintenance pumping operations, and accurate quantification of the volumes. Liquid solutions offer automation that is not possible with solid loading operations which often requires manned loading equipment. Concentrated liquid storage solutions reduce site footprint compared to solid options as storage tanks can be constructed with practically unlimited vertical storage capacity unbound by the slumping properties of dewatered biosolids.





Transportation Loading and Unloading Efficiencies

Depending on the site requirements, loading of tanker trucks can be completed quickly (5 – 10 minutes at larger facilities) and accurately. Additionally, the product can be transferred to the application tank in the field in as little as 5 minutes. The result is an efficient and clean program at both the facility and field sites with minimal staffing requirements.

Odor Mitigation with Enclosed System

From the point of production to application in the field, the product is contained within enclosed Reactors, piping systems, storage, tanker trucks, and finally the soil. Lystek THP generates minimal process air compared to dry alternatives, which require the evaporation of water and the liberation of odorous compounds that must then be captured and treated. This is a significant advantage when managing odor throughout the life cycle of the process.

Efficient and Cost-Effective Land Application

Due to the loading methods at the facility and in the field, LysteGro application programs are highly efficient. At the field, the product is injected into the soil subsurface, requiring only one pass over the field with the application equipment. This translates to less equipment, less staffing, and less time spent on fields as well as minimizes compaction risk and facilitates application into living crops.

Application Accuracy and Nutrient Use Efficiency

The application rate is controlled with flow meters to ensure it is placed evenly and accurately throughout the field. This provides confidence that the customer can rely on the material as a synthetic fertilizer replacement. This also creates opportunities for farmers to utilize their GPS technology to place the seed close (within 2" for example) to the band of LysteGro to optimize carbon and nutrient use efficiency. The sub-surface injection of the product minimizes nitrogen loss, maximizing the effective nutrient value of the product.

Environmental Protection

LysteGro is sub-surface injected, which increases soil contact and removes the risk of run-off. Additionally, because the material is concentrated there is a dramatic reduction in the overall water volume applied per acre versus traditional liquid programs. As a result, application above the hydraulic loading rate of the soil is not a concern with this product.

Improved Optics (Out of Sight, Out of Mind)

Injection of the product minimizes soil disturbance and the outcome is a professional job with little product on the soil surface, avoiding public nuisance and concern.

Value Proposition for the Farmer

The value proposition to the farmer is to provide a consistent quality product they can rely on to improve yields and reduce input costs. LysteGro is enhanced with potassium during the treatment process, adding further benefit to the farmer. The Lystek approach to fertilizer management is preferred by farmers compared with historical application methods, as it only requires one pass to inject and incorporate the product. Additionally, it is compatible with minimum till systems, which are rapidly growing in popularity in agricultural systems throughout North America.



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**Valley Sanitary District
Board of Directors Meeting
September 13, 2022**

TO: Board of Directors

THROUGH: Beverli A. Marshall, General Manager

FROM: Jeanette Juarez, Chief Administrative Officer

SUBJECT: Adopt Resolution No. 2022-1169 Approving the Valley Sanitary District Investment Policy

<input checked="" type="checkbox"/> Board Action	<input type="checkbox"/> New Budget Approval	<input type="checkbox"/> Contract Award
<input type="checkbox"/> Board Information	<input type="checkbox"/> Existing FY Approved Budget	<input type="checkbox"/> Closed Session

Executive Summary

The purpose of this report is for the Board of Directors to review and approve the Valley Sanitary District Investment Policy.

Strategic Plan Compliance

This item complies with the District’s Strategic Plan Objective 6.3.1: Review 10% of policies annually and update as needed.

Fiscal Impact

There is no fiscal impact from the recommended action.

Background

California Government Code Section 53646 requires that all public agencies adopt an investment policy and that the policy be reviewed and approved annually. The Policy was amended and approved by the Board of Directors at the August 16, 2022, meeting. However, staff later identified that a duplicate resolution number had been issued and therefore would require new approval.

Local Agency Investment Guidelines highly recommend that the internal treasury staff conduct a review at least annually. According to the California Debt and Investment Advisory Commission (2020), “an update in the investment policy is warranted if treasury staff’s review results in a material change in policy due to either a change in statute or a change in the agency’s goals and objectives for safety, liquidity and yield” (P.14).

The revised Investment Policy (Attachment B) has been updated to reflect the District's investment guidelines and conformed to meet California statutes governing local agencies.

Recommendation

Staff recommends that the Board of Directors adopt Resolution No. 2022-1169 amending the Valley Sanitary District Investment Policy and rescinding Resolution No. 2021-1151.

Attachments

Attachment A: Resolution 2022-1169

Attachment B: Investment Policy

RESOLUTION NO. 2022-1169

A RESOLUTION OF THE BOARD OF DIRECTORS OF VALLEY SANITARY DISTRICT ADOPTING THE DISTRICT'S INVESTMENT POLICY AND RESCINDING RESOLUTION NO. 2021-1151

The Legislature of the State of California has provided standards for governing bodies authorized to make investment decisions for local agencies, which are set forth in California Government Code 16429.1, 53600-53609, and 53630-53686 ("The Investment Act"); and

The Board of Directors of Valley Sanitary District may invest surplus monies not required for the immediate necessities of the District in accordance with the provisions of California Government Code Sections 5921 and 53601 et seq.; and

Section 53646 of the Government Code allows local agencies to annually approve a Statement of Investment Policy which has been prepared by the chief fiscal officer of such local agency; and

The Board of Directors of Valley Sanitary District have been presented with a Statement of Investment Policy, which is designed to conform with the requirements of the Investment Act; and

The Board of Directors Valley Sanitary District, with the aid of District staff, has reviewed the Statement of Investment Policy and wishes to approve the same.

The Board of Directors of Valley Sanitary District resolves that:

1. The Valley Sanitary District Investment Policy, attached as Exhibit A and incorporated by reference, is amended to conform with California statutes; and
2. Resolution No. 2021-1151 is rescinded.

ADOPTED this 13th day of September 2022, by the following roll call vote.

AYES:
NAYES:
ABSENT:
ABSTAIN:

Scott Sear, President

ATTEST:

Dennis Coleman, Secretary-Treasurer



**Valley Sanitary District
Board of Directors Meeting
September 13, 2022**

TO: Board of Directors

THRU: Beverli A. Marshall, General Manager

FROM: Anna Bell, Laboratory & Compliance Supervisor

SUBJECT: Consideration of Proposed Sewer Construction and Use Ordinance No. 2022-121; Rescission of Sewer Construction and Use Ordinance No. 2010-118 and Setting a Public Hearing Date to Receive and Consider Public Comments

<input type="checkbox"/> Board Action	<input type="checkbox"/> New expenditure request	<input type="checkbox"/> Contract Award
<input checked="" type="checkbox"/> Board Information	<input type="checkbox"/> Existing FY Approved Budget	<input type="checkbox"/> Closed Session

Executive Summary

The purpose of this report is for the Board to consider the proposed Sewer Construction and Use Ordinance No. 2022-121, rescind the previous order No. 2010-118 and set a Public Hearing date for public comment.

Strategic Plan Compliance

This item complies with VSD Strategic Plan Goal 6: Improve Planning, Administration and Governance.

Background

The Regional Water Quality Control Board (RWQCB) requires updates of the District’s guidance documents to maintain an informal pretreatment program. The updates should occur at least every 10 years to remain current with changes in permit requirements, regulatory changes, and industry best practices.

The Sewer Use Ordinance (SUO) provides the District with legal authority to implement an industrial pretreatment program through inspections, monitoring, permitting, prohibiting specific discharges, and enforcement.

The Sewer Use Ordinance (SUO) was revised to maintain consistency and remove conflicting language by incorporating the model EPA ordinance language and audit recommendations. Based upon the enforcement provisions in the SUO, the Enforcement Response Plan was updated to maintain uniformity with the 40 CFR 403 recommendations.

Recommendation

The Board of Directors set a public hearing for September 27, 2022, to receive public input on draft Ordinance No. 2022-121.

Attachments

Attachment A: Draft Notice of Public Hearing Notice

Attachment B: VSD Sewer Use Ordinance

**VALLEY SANITARY DISTRICT
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that the Board of Directors of Valley Sanitary District will hold a public hearing on a proposed ordinance amending existing regulations, and adding others, governing connection of sewerage facilities within the District boundaries to District facilities. The intent of the Ordinance is to update the District's regulations to promote maximum public benefit in compliance with Federal, state, and local regulatory agencies. The Ordinance allows the District to meet applicable standards for treatment of wastewater, to ensure quality biosolids as a product of treatment, and to protect air quality. By adopting the Ordinance, the District will:

1. Ensure that the sewerage facilities connected to the District's system protect the health, safety, and welfare of the public.
2. Prevent the introduction of pollutants into the District's sewerage facilities that may interfere with district operations by requiring designated users to have a pretreatment system.
3. Prevent exposure of the District's employees to chemical hazards created by industrial discharge by establishing an effective permitting, monitoring and enforcement program for the control of industrial wastewaters.
4. Clarify that enforcement actions may be applied to all system users.
5. Define public sewer, differentiate between public and private facilities and outline maintenance responsibilities of each.
6. Correct errors in numbering and references contained in the current Ordinance.

Copies of the Ordinance may be requested by calling (760) 238-5400. A fee for reproduction and mailing will be collected.

The Board of Director's hearing will be held Tuesday, October 11, 2022, at 1:00 p.m. in the District Office located at 45-500 Van Buren Street, Indio, California.

Dated: September 13, 2022

By order of the Board of Directors

Beverli Marshall, General Manager

Publish 09/27/2022

**VALLEY SANITARY DISTRICT
SEWER CONSTRUCTION AND USE ORDINANCE**



VSD

**ORDINANCE NO. 2022-###
Adopted: , 2022**

**VALLEY SANITARY DISTRICT
SEWER CONSTRUCTION AND USE ORDINANCE**

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VALLEY SANITARY DISTRICT
SEWER CONSTRUCTION AND USE ORDINANCE

INTRODUCTION AND SUMMARY

Valley Sanitary District was formed in 1925 and now provides for collection, treatment and disposal of wastewater generated by the City of Indio, a portion of the City of Coachella, some unincorporated areas of Indio and the adjacent Cabazon Band of Mission Indians. Recognizing the need to control the quantity and quality of wastewaters discharged to the sewerage facilities and establish standards for public sewers, the District's Board of Directors adopted ordinances regulating the construction and use of the sewerage systems. This Ordinance sets forth uniform requirements for Users of the District's sewerage facilities and enables the District to comply with all applicable state and Federal laws including the Clean Water Act (33 U.S.C. 1251, et. seq.), and many of the requirements of the General Pretreatment Regulations (40 CFR 403). The objectives of this Ordinance are:

- To ensure that sewerage facilities connected to, and a part of the District's sewerage system provide for the maximum public benefit by meeting the District's standards.
- To ensure the District's compliance with the requirements of Federal, state, and local regulatory agencies and the National Pollutant Discharge Elimination System (NPDES).
- To prevent the introduction of pollutants into the District's sewerage facilities that may interfere with District operations, including but not limited to blockages caused by solids or fats, oils, and grease (FOG) or pollutants that contaminate the resulting sludge.
- To prevent the introduction of pollutants into the District's sewerage facilities that may pass through the District's sewerage facilities, inadequately treated, into receiving waters or otherwise be incompatible with the sewerage facilities.
- To ensure that the quality of the biosolids generated during treatment is maintained at a level that allows their use and disposal in compliance with applicable statutes and regulations.
- To improve the opportunity to recycle, reuse, and conserve non-renewable resources.
- To require waste minimization and material substitution by Industrial Users.
- To prevent exposure of the District's employees to chemical hazards created by industrial discharges.
- To establish an effective permitting, monitoring, and enforcement program for the control of industrial wastewaters.
- To equitably allocate treatment costs.

This Ordinance shall apply to all Users of the District's sewerage facilities. The Ordinance authorizes the issuance of Wastewater Connection Permits and Wastewater Discharge Permits; authorizes monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires Industrial User reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

Discharge to the sewer is a privilege and not a right. The privilege to discharge is controlled by this Ordinance. Individual control of a discharge is through the issuance of a permit. Issuance of a permit must be followed by enforcement of its provisions. Therefore, if a permit is issued, then the District is committed to make sure that the User follows the permit conditions or after working with the User to

come into compliance, revoking the privilege and disconnecting sewer services.

Users of the District's sewerage facilities include a wide range of commercial and industrial facilities. While all Users are subject to the regulations contained herein and required to have a connection permit, only a few types of facilities require discharge permits. Of the five types of permits, two will be the most common. Class I Permittees are those whose discharge is likely to have an adverse effect on the District's sewerage system if not properly controlled. These dischargers may be federally regulated industries such as metal finishers, a discharge greater than 25,000 gallons per day such as a bottling plant, or they may discharge a regulated constituent in a quantity that may cause a problem in the District's collection or treatment facilities such as a grease recycling facility. Among other conditions, the permit may require the user to meet certain discharge limits and perform monitoring of its own discharge to establish that it is in compliance with applicable discharge limits.

Other commercial or industrial facilities such as food service establishments, radiator shops, and laundromats may be required to obtain a General Discharge Permit or a Class II discharge permit. These types of facilities will only be required to obtain a permit if the District suspects or knows that the discharge from a certain class of business is adversely affecting the District's sewerage facility. For example, if grease from food service establishments is causing a problem in the collection or treatment system, the District may decide to require all food service establishments to obtain permits. The permit may require proof of a properly sized and periodic maintenance of the grease interceptor. If the problem is not mitigated, the District may require discharge testing to prove compliance with a discharge limit.

Enforcement of the Ordinance is designed to allow those industries willing to comply to do so with an understanding from the District. Normally, if the User is cooperative, the District will work with the User to bring it into compliance with permit conditions taking the User through a series of stepped-up enforcement. However, the Ordinance is also flexible so that when extreme or hazardous conditions exist, the District can immediately stop the discharge from causing damage to the District's facilities.

**AN ORDINANCE OF THE BOARD OF DIRECTORS OF
VALLEY SANITARY DISTRICT
ESTABLISHING WASTEWATER DISCHARGE
REGULATIONS ORDINANCE # 2022-###**

The Board of Directors of Valley Sanitary District, California do hereby ORDAIN:

Section I: Wastewater Discharge Regulations governing the use of District sewerage facilities are hereby enacted to provide:

**ARTICLE 1
GENERAL PROVISIONS**

101. AUTHORIZATION

This Ordinance is enacted pursuant to authority contained in the Sanitary District Act of 1923, California Health and Safety Code, Sections 6400 et seq. and exercises authority conferred by law including, but not limited to, Health and Safety Code Sections 5400 through 5474, and California Government Code, Sections 54725 through 54740.6

102. PURPOSE AND POLICY

- A. The purpose of this Ordinance is to provide for the maximum public benefit from the use of District's facilities. This shall be accomplished by regulating sewer use and wastewater discharges, by providing equitable distribution of costs in compliance with applicable Federal, State, and local Regulations, and by providing procedures that will allow the District to comply with requirements placed upon the District by other regulatory agencies.
- B. This Ordinance shall be interpreted in accordance with the definitions set forth in Section 103. The provisions of the Ordinance shall apply to the direct or indirect discharge of all liquid wastes carried to facilities of the District.
- C. To comply with Federal, State, and local policies and to allow the District to meet applicable standards of treatment plant effluent quality, biosolids quality, and air quality, provisions are made in this Ordinance for the regulation of wastewater discharges to the public sewer. This Ordinance establishes quantity and quality limits on all wastewater discharges that may adversely affect the District's sewerage systems, processes, effluent quality, biosolids quality, air emission characteristics, or inhibit the District's ability to beneficially reuse or dispose of its biosolids or meet biosolids discharge criteria. It is the intent of these limits to improve the quality of wastewater being received for treatment and to encourage water conservation and waste minimization by all users connected to a public sewer. It is the District's intent to limit future increases in the quantity (mass emission) of waste constituents being discharged. This Ordinance also provides for regulation of the degree of waste pretreatment required, the issuance of permits for wastewater discharge and connections and other miscellaneous permits and establishes penalties for violation of the Ordinance.
- D. Since the District is committed to a policy of wastewater reclamation and reuse as an alternate source of water supply, the implementation of programs for reclamation through wastewater treatment processes may necessitate more stringent quality

requirements on wastewater discharges. In the event that more stringent quality requirements are necessary, the applicable Ordinance will be amended to reflect those changes.

- E. Since the District is committed to a policy for the beneficial use of biosolids, the implementation of programs to land-apply or provide for the marketing and distribution of biosolids may necessitate more stringent quality requirements on wastewater discharges.
- F. Since the District is also committed to meet applicable air quality goals established by the South Coast Air Quality Management District, more stringent quality requirements on wastewater discharges may be required to meet such goals.

103. DEFINITIONS

- A. Unless otherwise defined herein, the testing procedures for waste constituents and characteristics shall be as provided in 40 CFR Part 136 (Code of Federal Regulations; Title 40; Protection of Environment; Chapter I, Environmental Protection Agency; Part 136, Test Procedures for the Analyses of Pollutants), or as specified.

Other terms not herein defined are defined as being the same as set forth in the current editions of the California Building Code and California Plumbing Code.

- 1. Applicant shall mean the person making application for a connection permit for a sewer or plumbing installation and shall be the owner, or authorized agent of premises to be served by the sewer for which a permit is requested.
- 2. Authorized or Duly Authorized Representative of the User:
 - a) If the User is a corporation:
 - 1) The president, secretary, treasurer, or a 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 ensure 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 general discharge 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 1 through 3 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 for the company, and the written authorization is submitted to the District.
3. Best Management Practices (BMPs) shall mean the schedule of activities, prohibition of practices, maintenance procedures, and other management practices to implement the prohibitions listed in 40 CFR 403.5 (a)(1) and (b). BMPs also include treatment requirements, operating procedures, and practices to control site runoff, spillage or leaks, sludge or waste disposal, or drainage of raw materials storage.
 4. Biochemical Oxygen Demand (BOD) shall mean the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20 degrees centigrade, usually expressed as a concentration (e.g., mg/l)..
 5. Biosolids shall mean a primarily organic solid product, produced by wastewater treatment process that can be beneficially recycled.
 6. Board shall mean the Board of Directors of Valley Sanitary District.
 7. Building shall mean any structure used for human habitation or a place of business, recreation or other purpose.
 8. Building Drain shall mean the part of the lowest piping of a drainage system that receives the discharge of sanitary waste from drainage pipe inside the walls of the building and conveys it to the private sewer lateral beginning two feet outside the building wall.
 9. Building Sewer See Private Sewer Lateral.
 10. Bypass shall mean the intentional diversion of wastestreams from any portion of an industrial user's treatment facility.
 11. Categorical Pretreatment Standards or Categorical Standard shall mean any regulation containing pollutant discharge limits promulgated by the U.S. EPA in accordance with Sections 307(b) and (c) of the Clean Water Act (33 U.S.C. 1317) that apply to a specific category of industrial users and appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.
 12. Chemical Oxygen Demand (COD) shall mean the measure of chemically oxidizable material in domestic or other wastewaters as determined by appropriate testing procedure and expressed in terms of milligrams per liter.
 13. City shall mean the cities of Indio or Coachella, California, as served by the District.
 - 14.


15. Code of Federal Regulations (CFR) shall mean the codification of the general and permanent regulations published in the Federal Register by the executive departments and agencies of the Federal Government.
16. Composite Sample shall mean a collection of individual samples obtained at selected intervals based on an increment of either flow or time. The resulting mixture (composite sample) forms a representative sample of the wastestream discharged during the sample period. Samples will be collected when manufacturing, processing, or other industrial wastewater discharge occurs.
17. Connection Permit shall mean a permit issued by the District, upon payment of a capital facilities connection charge, authorizing the Permittee to connect directly to a District sewerage facility or to a sewer that ultimately discharges into a District sewerage facility.
18. Contractor shall mean an individual, firm, corporation, partnership, or association duly licensed by the State of California to perform the type of work to be done under the connection permit.
19. County shall mean County of Riverside, California, and the unincorporated areas of Riverside County within the District's service boundary.
20. Development shall mean parcel of land on which dwelling units, commercial or industrial buildings or other improvements are built.
21. Discharge or Indirect Discharge shall mean the introduction of pollutants into the District's facilities from any non-domestic source.
22. Discharger shall mean any person who discharges or causes a discharge of non-domestic wastewater directly or indirectly to a public sewer. Discharger shall mean the same as User.
23. District Sewerage Facility or System shall mean any property belonging to the District used in the treatment, reclamation, reuse, transportation, or disposal of wastewater, or biosolids.
24. District shall mean Valley Sanitary District.
25. Domestic Wastewater shall mean the liquid and solid waterborne wastes derived from the ordinary living processes of humans of such character as to permit satisfactory disposal, without special treatment, into the public sewer or by means of a private disposal system.
26. Dwelling Unit shall mean a single unit providing complete, independent living facilities for one or more persons, which may include permanent provisions for living, sleeping, eating, cooking and sanitation. For the purpose of this Ordinance, a mobile home shall be considered as a Dwelling Unit. More than one Dwelling Unit per structure and/or lot shall be deemed Multiple Dwelling Units.
27. Enforcement Compliance Schedule Agreement (ECSA) shall mean a mutual agreement between the District and Permittee amending the permit to require implementation of necessary pollution prevention or pretreatment practices and/or installation of equipment to ensure permit compliance.

28. Fats, Oils, and Grease (FOG) shall mean organic polar compound derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical test procedures established in 40 CFR 136, as may be amended.
- 29.
30. Federal Regulations shall mean any applicable provision of the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, Title 33, United States Code, Section 1251 and following, and any regulation promulgated by the US EPA under Title 40 CFR implementing that act.
31. Floor Area shall mean the area included within the surrounding exterior walls of a building or portion thereof, exclusive of ramps, docks, vent shafts, and courts. The floor area of a building, or portion thereof, not provided with surrounding exterior walls shall be the usable area under the horizontal projection of the roof or floor above.
32. Flow Monitoring Facilities shall mean equipment and structures provided at the user's expense to measure, totalize, and/or record, the incoming water to the facility or the wastewater discharged to the sewer.
33. Food Service Establishment (FSE) includes, but is not limited to, any facility preparing and/or serving food for commercial use or sale. This includes restaurants, cafes, lunch counters, cafeterias, hotels, hospitals, convalescent homes, factory or school kitchens, catering kitchens, bakeries, grocery stores with food preparation, meat cutting and preparation, and other food handling facilities not listed above where fats, oils, and grease may be introduced into the sanitary sewers.
34. General Manager shall mean the General Manager of Valley Sanitary District, or the authorized representative of the General Manager of Valley Sanitary District.
35. Grab Sample shall mean a sample taken from a waste stream on a one-time basis without regard to the flow in the waste stream and without consideration of time.
36. Illicit Connection shall mean any man-made conveyance or drainage system, pipeline, conduit, inlet, or outlet through which the discharge of any Pollutant, Waste, Wastewater, or other material to the Public Sewer occurs or may occur, either directly or indirectly, other than discharges that comply with the requirements of this Ordinance.
37. Industrial User shall mean any user that discharges non-domestic wastewater.
38. Industrial Wastewater shall mean all liquid-carried wastes and wastewater of the community, excluding domestic wastewater, and shall include all wastewater from any producing, manufacturing, processing, agricultural, or other operation. These may also include wastes of human origin similar to domestic wastewaters.
39. Infectious Waste shall mean materials which are likely to transmit etiologic agents that cause, or significantly contribute to the cause of, increased morbidity or mortality of human beings, as more specifically set forth in Health

and Safety Code Section 25117.5.

40. Inspector shall mean any person authorized by the General Manager to inspect any existing or proposed wastewater generation, conveyance, processing, and disposal facilities.
41. Interference shall mean any discharge which, alone or in conjunction with discharges from other sources, inhibits or disrupts the District's treatment processes or operations, or its biosolids processes, use, or disposal; or is a cause of violation of the District's NPDES permit or prevents lawful biosolids use or disposal.
42. Intercepting Sewer shall mean a large sewer or conduit which receives the discharges from many smaller tributary sewers. Sometimes referred to as a trunk sewer.
43. Lateral Sewer see Private Sewer Lateral.)
44. LEL (Lower Explosive Limit) shall mean the minimum concentration of combustible gas or vapor in air (usually expressed in percent by volume at sea level) that will ignite if an ignition source (sufficient ignition energy) is present.
45. Medical Waste shall mean isolated wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, formites, etiologic agents, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, dialysis wastes, hypodermic needles, syringes, instruments, utensils or any other paper or plastic items of disposable nature used for medically related purposes. The term "Medical Waste" shall exclude de minimus amounts of wastes, human blood and paper items of a disposable nature associated with domestic wastewater discharges.
46. Multiple Dwelling shall mean a building for residential purposes having facilities for the occupancy of more than one person or family, including, but not limited to, the following: hotels, motels, auto courts, trailer courts, apartment houses, duplex, rooming house, boarding house and dormitories.
47. National Pretreatment Standard shall mean any regulation containing pollutant discharge limits promulgated by the EPA in accordance with section 307 (b) and (c) of the Clean Water Act, which applies to Industrial Users. This term includes prohibitive discharge limits established pursuant to 40 CFR 403.5.
48. New Construction shall mean any structure planned or under construction for which a connection permit has not been issued.
49. New Source shall mean those sources that are new as defined by 40 CFR 403.3(m) as revised.
- 50.
51. Oil and Grease shall mean hexane extractable material that is polar and non-polar organic substances of animal, vegetable, and mineral nature. These substances are detectable and measurable using analytical test procedures established in 40 CFR Part 136, as may be amended
52. Pass Through shall mean discharge through the District's sewerage facilities to

waters of the state or U.S. which, alone or in conjunction with discharges from other sources, is a cause of a violation of the District' NPDES permit or other e discharge requirements applicable to the District.

53. Permittee shall mean a person who has received a permit to discharge wastewater into the District's sewerage facilities subject to the requirements and conditions established by the District.
54. Person shall mean any human being, individual, firm, company, partnership, association, private corporations, and governmental entities.
55. pH shall mean a measure of the acidity or alkalinity of a solution, expressed in standard units.
56. Pollutant shall mean dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, Medical Wastes, chemical wastes, biological materials, radioactive materials, heat, wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).
57. Program Manager shall mean that person duly designated by the General Manager to implement the District's Pretreatment Program and perform the  as specified in this Ordinance.
58. Pretreatment shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a level authorized by the District prior to discharge of the wastewater into the District's sewerage system. The reduction or alteration can be obtained by physical, chemical or biological processes or process changes by other means, except as prohibited by 40 CFR 403.6(d).
59. Pretreatment Requirement shall mean any substantive or procedural pretreatment requirement, other than a Pretreatment Standard, imposed on an Industrial User.
60. Pretreatment Standard shall mean any regulation containing pollutant discharge limits or prohibitions promulgated by EPA, the State of California or the District, including but not limited to promulgated categorical standards; national prohibited discharge standards; general discharge prohibitions; and any specific local discharge limits established by the District.
61. Private Disposal System shall mean a septic tank with the effluent discharging into a subsurface disposal field or into one or more seepage pits.
62. Private Sewer Line shall mean a sewer that receives discharge from more than one building drain and extends to and includes the connection to the public sewer main.
63. Private Sewer Lateral (aka Lateral Sewer or Building Sewer) shall mean the portion of sewer system, beginning at the building drain, and extending to and including the connection to the public sewer. This includes a sewer that receives discharge from more than one building drain and extends to and includes the connection to the public sewer main, which may also be referred to as a Private Sewer Line.

64. Public Sewer shall mean a sewer owned and maintained by the District. Public sewer includes a factory formed stub that is an integral part of the public sewer mainline, but expressly does not include any portion of a building sewer, private sewer lateral or private sewer line which may lie within any public street or right of way.
65. Publicly Owned Treatment Works (POTW) shall mean Valley Sanitary District's Wastewater Treatment Plant and any other devices or systems used by the District in the collection, storage, conveyance (including all sewers, pipes, lift stations, and other conveyances which convey wastewater to the wastewater treatment plant), treatment, recycling, and reclamation of municipal sewage.
66. RCRA shall mean Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6901, et seq.) and as amended.
67. Regulatory Agencies shall mean those agencies having jurisdiction over the operation of the District including, but not limited to, the following:
- a) United States Environmental Protection Agency, Region IX, San Francisco and Washington, DC (EPA).
 - b) California State Water Resources Control Board (SWRCB).
 - c) California Regional Water Quality Control Board, Colorado River Basin Region (RWQCB).
 - d) South Coast Air Quality Management District (SCAQMD).
 - e) California Department of Health Services (DOHS).
68. Sample Point shall mean a location approved by the District, from which wastewater can be collected that is representative in content and consistency of the entire flow of wastewater being discharged.
69. Sampling Facilities shall mean structure(s) or equipment provided at the user's expense for the District or user to measure and record wastewater constituent mass, concentrations, collect a representative sample, or provide access to plug or terminate the discharge.
70. Sanitary Waste shall mean domestic wastewater, human excrement, and gray water (household showers, dish washing operations, etc.).
71. Septic Waste shall mean any sewerage from holding tanks such as chemical toilets, and septic tanks.
72. Sewage shall mean liquid and water carried wastes of the community from residences, business buildings, institutions and industrial establishments or permitted into a public sewer.
73. Sewer shall mean a conduit that carries sewage and to which storm, surface and ground waters are not intentionally admitted, which is intended to flow to the District's treatment works.
74. Significant Industrial User shall mean

- A. an Industrial User subject to categorical Pretreatment Standards, or
- B. an Industrial User that
 - a. discharges 25,000 gallons per day or more of process wastewater to the sewer (excluding sanitary, non-contact cooling, and boiler blowdown) ;
 - b. contributes a process wastestream that makes up five percent or more of the District's dry weather hydraulic loading or organic capacity at the POTW; or
 - c. is designated as such by the Control Authority on the basis that the Industrial User has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or requirement (in accordance with 40 CFR 403.8(f)(6)).

75. Significant Non-compliance (SNC) shall mean a violation by any Significant Industrial User which meets one or more of the following criteria or any Industrial User which meets criteria in (iii), (iv), or (vii):

Violations of wastewater discharge limits:

- i. Chronic Violations. Sixty-six percent or more of all the measurements taken for the same pollutant parameter during a six-month period exceed (by any magnitude) a numeric limit, requirement, instantaneous limit, or Pretreatment Standard, as defined by 40 CFR 403.3(l);
- ii. Technical Review Criteria (TRC) Violations. Thirty-three percent or more of all the measurements for the same pollutant parameters during a six-month period exceed a numeric limit, requirement, instantaneous limit or Pretreatment Standard as defined by 40 CFR 403.3(l) multiplied by the applicable TRC (TRC=1.4 for BOD, TSS, oil, and grease, and 1.2 for all other pollutants except pH);
- iii. Any other violation of a standard, requirement or Pretreatment Standard as defined by 40 CFR 403.3(l) (daily maximum or long-term average, instantaneous limit, or narrative standard) that caused, alone or in combination with other discharges, interference or pass through (including endangering the health of the POTW personnel or the public).
- iv. Any discharge of a pollutant that has caused imminent endangerment to human health or welfare or to the environment or has resulted in the POTW's exercise of its emergency authority to halt or prevent such a discharge.
- v. Failure to meet, within ninety days after the schedule date, a compliance milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, achieving final compliance.
- vi. Failure to provide, within 45 days after the due date,

required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules.

- vii. Failure to accurately report non-compliance.
 - vii. Any other violation or group of violations, which may include a violation of Best Management Practices, which the General Manager determines will adversely affect the wastewater operation or implementation of the Pretreatment Program.
76. Single Family Dwelling shall mean a single house that provides complete, independent living facilities for one single family, which may include permanent provisions for living, sleeping, eating, cooking and sanitation. For the purpose of this Ordinance, recreational vehicle or park model shall not be considered as a single-family dwelling.
77. Slug Load or Slug Discharge shall mean any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards of this ordinance. A Slug Discharge is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations, Local Limits or Permit conditions..
78. Solid Wastes shall mean the non-liquid carried wastes normally considered to be suitable for disposal with refuse at sanitary landfill refuse disposal sites.
79. Spent Solutions shall mean any concentrated non-domestic wastewater i.e. (Static Rinse, Plating Solutions)
80. Spill Containment shall mean a protection system installed by the Permittee to prohibit the discharge to the sewer of slug discharges.
81. Standard Industrial Classification (S.I.C.) shall mean a system of classifying industries as identified in the S.I.C. Manual, 1987, or subsequent edition, as prepared by the United States Office of Management and Budget.
82. Standard Methods shall mean procedures described in the current edition of Standard Methods for the Examination of Water and Wastewater, as published by the American Public Health Association, the American Water Works Association and Water Environment Federation.
83. Standard Specifications shall mean design and construction standards for sewerage works which conform to the District's Standard Specifications for Construction.
84. Storm Sewer or Storm Drain shall mean a sewer which carries storm and surface or ground waters and drainage, but excludes sewage and industrial wastewater
85. Street shall mean any public highway, road, avenue, alley, or similar roadway.
86. Suspended Solids shall mean the insoluble solid matter suspended in wastewater that is separable from the liquid portion of the waste by laboratory

filtration in accordance with the procedure described in Standard Methods.

87. Tributary Sewer shall mean a waste carrying conduit which empties directly or indirectly into an intercepting sewer.
88. Uncontaminated Water shall mean the same as unpolluted which is water of the community to which no pollutant has been added intentionally or accidentally. Examples include, but are not limited to, non-contact single pass cooling water, rainwater, and uncontaminated groundwater, .
89. User shall mean any person who discharges or causes a discharge of wastewater directly or indirectly to a public sewer.
90. Waste shall mean sewage and any and all other waste substances, liquid, solid, gaseous or radioactive, associated with human activity or of human or animal nature, including such wastes placed within containers of whatever nature prior to and for the purpose of disposal
91. Waste Manifest shall mean that receipt which is retained by the generator of hazardous wastes as required by the State of California or the United States Government pursuant to RCRA, or the California Hazardous Materials Act, or that receipt which is retained by the generator for recyclable wastes or liquid non- hazardous wastes as required by the District.
92. Wastewater Constituents and Characteristics shall mean the individual chemical, physical, bacteriological, and radiological parameters, including volume and flow rate and such other parameters that serve to define, classify, or measure the quality and quantity of wastewater.

- B. Words used in this Ordinance in the singular may include the plural and the plural the singular. Use of masculine shall mean feminine and use of feminine shall mean masculine. Shall is mandatory; may is permissive or discretionary.

104. **CONFIDENTIAL INFORMATION**

All user information and data on file with the District shall be available to the public and governmental agencies without restriction unless the user specifically requests and is able to demonstrate to the satisfaction of the District that the release of such information would divulge information, processes or methods which would be detrimental to the user's competitive position. The demonstration of the need for confidentiality made by the User must meet the burden necessary for withholding such information from the general public under applicable State and Federal Law. Any such claim must be made at the time of submittal of the information by marking the submittal "Confidential Business Information" on each page containing such information. Information which is demonstrated to be confidential shall not be transmitted to anyone other than a governmental agency without prior notification and approval of the user. Information concerning wastewater quality and quantity shall not be deemed confidential.

105. **TRANSFER OF PERMITS**

- A. Permits issued under this Ordinance are for a specific user, for a specific operation at a specific location or for a specific waste hauler and create no vested rights.
 1. No permit may be transferred to allow a discharge to a public sewer from a point other than the location for which the permit was originally issued.
 2. Except as expressly set forth herein, no permit for an existing facility may be

transferred to a new owner and/or operator of that facility.

- B. At least thirty (30) days prior to the sale or transfer of ownership of any business operating under a permit issued by the District, the Permittee shall notify the District in writing of the proposed sale or transfer. The successor owner shall apply to the District for a new permit at least fifteen (15) days prior to the sale or transfer of ownership in accordance with the provisions of this Ordinance. A successor owner shall not discharge any wastewater for which a permit is required by this Ordinance until a permit is issued by the District to the successor owner.
- C. Notwithstanding the foregoing, the District may, in its discretion, allow the transfer of a permit to a new owner and/or operator, at the same location for which the permit was originally issued, if:
 - 1. The existing Permittee and the proposed new owner and/or operator provide the District with written notification of the intended transfer at least thirty (30) days in advance of the transfer date; and
 - 2. The District approves, in writing, the permit transfer prior to commencement of operations by the new owner and/or operator.
- D. The written notification of intended transfer shall be in a form approved by the District and shall include a written certification by the new owner and/or operator which:
 - 1. States that the new owner or operator has no immediate intent to modify the facility's operations and/or processes;
 - 2. Identifies the specific date on which the transfer is to occur; and
 - 3. Acknowledges that the new owner or operator is fully responsible for complying with the terms and conditions of the existing permit and all provisions of this Ordinance.
- E. Except as expressly set forth in Section 105.C, any permit that is transferred to a new owner and/or operator or to a new facility is void.

106. AUTHORITY The District is regulated by several agencies of the United States Government and the State of California, pursuant to the provisions of Federal and State Law. Federal and State Laws grant the District the authority to regulate and/or prohibit, by the adoption of ordinances or resolutions, and by issuance of construction and discharge permits, the discharge of any waste, directly or indirectly, to the District's sewerage facilities. This authority includes the right to establish limits, conditions, and prohibitions; to establish flow rates or prohibit flows discharged to the District's sewerage facilities; to require the development of compliance schedules for the installation of equipment systems and use of materials by all users; and to take all actions necessary to enforce its authority, whether within or outside the District's boundaries, including those users that are tributary to the District or within areas that the District has contracted to provide sewerage services.

The District also owns, maintains, and operates collection, treatment, recycle and disposal facilities. As authorized by State law, the District regulates the connections to its facilities through ordinances and resolutions and by issuance of connection permits.

The District has the authority pursuant to California Health and Safety Codes 5471 and 5474 to prescribe, revise, and collect all fees and charge for services and facilities furnished by the District either within or without its territorial limits.

107. DELEGATION OF AUTHORITY

Whenever any power is granted to or a duty is imposed upon the General Manager, the power may be exercised or the duty may be performed by any person so authorized by the General Manager.

108. SIGNATORY REQUIREMENTS

Reports and permit applications required by this Ordinance shall contain the following certification statement:

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations." The statement shall be signed by an authorized representative of the industrial user as defined in Section 103(A)(2) of this Ordinance.

109. POWERS

The General Manager or designee is authorized to:

- A. Issue Connection Permits;
- B. Issue Waste Discharge Permits;
- C. Enter into Agreements;
- D. Require the installation and maintenance of pretreatment and/or monitoring facilities and equipment;
- E. Conduct inspections of facilities, including, but not limited to, inspecting and copying records;
- F. Require monitoring and reporting of discharges to the public sewer system;
- G. Monitor the quality of wastewater entering the sewer system;
- H. Require the development of spill containment plans; slug load control plans and reporting of accidental discharges;
- I. Require the development of a Slug Control Plan (per Title 40 of the Code of Federal Regulations (40 CFR) 403.8(f) (2) (vi).
- J. Deny, approve or approve with conditions, new or increased discharges or change in the quantity or characteristics of discharges, when such discharges do not meet applicable pretreatment requirements as specified in 40 CFR 403.8(f)(1)(i);
- K. Take enforcement actions against those who violate or cause violation of this Ordinance or discharge permit conditions. These actions may include, but are not limited to the following:
 - 1. Issuing written warnings;
 - 2. Issuing Notices of Violation;
 - 3. Issuing Administrative Orders;
 - 4. Issuing Cease and Desist Orders;
 - 5. Initiating and conducting non-compliance meetings;
 - 6. Initiating and conducting administrative hearings;
 - 7. Petitioning the courts for injunctions or civil penalties;
 - 8. Signing criminal complaints;
 - 9. Terminating services;

10. Requiring payment of violation charges;
11. Revoking and/or suspending the discharge permit; and
12. Collecting the administrative and legal costs of enforcement from the violator.

110. PUBLIC PARTICIPATION

In accordance with the public participation requirements of 40 CFR part 25 in the enforcement of National Pretreatment Standards, the District shall include provision for at least annual public notification in a newspaper(s) of general circulation that provides meaningful public notice within the jurisdiction(s) served by the District of Industrial Users which, at any time during the previous 12 months, were in Significant Noncompliance with applicable Pretreatment Standards and Requirements.

ARTICLE 2

PROHIBITIONS AND LIMITS ON DISCHARGES

201. GENERAL PROHIBITIONS

- A. No person shall construct or maintain any privy, privy vault, septic tank, cesspool, seepage pit or other facility intended or used for the disposal of sewage within the jurisdiction of the District, unless approved by the Board of Directors subject to criteria as detailed in Article 3, 301D.
- B. No user shall introduce or cause to be introduced into the POTW any pollutant or wastewater which cause pass through or interference.
- C. Illicit Connections: No person shall construct or maintain an Illicit Connection to the Public Sewer.

202. SPECIFIC PROHIBITIONS

- A. No person shall discharge or cause to be introduced a quantity or quality of wastewater directly or indirectly to sewerage facilities owned by or tributary to the District's sewerage facilities which causes, or is capable of causing, either alone or by interaction with other substances:
 - 1. Pollutants which create a fire or explosion hazard in the POTW, including, but not limited to, waste streams with a closed-cup flashpoint of less than 140 degrees Fahrenheit (60 degrees Centigrade) using the test methods specified in 40 CFR part 261.21;
 - 2. Pollutants which will cause corrosion or structural damage to the POTW, but in no case with a pH lower than 5.5 or more than 11.0, or otherwise causing corrosive structural damage to the POTW or equipment;
 - 3. Solid or viscous pollutants which will cause obstruction to the flow in the sewer system resulting in interference or damage to the sewerage facilities;
 - 4. Danger to life or safety of any person;
 - 5. Impairment of the effective maintenance or operation of the sewerage system;
 - 6. Toxic gases, vapors, or fumes within the sewerage facilities in a quantity that may cause acute worker health and safety problems;
 - 7. Any pollutant, including oxygen demanding pollutants (BOD, etc.) released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause Interference with the POTW;
 - 8. The District's effluent to fail a toxicity test;
 - 9. Discoloration, pass through, or any other condition that affects the quality of the District's influent or effluent in such a manner that inhibits the District's ability to meet receiving water quality, biosolids quality, or air quality requirements established by Regulatory Agencies;
 - 10. Excessive foaming in the sewerage facilities; or

11. Conditions that violate any statute, regulation, or ordinance of any public agency or Regulatory Agency having jurisdiction over the operation of or discharge of wastewater through the sewerage facilities.
 12. Having a temperature higher than 140 degrees Fahrenheit, (60 degrees Centigrade), or which will inhibit biological activity in the treatment plant resulting in Interference, but in case wastewater which causes the temperature at the treatment plant to exceed 104 degrees Fahrenheit (40 degrees Centigrade).
 13. Containing oil, petroleum oil, non-biodegradable cutting or mineral oils or products of mineral oil origin in amounts that will cause interference or pass through.
 14. Containing excessive animal or vegetable oils in amounts that may cause interference, pass through or excessive maintenance to the operation of District's facilities.
- B. No person shall discharge wastewater, delivered by vehicular transport, rail car, or dedicated pipeline, directly or indirectly to the District's sewerage facilities which wastewater contains any substance that is defined as a hazardous waste by the Regulatory Agencies.
 - C. No person shall transport waste from one location or facility to another for the purpose of treating or discharging it directly or indirectly to the District's sewerage system without written permission from the District.
 - D. No user shall increase the contribution of flow, pollutants, or change the nature of pollutants where such contribution or change does not meet applicable standards and requirements or where such contribution would cause the District to violate any Federal, State, or local regulatory permit.
 - E. No User shall introduce or cause to be introduced into the POTW trucked or hauled pollutants, except at discharge points designated by the General Manager in accordance with Section ?? of this ordinance.

203. PROHIBITION OF DILUTION

No user shall increase the use of water or in any other manner attempt to dilute a discharge as a partial or complete substitute for treatment to achieve compliance with this Ordinance and the user's permit or to establish an artificially high flow rate for permit mass emission rates.

204. PROHIBITION OF SURFACE RUNOFF, GROUNDWATER AND UNPOLLUTED WATER

- A. No person shall discharge groundwater, surface runoff, subsurface drainage, or uncontaminated water such as single pass cooling water from air conditioning units directly or indirectly to the District's sewerage facilities except as provided herein. Pursuant to Section 404, et seq., the District may approve the discharge of such water only when no alternate method of disposal is reasonably available or to mitigate an environmental risk or health hazard.
- B. If a Special Purpose Discharge Permit is issued, pursuant to Section 404, for the discharge of such water into a public sewer, the user shall pay the applicable District charges relating to the treatment and disposal of such wastes and shall meet such other conditions as required by the District to further the purposes of this Ordinance.

205. PROHIBITION OF RADIOACTIVE WASTES

No person shall discharge radioactive waste unless:

- A. 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 the waste is discharged in strict conformity with current California Radiation Control Regulations (California Code of Regulations, Title 17) for safe disposal; and
- B. The person is in compliance with all rules and regulations of all other applicable regulatory agencies; and

206. LIMITS ON THE USE OF GRINDERS

Waste discharged into a public sewer from industrial or commercial grinders shall be allowed as long as they do not restrict sewer flow and have been approved by the General Manager. 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, with no particle greater than one-half inch in any dimension.

207. PROHIBITION ON POINT OF DISCHARGE

No person, except the District involved in maintenance functions of sanitary sewer facilities, shall discharge any wastewater directly into a manhole or other opening in a sewer other than through an approved private sewer lateral, unless approved by the District upon written application by the user and payment of the applicable fees and charges established herein.

208. LIMITS ON WASTEWATER STRENGTH AND CHARACTERISTICS

- A. No person shall discharge wastewater in excess of the District's Local Limits, as adopted and amended from time to time by District Resolution, limiting the concentrations of wastes discharged by a user or any limit listed in the User's discharge permit. Further, no person shall discharge wastewater in violation of any applicable Federal or State discharge regulations.
- B. No user shall discharge or cause to be discharged wastewater to the sewerage system:
 - 1. Having a pH at a volume and concentration that causes the pH of the influent to the treatment plant to be less than 6.0 or greater than 9.0.
 - 2. Containing flow or pollutants, including, but not limited to, ammonia, chemical oxygen demand, total organic carbon, suspended solids, oil and grease of animal or vegetable origin, total dissolved solids, and phenolic compounds released in a discharge at a flow rate and/or pollutant concentration that, either singly or by interaction with other pollutants, will cause pass through or interference with the POTW.
 - 3. Producing a gaseous mixture that is 10% or greater of the lower explosive limit (LEL) or having a closed cup flashpoint of less than 140 degrees Fahrenheit or 60 degrees Centigrade using the test methods specified in 40 CFR 261.21.
 - 4. Containing petroleum oil, non-biodegradable cutting or mineral oils or products of mineral oil origin in amounts that will cause interference or pass through.

5. Containing excessive Oil and Grease animal or vegetable oils in amounts that may cause interference, pass through or excessive maintenance to the operation of District's facilities.
6. Containing material that will readily settle or cause an obstruction to flow in the sewer resulting in interference, such as, but not limited to, sand, mud, glass, metal filings, diatomaceous earth, cat litter, asphalt, pool plaster, dead animals, wood, bones, hair, and fleshings.
7. In violation of any applicable Federal Categorical Pretreatment Standards, State standards or other local regulations covering wastewater disposal or operations.

C. Water Softener Policy

1. No Industrial User shall install, replace, enlarge, or use any apparatus Water Conditioning Device for softening all or any part of the water supply to any premises when such apparatus is an ion-exchange softener or demineralizer of the type that is regenerated at the site of use with the regeneration wastes being discharged to the POTW unless the Water Conditioning Device apparatus is in compliance with the following conditions:
 - a. The wastewater discharge from device complies with all applicable local wastewater discharge limitations;
 - b. The wastewater discharge is monitored for TDS with the results provided to the District; and
 - c. The Industrial User shall maintain an electrical conductivity-controlled discharge valve in proper operating condition at all times. The industrial user shall notify the General Manager within twenty-four (24) hours in the event of a valve failure and immediately cease the discharge of all wastewater to the POTW associated with the soft water regenerating processes. A written report documenting the cause of the failure and the corrective actions taken shall be submitted to the District, within five calendar days after discovery of the electrical conductivity valve failure.
2. Residential Water Softening shall be regulated in accordance with California Health and Safety Code Sections 116775-116795 and amendments thereto, which are hereby incorporated by reference.
3. Any person installing or operating a Water Conditioning Device apparatus of any kind shall make such apparatus device accessible for inspection at reasonable times.
4. The District may limit the availability, or prohibit the installation, of any residential Water Conditioning Device water softening or conditioning appliances that discharge to the POTW if the General Manager makes all of the following findings:
 - a. The POTW is not in compliance with the discharge or water reclamation requirements specified in the Waste Discharge Requirements issued by the Regional Water Quality Control Board;
 - b. Limiting the availability, or prohibiting the installation, of the Water Conditioning Device appliances is the only available means of achieving compliance with Waste Discharge Requirements issued by

the Regional Board; and

- c. All nonresidential sources are limited to the volumes and concentrations of saline discharges to the POTW to the extent technologically and economically feasible.

D. Swimming Pool Policy

- 1. Discharges from non-saltwater swimming pools, wading pools, spas, whirlpools, and therapeutic pools may be discharged to the District's sewer system on a case-by-case basis as determined by the District. Each person who desires to drain a swimming pool, wading pool, spa, whirlpool, or therapeutic pool shall first obtain permission from the District prior to discharging any of these waters. Permission may be granted by the District if the discharge will:
 - a. Not cause hydraulic overload conditions in any of the District's sewer lines;
 - b. Meets all applicable specific limitations for wastewater quality as established by the District, including but not limited to pH, TDS, chloride, sodium, BOD, and TSS; and
 - c. Commence at a time of day and rate of flow that minimizes the impact of the wastewater system
- 2. The discharge of salt water pools to the District's Sewer System is prohibited without prior review and is subject to approval on a case by case basis. Written approval may contain specific conditions and must be received prior to initiating any discharge to the District's sewer.

E. Specific Local Limits

- 1. Except as specifically allowed by the General Manager on a temporary basis or as provided herein, no Class I or Class II User shall discharge or cause to be discharged to the POTW any wastewater unless it conforms to all applicable local discharge limits as set forth by Resolution of the District's Board of Directors. Said discharge limits are amended from time to time as needed to protect the POTW and comply with current and future state and federal regulatory requirements.
- 2. Local discharge limits apply at the point where the wastewater is discharged to the POTW. The General Manager may impose average daily, monthly and/or mass limits in addition to the concentration based limits set forth by Resolution of the District.
- 3. The General Manager may authorize the discharge of non-domestic wastewater to the POTW which contains pollutants in concentrations exceeding the specific local pollutant concentration limits adopted by Resolution, when said concentration, in combination with a measured discharge flow rate, do not exceed specific local mass emission rate limits which are computed for the individual discharger on the basis of the local pollutant concentration limits and the discharger's permitted discharge flow rate limit, and which are issued to the discharger as part of the discharger's permit.

F. Categorical Pretreatment Standards

1. Promulgated National Categorical Pretreatment Standards in 40 CFR Chapter I, Subchapter N, Parts 405-471, are incorporated into this Ordinance. Upon promulgation of new or revised categorical pretreatment standards, the new or revised categorical pretreatment standards shall be immediately deemed incorporated herein. The General Manager shall notify affected users of applicable reporting requirements under 40 CFR, Chapter I, subchapter N, Parts 401, et seq.
2. No user subject to categorical pretreatment standards shall discharge or cause to be discharged to the POTW any wastewater which is not in conformance with the discharge limits set forth in the categorical pretreatment standards, including any revision thereof. Notwithstanding the foregoing, a user may obtain a variance from a categorical pretreatment standard in accordance with the provisions of 40 CFR 403.13 and by establishing to the satisfaction of the General Manager, that the discharge will not adversely affect POTW operations and maintenance.
3. In the event that a categorical pretreatment standard establishes a discharge limit which conflicts with a local discharge limit, the more stringent discharge limit shall apply.

209. PROHIBITION ON MEDICAL WASTE

No person shall discharge to the POTW medical wastes from hospitals, clinics, offices of medical doctors, convalescent homes, medical laboratories, other medical facilities, or any other locations except where prior written authorization for such discharges is given by the General Manager following the General Manager's determination that the discharge will not alone or in conjunction with other discharges, adversely affect the operation and maintenance of the POTW. If written authorization for such a discharge is given, the General Manager shall have the authority to require that any discharge of an infectious waste to the sewer be rendered non-infectious prior to discharge if the infectious waste is deemed to pose a threat to the public health and safety or will result in any violation of applicable waste discharge requirements.

210. PROHIBITION ON DISPOSAL OF SPENT SOLUTIONS AND SLUDGES

Spent solutions, sludges, and materials of quantity or quality in violation of, or prohibited by this Ordinance, or any permit issued under this Ordinance must be disposed of in a legal manner at a legally acceptable point of disposal as defined by the District or appropriate Regulatory Agency. All waste manifests shall be retained for a minimum of three years and made available to the District upon request.

211. MASS EMISSION RATE DETERMINATION

- A. Mass emission rates for pollutants that are present or anticipated in the user's wastewater discharge may be set for each user and made an applicable part of each user's permit. These rates shall be based on the District's Local Discharge Limits, or Federal Categorical Pretreatment Standards, and the user's average daily wastewater discharge for the past three years, the most recent representative data, or other data acceptable to the General Manager.
- B. To verify the user's operating data, the District may require a user to submit an inventory of all wastewater streams and/or records indicating production rates, water uses and water evaporation rates.
- C. The District may revise limits or mass emission rates previously established in the discharger's permit at any time, based on: current or anticipated operating data of the

discharger or the District; the District's ability to meet NPDES limits; or changes in the requirements of Regulatory Agencies.

- D. The excess use of water to establish an artificially high flow rate for mass emission rate determination is prohibited.

212. RIGHT OF REVISION

The District reserves the right to establish by Ordinance, Resolution, or in wastewater discharge permits, more stringent standards or requirements on discharges to the District's POTW.



ARTICLE 3
SEWER CONSTRUCTION

301. INTRODUCTION

- A. To provide for maximum public benefit, written authorization for connection to and construction of the District's collection and conveyance systems is required. Standards and regulations established herein and by other District Ordinances provide performance requirements for connecting private sewer laterals, public sewers and sewers from outside the District.
- B. No building, industrial facility or other structure shall be occupied until the owner of the premises has complied with all rules and regulations of District and applicable regulations of the County, or city in which the property is located.
- C. Any user located within the District shall at the user's expense and in accordance with this ordinance, connect the discharge from the building directly to the public sewer within ninety (90) days after the date of official notice to do so. Notice will be given in the event the user has received more than one notice in a 365-day period from a regulatory agency responsible for protecting the public health, the environment, or as determined by the District to protect the public's or the District's interests.
- D. Criteria for a variance:
A developer within the District may apply for a variance from immediate connection to District sewer upon application to the General Manager. The Board may approve a variance subject to the following findings and conditions.

Exceptions, connections to the public sewer will be required: A variance for a building and or project that is located within 1,000 feet of an existing District trunkline, or that has potentially more than five units of service may not be considered.

Required finding: The variance will not create a threat to health and safety or the welfare of the immediate property or to the adjoining properties by having a septic system. A favorable recommendation to the District from the Riverside County Environmental Health Department, the Regional Quality Control Board and the City Building Department shall be required before a finding can be made in favor of a variance.

- E. Conditions of an agreement for conditional variance shall include, but may not be limited to the following:
 - 1. That a recorded agreement shall be entered into that requires connection to the public sewer when the project exceeds ten units of service due to any future expansion.
 - 2. The "project" may be one or more lots, or one or more buildings. "Project" shall be defined in the agreement.
 - 3. The agreement shall require the installation of a "dry sewer" to the public street as a means to connect to future public sewer. Single family projects with lots of 2 ½ net acres shall not have to comply.
 - 4. The agreement shall also require all future owners to connect to the public sewer when it becomes available. That they pay connection capacity fees as required at the time of connection. That they will pay a pro-rata charge set by the District for the public sewer that is installed to provide their service.
 - 5. Failure of the septic system shall be cause for an order to connect to the public

sewer.

6. And other conditions that the District may consider necessary to protect the health and safety and welfare of the public.

302. BUILDING SEWERS, LATERALS AND CONNECTIONS

- A. No person shall construct a private sewer lateral, also referred to as a building sewer, connecting with any public sewer without first obtaining a written permit from the District and paying all required fees and connection charges.
- B. Design and construction of private sewer laterals and their connection to the public sewer shall be in accordance with the requirements of the District, the District's Standard Specifications and at the expense of the applicant.
- C. Cleanouts in private sewer laterals shall be provided in accordance with the California Plumbing Code and the District's Standard Specifications. Cleanouts shall be maintained watertight by the user.
- D. All private sewer laterals shall be tested by the applicant or duly appointed representative during construction in accordance with the District's Standard Specifications. At any time when a private sewer lateral is found not to meet the District's Standard Specifications or more stringent requirements as determined by the District's General Manager to protect the District's facilities and public health, the District may require the user to modify, repair or replace the sewers to bring them into compliance with the District's requirements.
- E. Connection to the public sewer involving an existing private sewer lateral shall be inspected, tested and approved by the District's Inspector prior to final approval of construction. Any damage to the public sewer shall be repaired in conformance with District's Standard Specifications at the cost of the applicant.
- F. Any private sewer lateral that is too low to permit gravity flow to the public sewer shall be lifted by artificial means approved by the General Manager, and discharged to the public sewer at the expense of the owner.
- G. Private sewer laterals and private sewers are owned by the owner of the property receiving service through said lines. The property owner shall be responsible for all cost related to the installation, connection, maintenance, repair, construction, abandonment or removal of private sewer laterals and private sewers. If a "common" private sewer lateral serves more than one property, the properties served by the common lateral own the lateral and are responsible for its maintenance and upkeep.
- H. Upon approval of the District, existing buildings located on property belonging to the same owner may be served with the same tributary sewer lateral during the period of said ownership. However, upon subsequent subdivision or sale of a portion of said property, the owner of said portion not directly connected to a public sewer shall apply for a connection permit and construct a separate private sewer lateral to the public sewer in accordance with District's standards. If said property includes a tenant that is a Class I Permittee (see Article 4), the District may require a separate connection to accurately ascertain the tenant's compliance with discharge standards or assess surcharge fees for use of the sewer.
- I. Any new or existing building with plumbing drain outlets at an elevation that is 12 inches or less above the ground surface of the next upstream

manhole, the property owner shall have and maintain a backwater valve (sewage backflow prevention device).

- J. Any new or existing building where the elevation of any floor is at or below the invert of the district sanitary sewer main, or where a condition exists where a stoppage in the district sewer main will cause the hydraulic grade line to rise above the lowest floor level, the property owner shall have and maintain a Backwater Valve.
- K. Failure of the property owner to install and maintain a Backwater Valve for any of the required conditions, including I and J of this Section, shall relieve the District of any and all responsibilities for any and all damage caused by sanitary sewer flooding.
- L. Should the District become aware of a sewage discharge from a leak, rupture, or other breach in the integrity of the conveyance system from private property to a public right-of-way that, in the District's opinion, may endanger human health or the environment, the District may take the actions necessary to clean-up the sewage spill, take other necessary steps to stop the discharge, and remediate the area to prevent an immediate endangerment. District will assess a fee to the private property owner to recover the costs of the clean-up and remediation in accordance with the District's fee schedule for such services.

303. PUBLIC SEWER CONSTRUCTION

All public sewers shall be permitted, design and constructed in accordance with the District's standards and in accordance with the provisions of this article.

- A. No person shall construct, alter, extend or connect to any public sewer without first obtaining a written permit from the District and paying all fees and connection charges and furnishing bonds, as required. The provision of this Section requiring permits shall not be construed to apply to contractors constructing sewers and appurtenances under contracts awarded and entered into with the District.
- B. Minimum standards for the design and construction of sewers within the District shall be in accordance with the District's Standard Specifications adopted by the Board. Copies will be on file at the District's Office. The General Manager may permit modifications or may require higher standards where unusual conditions are encountered or when necessary to protect the District's facilities.
- C. The Plans, Profiles and Specifications required shall be in accordance with the District's Standard Specifications for Construction.
- D. The requirements of Section 303 A and B of this Ordinance shall be fully complied with before any final subdivision map shall be approved by the General Manager. The final subdivision map shall provide for the dedication for public use of streets, easements or rights of way in which public sewer lines are constructed.
- E. In the event that an easement is required for the extension of the public sewer or the making of connections, the applicant shall procure and obtain Board acceptance of a proper easement or grant of right of way having a minimum width of twenty (20) feet and being sufficient in law to allow the laying and maintenance of such extension or connection.
- F. Only properly licensed contractors shall be authorized to perform the work of public sewer construction within the District. All terms and conditions of the permit issued by the District to the applicant shall be binding on the contractor.

- G. Any person constructing a sewer within a street shall comply with all Federal, State, City and County laws, ordinances, rules and regulations pertaining to the curing of pavement; opening, barricading, lighting and protecting of trenches; backfilling, and repaving thereof and shall obtain all permits and pay all fees required prior to the issuance of a permit by the District.
- H. The District shall require that before final acceptance of any public sewer and before commencement of any waste discharge from a structure to the sewerage system:
 1. The applicant or the contractor on the applicant's behalf, file with the District, "record" drawings showing the actual location of all mains, structures, wyes, laterals, manholes and other changes to the construction drawings; and
 2. The sewerage works shall be tested and shall be complete in full compliance with all requirements of the District's Standard Specifications, including final clean-up and removal of all construction debris, to the satisfaction of the General Manager.

304. OUT OF DISTRICT SEWERS

- A. The District may grant permission to connect any lot or parcel of land outside the District to any public sewer in or under the jurisdiction of the District. The granting of permission for outside areas to connect to District sewers shall be at the option of the Board, subject to state and federal law.
- B. In no event shall such permission be granted unless the applicant shall first enter into a written contract whereby binding self, successors and assignees to abide by all ordinances, rules and regulations in regard to the manner in which such the sewer shall be used and the manner of connection therewith, and also shall agree to pay all fees required for securing the permit and an annual fee in the amount set by District for the privilege of using such sewer.
- C. By entering into a contract with the District, all users connected to the District's facilities agree to the jurisdiction and authority of the District. The authority includes the right to establish limits, conditions, and prohibitions; to establish flow rates or prohibit flows discharged to the District's sewerage facilities; to require the development of compliance schedules for the installation of equipment systems and materials by all users; and to take all actions necessary to enforce its authority. By a separate Agreement or within the Contract to connect, the District may establish a program such that an entity regulating the use of the sewers within the lot or parcel of land outside the District can cooperatively and/or jointly administer a program to ensure compliance with the District's regulations. The Agreement or Contract shall not prevent the District from enforcing its authority on users in non-compliance with this Ordinance.


ARTICLE 4

PRETREATMENT DISCHARGE PERMITS FOR NON DOMESTIC SEWAGE DISCHARGE

401. INTRODUCTION

- A. The wastewater discharge permit shall be in one of five forms and is dependent upon the type of discharger, volume, and characteristics of discharge. The five discharge permit types are:
1. **Class I Wastewater Discharge Permit.** Class I Permits are issued to all users meeting the criteria established for Class I Users as defined in this Ordinance.
 2. **Class II Wastewater Discharge Permit.** Class II Users as defined in this Ordinance will be issued a Class II Permit. If any Class II User or group of Users is determined by the General Manager to individually or as a group, cause or contribute to pass through or interference with, the District's facilities, said user(s) will be issued a Class I Permit.
 3. **Special Purpose Discharge Permit.** Special Purpose Discharge Permits are issued for short time durations and are generally for ground water clean-up projects, nuisance waters, and other waters that are determined to be suitable for discharge to the sanitary sewer system.
 4. **General Wastewater Discharge Permit.** When it has been established that a group of similar type businesses (i.e. food service establishments, photo processing, car washes, dental offices, and automotive repair, etc.) are better regulated using Best Management Practices (BMPs), a general wastewater discharge permit may be issued with conditions and BMP requirements that have been established for a specified business group.
- B. All discharge permits shall contain at a minimum the following:
1. Duration of the permit as defined by each permit type.
 2. Prohibition of transferability.
 3. Effluent limits including Best Management Practices.
 4. Permit application and reapplication due dates as defined by each permit type.
 5. Permit modification as defined by 402.4.
 6. Self-monitoring requirements
 7. Reporting and notification requirements
 8. Recordkeeping requirements.
 9. Statement of applicable civil and criminal penalties for violation of permit and/or ordinance requirements and standards

401.1 HAULED WASTEWATER

- A. Septic tank waste may be introduced into the POTW only at locations designated by the General Manager, and at such times as are established by the General Manager. Such waste shall not violate Article 2 of this ordinance or any other requirements established by the District. The General Manager may require septic tank waste haulers to obtain individual wastewater discharge permits or general permits.
- B. The General Manager may require haulers of industrial waste to obtain individual wastewater discharge permits or general permits. The General Manager may require generators of hauled industrial waste to obtain individual wastewater discharge permits or general permits. The General Manager also may prohibit the disposal of hauled industrial waste. The discharge of hauled industrial waste is subject to all other requirements of this ordinance. 
- C. Industrial waste haulers may discharge loads only at locations designated by the General Manager. No load may be discharged without prior consent of the General Manager. The General Manager may collect samples of each hauled load to ensure compliance with applicable Standards. The General Manager may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.
- D. Industrial waste haulers must provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the industrial waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the type of industry, known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes.

402. CLASS I WASTEWATER DISCHARGE PERMITS

- A. No user requiring a Class I permit shall discharge wastewater without obtaining a Class I Wastewater Discharge Permit.
- B. Class I Wastewater Discharge Permits shall be expressly subject to all provisions of this Ordinance and all other regulations, charges for use, and fees established by the District. The conditions of wastewater discharge permits shall be enforced by the District in accordance with this Ordinance and applicable State and Federal Regulations.
- C. All Class I users proposing to discharge directly or indirectly into the District's sewerage facilities shall obtain a wastewater discharge permit by filing an application pursuant to Section 402.1 and paying the applicable fees pursuant to Section 402.3. For purposes of this Ordinance, a Class I user is any user:
 - 1. Meeting the Significant Industrial User definition; or
 - 2. Discharging five percent or more of the District's current effluent mass loading of any regulated constituent.
 - 3. has in its wastes toxic pollutants as defined pursuant to Section 307 of the Clean Water Act; or Discharging wastewater which may cause, as determined by the General Manager, pass through or interference with the District's sewerage system.

402.1 CLASS I WASTEWATER DISCHARGE PERMIT APPLICATION

- A. Any person required to obtain a Class I Wastewater Discharge Permit shall complete and file with the District, at least ninety (90) prior to commencing discharge, an application on the form prescribed by the District. The discharger shall submit, in units

and terms appropriate for evaluation, the following information.

1. Name, address, assessor's parcel number(s), S.I.C. number(s), description of the manufacturing process or service activity.
2. (Whichever is applicable) name, address of any and all principals/ owners/major shareholders of company; Articles of Incorporation; most recent Report of the Secretary of State; Business License.
3. Volume of wastewater to be discharged.
4. Name of individual who can be served with notices other than officers of corporation.
5. Name and address of property owner, landlord and/or manager of the property.
6. Water supplier and water account numbers.
7. Measurement of Pollutants.
 - a. The categorical pretreatment standards applicable to each regulated process and any new categorically regulated processes for existing sources.
 - b. The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the standard or by the District, of regulated pollutants in the discharge from each regulated process. The constituents and characteristics shall be determined by a laboratory selected by the discharger and acceptable to the District.
 - c. Instantaneous, daily maximum, and long-term average concentrations, or mass, where required, shall be reported.
 - d. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 103.A of this ordinance. Where the Standard requires compliance with a BMP or pollution prevention alternative, the user shall submit documentation as required by the District or the applicable Standards to determine compliance with the Standard.
 - e. Sampling must be performed in accordance with procedures set out in Section 601.1 of this ordinance.
8. Time and duration of discharge.
9. Number of employees and average hours of work per employee per day.
10. Waste minimization and water conservation practices.
11. Brief description of the nature of operations and average rate of production (including each product produced by type, amount, processes, and rate of production). This description should include a schematic process diagram, which indicates points of discharge to the POTW from the regulated processes.
12. 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 PTOW.

13. Type and amount of raw materials processed (average and maximum per day).
 14. Landscaped area in square feet, if applicable.
 15. Tons of cooling tower capacity, if applicable.
 16. EPA Hazardous Waste Generator Number, if applicable.
 17. Slug Load Control Plan (SLCP), which at a minimum, lists the chemicals used or stored on-site, spill prevention, notification procedures, and response procedures necessary to prevent slug discharges or excess flow volumes from entering the District's sewer system.
 18. A list of any environmental control permits held by or for the facility that will be covered by the permit.
 19. Any other information as may be deemed necessary by the District to evaluate the permit application.
- B. Dischargers may be required to submit site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, spill containment, clarifiers, pretreatment equipment, and appurtenances by size, location, and elevation and all points of discharge.
- C. Dischargers may also be required to submit information related to the discharger's business operations, processes, and potential discharge as may be requested by the District to properly evaluate the permit application.
- D. After evaluation of the data, the District may issue a wastewater discharge permit, subject to terms and conditions set forth in this Ordinance and as otherwise determined by the General Manager to be appropriate to protect the District's sewerage facilities.
- E. The permit application may be denied if the discharger fails to establish to the District's satisfaction that adequate pretreatment equipment is included within the discharger's plans to ensure that the discharge limits will be met or if the discharger has, in the past, demonstrated an inability to comply with applicable discharge limits.

402.2 CLASS I PERMIT CONDITIONS AND LIMITS

- A. A Class I permit shall contain the following conditions or limits:
1. Mass emission rates and concentration limits, including Best Management Practices, regulating pollutants in accordance with Federal, State and District discharge limits.
 2. Requirements to notify the District in writing prior to modification to processes or operations through which industrial wastewater may be produced or when there may be any substantial change in the volume or character of pollutants in their discharge including but not limited to the potential for a slug discharge or the discharge of hazardous waste as per 403.12(p) and as revised.
 3. Location of the user's on-site sampling point.



4. Requirements to self-monitor the discharge and submit technical reports, production data, discharge reports, documentation associated with Best Management Practices and/or waste manifests, including but not limited to the requirements set forth in 40 CFR section 403.12(o) and as revised.
 5. Requirements for maintaining, for a minimum of three years, plant records relating to wastewater discharge, documentation associated with Best Management Practice, and waste manifests as specified by District.
 6. Requirements to submit copies of tax and water bills.
 - 7.
 8. A requirement that all new source dischargers install and start up any necessary pollution control equipment before beginning discharge, and comply with applicable Federal Categorical Pretreatment Standards within (30) days of the commencement of the discharge.
 9. A requirement that all new source dischargers submit monitoring information that meets the requirements of 40 C.F.R section 403.12(d) within ninety (90) days of commencement of the discharge.
 10. A requirement that the Permittee notify the District immediately of all discharges that could cause problems to the District's operations, including any slug loadings, as defined by 40 C.F.R. section 403.5(b)
 11. A requirement to notify the District in the event of any discharge that may cause a problem to the District's facilities.
 12. A requirement to report all monitoring results from the designated sampling and monitoring location(s).
 13. Requirements and conditions in Section 401.B of this ordinance.
- B. A Class I permit may contain any of the following conditions or limits:
1. Requirements for the user to construct and maintain, at the user's own expense, appropriate pretreatment equipment, pH control, flow monitoring facilities, and sampling facilities.
 2. Limits on rate and time of discharge or requirements for flow regulation and equalization.
 3. Requirements to self-monitor.
 4. Assumed values for COD and suspended solids characteristics that typify the discharger's effluent for determination of the charge for use.
 5. Requirements to develop, submit for approval, and implement such a plan or take such other action that may be necessary to control slug discharges.
 6. Other terms and conditions that may be appropriate to ensure compliance with this Ordinance.
 7. Other terms and conditions determined by the General Manager to be appropriate to protect the sewerage system.

402.3 CLASS I PERMIT FEE

- A. The Class I permit fee shall be in an amount adopted by resolution or Ordinance, as appropriate, of the Board of Directors. The permit fee shall be payable at the time a permit application is submitted for the issuance of a new permit or a renewed permit. Payment of permit must be received by the District prior to issuance of either a new permit or a renewed permit. Permittee shall also pay any delinquent invoices in full prior to permit renewal.
- B. Any permit issued for a location wherein the Permittee is not the property owner may be conditioned upon depositing financial security to guarantee payment of all annual fees and charges to be incurred, in accordance with the provisions of the current District's resolution or Ordinance for fees and charges.
- C. Class I Permit Charge for Use. The purpose of a charge for use is to ensure that each recipient of sewerage service from the District pays its reasonably proportionate share of all the costs of providing that sewerage service. Fees and charges for use shall be in accordance with the current District's resolution or Ordinance, as appropriate, for fees and charges.

402.4 CLASS I PERMIT MODIFICATION OF TERMS AND CONDITIONS

- A. The terms and conditions of an issued permit may be subject to modification and change in the sole determination by the General Manager during the life of the permit based on:
 - 1. The discharger's current or anticipated operating data;
 - 2. The District's current or anticipated operating data;
 - 3. Changes in the requirements of Regulatory Agencies that affect the District; or
 - 4. A determination by the General Manager that such modification is appropriate to further the objectives of this Ordinance.
- B. New source indirect dischargers shall be required to install and start up any necessary pollution control equipment before beginning discharge, and comply with applicable Federal Categorical Pretreatment Standards not to exceed thirty (30) days after the commencement of discharge.
- C. Permittee may request a modification to the terms and conditions of an issued permit. The request shall be in writing stating the requested change, and the reasons for the change. The District shall review the request, make a determination on the request, and respond in writing.
- D. Permittee shall be informed of any change in the permit limitations, conditions, or requirements at least forty-five (45) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

402.5 CLASS I PERMIT DURATION AND RENEWAL

Class I permits shall normally be issued for a period not to exceed two (2) years but in no case for a period of greater than 5-years. At least 45 days prior to the expiration of the permit, the user shall apply for renewal of the permit in accordance with the provisions of this Article 4.

403. CLASS II WASTEWATER DISCHARGE PERMITS

- A. No user requiring a Class II permit shall discharge wastewater without obtaining a wastewater discharge permit.
- B. Class II Wastewater Discharge Permits shall be expressly subject to all provisions of this Ordinance and all other regulations, charges for use and fees established by the District. The conditions of wastewater discharge permits shall be enforced by the District in accordance with this Ordinance and applicable State and Federal Regulations.
- C. All Class II users proposing to discharge directly or indirectly into the District sewerage facilities shall obtain a wastewater discharge permit by filing an application pursuant to Section 403.1 and paying the applicable fees pursuant to Section 403.3. For purposes of this Ordinance, a Class II user is any user:
 - 1. Discharging waste other than sanitary; and
 - 2. Not otherwise required to obtain a Class I permit.
- D. **EXEMPTIONS:** An discharger may qualify for an exemption from the requirement to obtain a Class II Discharge Permit by obtaining the General Manager’s approval of a “Best Management Practices Plan of Action”. An exemption shall be valid for 5 years. To qualify for an exemption the discharger shall:
 - 1) Not discharge in excess of any discharge limit as set forth in Section 208 of this Ordinance or of any wastewater limitation established by Resolution of the District’s Board of Directors.
 - 2) Shall segregate concentrated and dilute waste streams.
 - 3) Use “Dry” versus “Wet” clean-up methods.
 - 4) Use water conservation methods.
 - 5) Maintain all records of waste disposal.
 - 6) Allow District reasonable access to facilities and records for inspection.
 - 7) Implement an approved “Best Management Practices Plan of Action”.
 - 8) Upon a determination by the General Manager that the user has failed to comply with the forgoing criteria, the exemption shall be invalid and the user shall obtain a Class II Discharge Permit.

403.1 CLASS II WASTEWATER DISCHARGE PERMIT APPLICATION

- A. Any person required to obtain a Class II Wastewater Discharge Permit shall complete and file with the District, prior to commencing discharge, an application on the form prescribed by the District. The discharger shall submit, in units and terms appropriate for evaluation, all necessary information as described in Section 402.1.A. (1-18).
- B. Dischargers may be required to submit site plans, floor plans, mechanical and

plumbing plans, and details to show all sewers, spill containment, clarifiers, pretreatment facilities, and appurtenances by size, location, and elevation for evaluation.

- C. Dischargers may also be required to submit other information related to the discharger's business operations, processes, and potential discharge as may be requested to properly evaluate the permit application.
- D. After evaluation of the data furnished, the District may issue a wastewater discharge permit, subject to terms and conditions set forth in this Ordinance and as otherwise determined by the General Manager to be appropriate to protect the District's system.
- E. The permit application may be denied if the discharger fails to establish to the District's satisfaction that adequate pretreatment equipment is included within the discharger's plans to ensure that the discharge limits will be met or if the discharger has, in the past, demonstrated an inability to comply with applicable discharge limits.

403.2 CLASS II PERMIT CONDITIONS, AND LIMITS

- A. A Class II permit shall contain all of the following conditions or limits:
 - 1. Requirements to notify the District in writing prior to modification to processes or operations through which industrial wastewater may be produced.
 - 2. Location of the user's on-site sample point.
 - 3. Requirements for submission of technical reports, production data, discharge reports, and/or waste manifests pursuant to Section 402.2. A.4
 - 4. Requirements to submit copies of tax and waterbills.
 - 5. Requirements and conditions in Section 401.B of this ordinance.
- B. A Class II permit may contain any of the following conditions or limits:
 - 1. Requirements for the user to construct and maintain, at the user's own expense, appropriate pretreatment equipment, pH control, flow monitoring and/or sampling facilities.
 - 2. Limits on rate and time of discharge or requirements for flow regulation and equalization.
 - 3. Assumed values for COD and suspended solids characteristics that typify the discharger's effluent for determination of the charge for use.
 - 4. Requirements to self-monitor.
 - 5. Requirements for maintaining, for a minimum of three years, plant records relating to wastewater discharge, and waste manifests as specified by District.
 - 6. Other provisions that may be appropriate to ensure compliance with this Ordinance.
 - 7. Other terms and conditions determined by the General Manager to be appropriate to protect the District's sewerage system.

403.3 CLASS II PERMIT FEE

- A. The Class II permit fee shall be in an amount adopted by resolution or Ordinance, as appropriate, of the Board of Directors. The permit fee shall be payable at the time a permit application is submitted for the issuance of a new permit or a renewed permit. Payment of permit must be received by the District prior to issuance of either a new permit or a renewed permit. Permittee shall also pay any delinquent invoices in full prior to permit renewal.
- B. Any permit issued for a location wherein the Permittee is not the property owner may be conditioned upon depositing financial security to guarantee payment of all annual fees and charges to be incurred, in accordance with the current District's resolution or Ordinance, as appropriate, for fees and charges.
- C. Class II Permit Charge for Use. The purpose of a charge for use is to ensure that each recipient of sewerage service from the District pays its reasonably proportionate share of all the costs of providing that sewerage service. Fees and charges for use shall be in accordance with the current District's resolution or Ordinance, as appropriate, for fees and charges.

403.4 CLASS II PERMIT MODIFICATION OF TERMS AND CONDITIONS

- A. The terms and conditions of an issued permit may be subject to modification and change in the sole determination by the General Manager during the life of the permit based on:
 - 1. The discharger's current or anticipated operating data;
 - 2. The District's current or anticipated operating data;
 - 3. Changes in the requirements of Regulatory Agencies that affect the District; or
 - 4. A determination by the General Manager that such modification is appropriate to further the objectives of this Ordinance.
- B. The Permittee shall request a modification to the terms and conditions of an issued permit prior to increasing the contribution of flow, pollutants, or changing the nature of pollutants where such contribution or change will cause the Permittee to be in violation of their permit or this Ordinance. The request shall be in writing stating the requested change, and the reasons for the change. The District shall review the request, make a determination on the request, and respond in writing. The District's approval may be granted or denied.
- C. Permittee shall be informed of any change in the permit limitations, conditions, or requirements at least forty-five (45) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

403.5 CLASS II PERMIT DURATION AND RENEWAL

Class II permits shall be issued for a period not to exceed five (5) years. At least 45 days prior to the expiration of the permit, the user shall apply for renewal of the permit in accordance with the provisions of this Article 4.

404. SPECIAL PURPOSE DISCHARGE PERMITS

- A. No user requiring a Special Purpose Discharge Permit shall discharge wastewater without obtaining a Special Purpose Discharge Permit.

- B. Special Purpose Discharge Permits shall be expressly subject to all provisions of this Ordinance and all other regulations, charges for use, and fees established by the District. The conditions of wastewater discharge permits shall be enforced by the District in accordance with this Ordinance and applicable State and Federal Regulations.
- C. All Special Purpose Discharge Permit users proposing to discharge directly or indirectly into the Districts' sewerage facilities shall obtain a wastewater discharge permit by filing an application pursuant to Section 404.1 and paying the applicable fees pursuant to Section 404.3. This discharge permit may be granted when no alternative method of disposal is reasonably available, or to mitigate an environmental risk or health hazard.

404.1 SPECIAL PURPOSE DISCHARGE PERMIT APPLICATION

- A. Dischargers seeking a Special Purpose Discharge Permit shall complete and file with the District, prior to commencing discharge, an application in the form prescribed by the District. This application shall be accompanied by the applicable fees, plumbing plans, a detailed analysis of the alternatives for water disposal, or other data as needed by the District for review.
- B. The permit application may be denied if the discharger fails to establish to the District's satisfaction that adequate pretreatment equipment is included within the discharger's plans to ensure that the discharge limits will be met if the discharger has, in the past, demonstrated an inability to comply with applicable discharge limits.



404.2 SPECIAL PURPOSE DISCHARGE PERMIT CONDITIONS AND LIMITS

- A. If monitoring is required because the discharge may impact the District's facilities, the monitoring requirements for the discharge shall be for those pollutants known or suspected to exist in the discharge.
- B. The District may specify and make part of each Special Purpose Discharge Permit specific pretreatment requirements or other terms and conditions determined by the General Manager to be appropriate to protect the District's sewerage facilities, to comply with Regulatory Agencies' requirements, to ensure compliance with this Ordinance, and to assess user charges.
- C. Requirements and conditions in Section 401.B of this ordinance.

404.3 SPECIAL PURPOSE DISCHARGE PERMIT FEE

The special purpose discharge permit fee shall be paid by the discharger in an amount adopted by resolution or Ordinance, as appropriate, of the Board of Directors. Payment of permit fees must be received by the District prior to issuance of either a new permit or a renewed permit. Each Permittee shall also pay delinquent invoices in full prior to permit renewal.

A charge for use to cover all costs of the District for providing sewerage service and monitoring shall be established by the General Manager. A deposit determined by the General Manager to be sufficient to pay the estimated charges for use shall accompany the Special Purpose Discharge Permit application, and said deposit shall be applied to the charges for use.

404.4 SPECIAL PURPOSE DISCHARGE PERMIT MODIFICATION OF TERMS AND CONDITIONS

- A. The terms and conditions of an issued permit may be subject to modification and change in the sole determination by the District during the life of the permit based on:
 - 1. The discharger's current or anticipated operating data;
 - 2. The District's current or anticipated operating data;
 - 3. Changes in the requirements of Regulatory Agencies that affect the District; or
 - 4. A determination by the General Manager that such modification is appropriate to further the objectives of this Ordinance.
- B. A Permittee may request a modification to the terms and conditions of an issued permit. The request shall be in writing stating the requested change, and the reasons for the change. The District shall review the request, make a determination on the request, and respond in writing.
- C. A Permittee shall be informed of any changes in the permit at least forty-five (45) days prior to the effective date of the change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

404.5 SPECIAL PURPOSE DISCHARGE PERMIT DURATION AND RENEWAL

Special purpose discharge permits shall be issued for a period not to exceed three (3) years, but may be renewed as determined by the General Manager. Users seeking permit renewal shall comply with all provisions of this Article 4.

405. GENERAL DISCHARGE PERMIT

The General Discharge Permit contains standard conditions and requirements that are the same for all Users with a specific business classification that are determined by the District to have similar process wastewater producing streams and can be regulated using a common permit. The District may issue a General Discharge Permit when:

- A. The General Discharge Permit will regulate the same or substantially similar types of operations;
- B. The Permittees will discharge the same type of wastes;
- C. The discharges require the same effluent limitations, including Best Management Practices;
- D. The discharges require the same or similar monitoring and reporting requirements; and
- E. In the opinion of the District, the Permittees are more appropriately controlled under a general control mechanism than under individual control mechanisms.

Typical business operations that may fall into a General Discharge Permit category include, but are not limited to, food service establishments; automotive repair shops; car washes; dental offices; and film photo-processing operations. Facilities with a General Discharge Permit will typically be regulated using Best Management Practices that are established for each specific business type.

406.1 GENERAL DISCHARGE PERMIT APPLICATION

- A. Any person required to be covered under a General Discharge Permit shall complete

and file with the District prior to commencing discharge, an application in a form prescribed by the District.

- B. Dischargers may be required to submit mechanical and plumbing plans, and details to show all spill containment internal baffles and valving, clarifiers and appurtenances by size, location, and elevation for evaluation.
- C. Dischargers may be required to submit other information related to the discharger's business operations and potential discharge as may be requested to properly evaluate the permit application.
- D. After evaluation of data furnished, the District may issue a General Wastewater permit, subject to terms and conditions set forth in this Ordinance and as otherwise determined by the General Manager to be appropriate to protect the District's sewerage system.
- E. The permit application may be denied if the discharger fails to establish to the District's satisfaction that adequate pretreatment equipment is included within the discharger's plans to ensure that the discharge limits will be met or if the discharger has, in the past, demonstrated an inability to comply with applicable discharge limits.

406.2 GENERAL DISCHARGE PERMIT CONDITIONS AND LIMITS

The issuance of a General Discharge Permit may include any of the following conditions or limits:

- A. Requirements to develop and implement Best Management Practices as determined by the General Manager to be appropriate to protect the District's sewerage system.
- B. Requirements to develop, submit for approval, and implement such a plan or take such action that may be necessary to control slug discharges.
- C. Requirements for the User to construct and maintain, at the user's own expense, appropriate pretreatment equipment, pH control, flow monitoring facilities and sampling facilities.
- D. Other terms and conditions which may be applicable to ensure compliance with this Ordinance.
- E. Other terms and conditions determined by the General Manager to be appropriate to protect the District's sewerage system.
- F. Requirements and conditions in Section 401.B of this ordinance.


406.3 GENERAL DISCHARGE PERMIT FEE

- A. The General Discharge Permit fee shall be in an amount adopted by resolution, or Ordinance, as appropriate, of the Board. The permit fee shall be payable within forty-five (45) days of invoicing by the District. Payment of permit fees must be received by the District prior to issuance of either a new permit or a renewed permit. Permittee shall also pay any delinquent invoices in full prior to permit renewal.
- B. Any permit issued may be conditioned upon depositing financial security to guarantee

payment of all annual fees and charges to be incurred, in accordance with the provisions of Section 717 of this Ordinance.

- C. General Discharge Permit Charge for Use. A charge for use to cover all costs of the District for providing sewerage service and monitoring shall be established by the General Manager and the board of directors through the most current fee resolution named 'A Resolution of the Board of Directors of Valley Sanitary District Amending Fees and Charges For District Services'. A deposit determined by the General Manager to be sufficient to pay the estimated charges for use shall accompany the General Discharge Permit application, and said deposit shall be applied to the charges for use.

406.4 GENERAL DISCHARGE PERMIT MODIFICATIONS OF TERMS AND CONDITIONS

- A. The terms and conditions of an issued permit may be subject to modification and change in the sole determination by the General Manager during the life of the permit based on:
 - 1. The discharger's current or anticipated operating data;
 - 2. The District's current or anticipated operating data;
 - 3. Changes in the requirements of Regulatory Agencies that affect the District; or
 - 4. A determination by the General Manager that such modification is appropriate to further the objectives of this Ordinance.
- B.  The Permittee shall request a modification to the terms and conditions of an issued permit prior to increasing the contribution of flow, pollutants, or changing the nature of pollutants where such contribution or change will cause the Permittee to be in violation of their permit or this Ordinance. The request shall be in writing stating the requested change, and the reasons for the change. The District shall review the request, make a determination on the request, and respond in writing. The District's approval may be granted or denied.
- C. Permittee shall be informed of any change in the permit limits, conditions, or requirements at least forty-five (45) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

406.5 GENERAL DISCHARGE PERMIT DURATION AND RENEWAL

General Discharge Permit shall be issued for a period not to exceed five (5) years, but may be renewed as determined by the General Manager. Users seeking permit renewal shall comply with all provisions of this Article 4

ARTICLE 5

FACILITIES REQUIREMENTS

501. DRAWING SUBMITTAL REQUIREMENTS

- A. Persons wishing to construct a public sewer as defined by Section 303 shall submit to the District, the Plans, Profiles and Specifications in accordance with District Standard Specifications for Construction.
- B. Applicants or users discharging non-domestic wastewater may be required to submit three copies of detailed facility plans. The submittal shall be in a form and content acceptable to the District for review of existing or proposed pretreatment facilities, spill containment facilities, monitoring facilities, metering facilities, and operating procedures. The review of the plans and procedures shall in no way relieve the user of the responsibility of modifying the facilities or procedures in the future, as necessary to produce an acceptable discharge, and to meet the requirements of this Ordinance or any requirements of other Regulatory Agencies.
- C. As a minimum, the drawings shall depict the manufacturing process (waste generating sources), spill containment, monitoring or metering facilities, and pretreatment facilities.
- D. The applicant or user shall submit a schematic drawing of the pretreatment facilities, piping and instrumentation diagram, and wastewater characterization report or equivalent as determined by the General Manager.
- E. Users and applicants may also be required to submit for review, site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, spill containment, clarifiers, and appurtenances by size, location, and elevation for evaluation.
- F. The District may require the drawings be prepared by a California Registered Architect, Chemical, Mechanical, or Civil Engineer.

502. PRETREATMENT FACILITIES

- A. All users shall provide wastewater treatment as necessary to comply with this ordinance and shall achieve compliance with Local Limits and all categorical Pretreatment Standards within the time limitations specified by EPA, the State, or District, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the user's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the District for review, and shall be acceptable to the District before such facilities are constructed. The review of such plans and operating procedures shall in no way relieve the user from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to the District under the provisions of this ordinance.
- B. Any user required to treat or transport wastewater shall ensure that pretreatment facilities are maintained by a qualified operator and in proper operating condition at the user's expense.
- C. All users may also be required by the District to submit waste analysis plans, contingency plans, and meet other necessary requirements to ensure proper operation of the pretreatment facilities and compliance with permit limits and this Ordinance.

- D. No user shall increase the use of water or in any other manner attempt to dilute a discharge as a partial or complete substitute for treatment to achieve compliance with this Ordinance and the user's Permit.

503. SPILL CONTAINMENT FACILITIES/ACCIDENTAL SLUG CONTROL PLANS

- A. All users shall provide spill containment for protection against discharge of prohibited materials or other wastes regulated by this Ordinance. Such protection shall be designed to secure the discharges and to prevent them from entering into the system in accordance with reasonable engineering standards. Such facilities shall be provided and maintained at the user's expense.
- B. The General Manager may require any industrial user to develop and implement an accidental discharge/slug control plan.
- C. The General Manager shall evaluate whether each SIU needs an accidental discharge/slug control plan or other action to control slug discharges. An accidental discharge/slug control plan shall address, at a minimum, the following:
 - 1. Description of discharge practices, including nonroutine batch discharges;
 - 2. Description of stored chemicals;
 - 3. Procedures for immediately notifying the General Manager of any accidental or slug discharge; and
 - 4. Procedures to prevent adverse impact from any accidental or sludge discharge. Such procedures include, but are not limited to, 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, including solvents, and/or measures and equipment for emergency response.

504. MONITORING/METERING FACILITIES

- A. The District may require the user to construct and maintain in proper operating condition at the user's sole expense, flow monitoring, constituent monitoring and/or sampling facilities.
- B. The monitoring or metering facilities may be required to include a security closure that can be locked with a District provided hasp lock or the equivalent, during sampling or upon termination of service.
- C. The location of the monitoring or metering facilities shall be subject to approval by the District.
- D. The user shall provide immediate, clear, safe, and uninterrupted access to the District to the user's monitoring and metering facilities.
- E. The District may at its sole discretion, install its own monitoring or metering facilities. The cost of constructing and maintaining the facilities shall be borne by the user.

505. WASTE MINIMIZATION REQUIREMENTS

The District may require the user to provide waste minimization plans to conserve water, investigate product substitution, provide inventory control, implement employee education, and other steps as necessary to minimize waste produced.

506. GREASE INTERCEPTOR

In accordance with Section 502, a User may be required to install pretreatment facilities to assure that the wastewater is acceptable to the District. Grease Interceptors may be required to remove solids and floating grease that may interfere with the District's facilities. Grease Interceptors are defined as a structural chamber approved by the local authorities and the District to remove fats, oils, and grease (FOG) and solids from wastewater prior to discharge to the District's sewer collection system.

- A. Grease Interceptors are typically required for food service establishments. Discharges from new facilities must have their plumbing plans reviewed and approved by the appropriate plumbing official and reviewed by the District to determine if a Grease Interceptor is required and if it is appropriately sized for the flow and loading generated by the User's discharge.
- B. Sanitary wastewater shall not be allowed to pass- through the Grease Interceptor.
- C. Grease Interceptors shall be operated and maintained in a satisfactory manner which includes cleaning to remove all solids and floatable FOG once every three months, when 25% or more of the volumetric capacity of the chamber is occupied by settled or floatable materials, or when determined by the District, whichever occurs first. Users are required to maintain cleaning records for three years.
- D. District may reduce the cleaning requirements only after the User demonstrates to the satisfaction of the General Manager that the Grease Interceptor can operate at a different cleaning frequency. The User shall submit a demonstration plan for District's approval that includes effluent testing to demonstrate that the Grease Interceptor cleaning frequency can be changed. The User shall execute the plan and submit the results for District's review and approval prior to changing the cleaning frequency.
- E. All chambers of the Grease Interceptor shall be immediately accessible at all times for the purpose of inspection and cleaning. At no time shall any material, debris, obstacles, or obstructions be placed in such a manner so as to prevent immediate access to the interceptor.
- F. All interceptors shall be equipped with a sample chamber located downstream of the interceptor and the sample chamber shall conform to approved District standards.
- G. If the General Manager finds that a Grease Interceptor is inadequate for removing floatable or settleable material or is structurally incomplete, the General Manager shall notify the User that the Grease Interceptor does not meet the requirements of this section and shall require the User to install, at the user's expense, an acceptable interceptor.
- H. The use of chemicals, enzymes, or mechanical means to dissolve or emulsify grease is specifically prohibited.

Accumulated sediment and floating material from the Grease Interceptor shall be removed and legally disposed of and shall not be discharged to the sewer.

ARTICLE 6

MONITORING, REPORTING, NOTIFICATION, AND INSPECTION REQUIREMENTS

601. MONITORING AND REPORTING CONDITIONS

A. Monitoring for Annual Charge for Use

The wastewater constituents and characteristics of a discharger needed for determining the annual charge for use shall be submitted in the form of self-monitoring reports by the user to the District, if requested and as set forth in their permit. The frequency of analyses and reporting shall be set forth in the user's permit. The analyses of these constituents and characteristics shall be by a laboratory acceptable to the District, and at the sole expense of the permittee. Analyses performed by District's personnel may be used in the determination of the annual charge for use.

B. Monitoring for Compliance with Permit Conditions or Reporting Requirements

The District may require reports for self-monitoring of wastewater constituents and characteristics of the discharger needed for determining compliance with any limit or requirements as specified in the user's permit, Federal or State Regulations, or this Ordinance. These reports include:

- (1) Baseline Monitoring Reports as defined by 40 CFR 403.12(b).
- (2) Compliance Schedule Progress Reports as defined by 40 CFR 403.12(c).
- (3) 90-Day Compliance Reports as defined by 40 CFR 403.12(d).
- (4) Periodic Reports on continued compliance, including but not limited to report(s) of continued compliance with categorical standards in accordance with 40 CFR 403.12(e) and other specified limitations (e.g. local limits) in accordance with 40 CFR 403.12 (h).
- (5) Notification of the Discharge of Hazardous Waste as per 40 CFR 403.12(p) and as revised.
- (6) Other reports as required by the District, including but not limited to a report of compliance with any categorical deadline(s) in accordance with 40 CFR 403.12(d).

Monitoring reports of the analyses of wastewater constituents and characteristics shall be in a manner and form approved by the District and shall be submitted upon request of the District. When applicable, the self-monitoring requirement and frequency of reporting may be set forth in the user's permit as directed by the District. The analyses of wastewater constituents and characteristics and the preparation of the monitoring report shall be done at the sole expense of the user.

Failure by the user to perform any required monitoring, or to submit monitoring reports required by the District constitutes a violation and may result in determining whether the permittee is in significant non-compliance, as defined in this Ordinance. Any and all expenses incurred by the District to determine compliance with any limits and requirements specified in the user's permit or in this Ordinance shall be the

responsibility of said user.

601.1 Inspection and Sampling Conditions

- A. The District may inspect and sample the wastewater generating and disposal facilities of any user to ascertain whether the intent of this Ordinance is being met and the user is complying with all requirements.
- B. The District shall have the right to place on the user's property or other locations as determined by the District, such devices as are necessary to conduct sampling or metering operations. Where a user has security measures in force, the user shall make necessary arrangements so that personnel from the District shall be permitted to enter without delay for the purpose of performing their specific responsibilities.
- C. In order for the District to determine the wastewater characteristics of the discharger for purposes of determining the annual use charge and for compliance with permit requirements, the user shall make available for inspection and copying by the District all notices, self-monitoring reports, waste manifests and records including, but not limited to, those related to production, wastewater generation, wastewater disposal, and those required in the Federal Pretreatment Requirements without restriction, but subject to the confidentiality provision set forth in Section 104 herein. All such records shall be kept by the user a minimum of three (3) years.
- D. The user is responsible for maintaining all user required flow and sampling equipment and maintaining the designated sampling location free from debris. Debris removed from the sampling location is considered waste and shall be pretreated and disposed of properly.
- E. 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 are representative of conditions occurring during the reporting period.
- F. 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.
- G. 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 designated representative, using the procedures prescribed in this section of this ordinance, the results of this monitoring shall be included in the report.
- H. Except as indicated in Section I and J 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. 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 analyzed individually or 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. In addition, grab samples may be required to show

compliance with Instantaneous Limits.

- I. Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.
- J. For sampling required in support of baseline monitoring and 90-day compliance reports, a minimum of four grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds. The General Manager may authorize a lower minimum for facilities for which historical sampling data are available.

601.2 Right of Entry

Persons or occupants of premises where wastewater is created or discharged shall allow the District, or its representatives, reasonable access to all parts of the wastewater generating and disposal facilities for the purposes of inspection and sampling during all times the discharger's facility is open, operating, or any other reasonable time. No person shall interfere with, delay, resist, or refuse entrance to authorized District's personnel attempting to inspect any facility involved directly or indirectly with a discharge of wastewater to the District's sewerage system

601.3 Notification of Spill or Slug Loading

- A. In the event the discharger is unable to comply with any permit condition due to a breakdown of equipment, accidents, or human error, or the discharger has reasonable opportunity to know that the discharge will exceed the discharge provisions of the user's permit, Section 208, or any local wastewater discharge limitations adopted by the District, the discharger shall immediately notify the District by telephone. If the material discharged to the sewer has the potential to cause or result in a fire or explosion hazard, the discharger shall immediately notify the local fire department and the District.
- B. Confirmation of this notification shall be made in writing no later than five (5) working days from the date of the incident. The written notification shall state the date of the incident, the reasons for the discharge or spill, what steps were taken to immediately correct the problem, and what steps are being taken to prevent the problem from recurring.
- C. Such notification shall not relieve the user of any expense, loss, damage, or other liability which may be incurred as a result of damage or loss to the District or any other damage or loss to person or property; nor shall such notification relieve the user of any fees or other liability which may be imposed by this Ordinance or other applicable law.

601.4 Notification of Bypass

- A. Bypass of industrial wastewater to the sewerage system is prohibited. The District may take enforcement action against the user, unless:
 - 1. Bypass was unavoidable because it was done to prevent loss of life, personal injury, or severe property damage;
 - 2. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, elective slow-down or shut-down of production units or maintenance during periods of production downtime. This condition is not satisfied if adequate backup equipment could

have been feasibly installed in the exercise of reasonable engineering judgment to prevent a bypass that occurred during normal periods of equipment downtime or preventative maintenance; and

3. The permittee submitted notices as required under Article 601.4 (B).
 - B. If a permittee knows in advance of the need for a bypass, it shall submit a written request to allow the bypass to the District, if possible, at least ten (10) days before the date of the bypass.
 - C. The District may approve an anticipated bypass at its sole discretion after considering its adverse effects, and the District determines that the conditions listed in 601.4 (A) (1-3) are met.
 - D. A permittee shall provide telephone notification to the District of an unanticipated bypass that exceeds its permitted discharge limits within four (4) hours from the time the permittee becomes aware of the bypass. A written report shall also be provided within five (5) days of the time the permittee becomes aware or could reasonably have been aware of the bypass. The report shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass. Failure to submit oral notice or written report may be grounds for permit revocation.

ARTICLE 7

ENFORCEMENT

701. PURPOSE AND SCOPE

- A. The Board finds that in order for the District to comply with the laws, regulations and rules imposed upon it by Regulatory Agencies and to ensure that the District's sewerage facilities and treatment processes are protected and are able to operate with the highest degree of efficiency, and to protect the public health and environment, specific enforcement provisions must be adopted to govern the discharges to the District's sewerage system.
- B. To ensure that all interested parties are afforded due process of law and that non-compliance and violations are resolved as soon as possible, the general policy of the District is that:
 - 1. Any determination relating to a permit application, permit violation, Probation Order, or Enforcement Compliance Schedule Agreement (ECSA) will be made by the Program Manager, with a right of appeal by the permittee to the General Manager pursuant to the procedures set forth in Section 713.
 - 2. A user, permittee, or applicant for a permit may request the Board to hear an appeal of the General Manager's decision pursuant to Section 715, except as set forth in Section 715.B. Such request may be granted or denied by the Board except where civil penalties have been awarded.
 - 3. Actions and decisions by the Program Manager are made pursuant to a delegation of authority by the General Manager as authorized by Section 107 of this Ordinance.
- C. The District, at its discretion, may utilize any one, combination, or all enforcement remedies in accordance with the District's enforcement response plan to any permit or Ordinance violation. However, the District may take other action against any User when the circumstances warrant. Further, the District is empowered to take more than one enforcement action against any noncompliant user.

702. DETERMINATION OF NON-COMPLIANCE

- A. Sampling Procedures
 - 1. Sampling of all permittees shall be conducted in the time, place, manner, and frequency determined at the sole discretion of the District.
 - 2. Non-compliance with mass emission rate limits, concentration limits, permit discharge conditions, or any discharge provision of this Ordinance may be determined by an analysis of a grab or composite sample of the effluent of a user. Non-compliance with mass emission rate limits shall be determined by an analysis of a composite sample of the user's effluent, except that a grab sample may be used to determine compliance with mass emission rate limits when the discharge is from a closed (batch) treatment system in which there is no wastewater flow into the system when the discharge is occurring, the volume of wastewater contained in the batch system is known, the time interval of discharge is known, and the grab sample is homogeneous and

representative of the discharge.

3. 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.

703. ENFORCEMENT PROCEDURES AND APPLICABLE FEES

A. Self-Monitoring Requirements as a Result of Non-Compliance

1. If analysis of any sample obtained by the District or by a permittee or user shows non-compliance with the applicable wastewater discharge limits set forth in the Ordinance or in the permittee's discharge permit, the District may impose self-monitoring requirements on the permittee or user.
2. A user shall perform required self-monitoring of constituents in a frequency, at the specific location, and in a manner directed by the District.
3. All analyses of self-monitoring samples shall be performed by an independent laboratory acceptable to the District and submitted to the District in a form and frequency determined by the District.
4. All self-monitoring costs shall be borne by the user.
5. Nothing in this section shall be deemed to limit the authority of the District to impose self-monitoring as a permit condition.

B. Purpose of Non-Compliance Sampling Fees

The purpose of the non-compliance sampling fee is to compensate the District for costs of additional sampling; monitoring, laboratory analysis, sample treatment, disposal, and administrative processing incurred as a result of the non-compliance, and shall be in addition to and not in lieu of any penalties as may be assessed pursuant to Sections 711 and 712. Non-compliance fees are established by Resolution and are amended from time to time to reflect the cost of providing additional oversight to remedy non-compliance with the provisions of this Ordinance or wastewater discharge permit.

C. Non-Compliance Sampling Fees for Composite Samples

1. Each violation of a permittee's permit discharge limit or condition is a violation of this Ordinance. If analysis of any composite sample of a permittee's discharge obtained by the District shows a violation by the permittee of the mass emission rates or concentration limits specified in the permittee's discharge permit or in this Ordinance, then the District may impose non-compliance sampling fees pursuant to fee schedules adopted by the District's Board of Directors.
2. The fees specified in District's resolution for fees and charges 2021-1143, or as superseded, shall be imposed for each date on which the District conducts sampling as a result of a violation by a permittee.

D. Non-Compliance Sampling Fees for Grab Samples and Self-Monitoring Results



1. If analysis of any grab sample analysis of a permittee's discharge shows non-compliance with any concentration limits as set forth in the user's permit or in Section 208, the District may impose non-compliance sampling fees, pursuant to fee schedules adopted by the District's Board, for sampling conducted by the District as a result of a violation by the permittee.
2. If any self-monitoring analysis of a permittee's discharge shows non-compliance with any concentration limits or mass emission rates as set forth in the user's permit or in this Ordinance, the District may impose non-compliance sampling fees, pursuant to fee schedules adopted by the District's Board of Directors, for sampling conducted by the District as a result of a violation by the Permittee.

E. Requirement to Resample

In accordance with 40 CFR 403.12(g)(2), if sampling performed by a User indicates a violation, the User shall notify the District within 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 District within 30 days after becoming aware of the violation. Where the District has performed the sampling and analysis in lieu of the User, the District must perform the repeat sampling and analysis unless it notifies the User of the violation and requires the User to perform the repeat analysis.



703.1 ADMINISTRATIVE ORDERS

A. Cease and Desist Orders

Whenever the General Manager finds that a violation of this Ordinance, or the provisions of any discharge permit issued pursuant to this Ordinance has occurred, the General Manager may issue a Cease and Desist Order and direct that those persons not complying with such prohibitions, limitations, requirements or provisions:

- 1) Cease discharge immediately; or
- 2) Comply immediately; or
- 3) Comply in accordance with a time schedule set forth by the District.

703.2 PROBATION ORDER

A. Grounds

In the event the General Manager determines that a User has violated any provisions of this Ordinance, or the terms, conditions and limits of it's discharge permit, or has not made payment of all amounts owed to the District for user charges, non-compliance fees or any other fees, the General Manager may issue a Probation Order, whereby the user must comply with all directives, conditions and requirements therein within the time prescribed.

B. Provisions

The issuance of a Probation Order may contain terms and conditions including but not limited to, installation of pretreatment equipment and facilities, requirements for self-monitoring, submittal of drawings or technical reports, operator certification, audit of waste minimization practices, payment of fees, limits on rate and time of discharge, or other

provisions to ensure compliance with this Ordinance.

C. Probation Order-Expiration

A Probation Order issued by the General Manager shall be in effect for a period not to exceed ninety (90) days.

703.3 ENFORCEMENT COMPLIANCE SCHEDULE AGREEMENT (ECSA)

A. Grounds

Upon determination that a User is in non-compliance with the terms, conditions or limits specified in its permit or any provision of this Ordinance, and needs to modify, construct and/or acquire and install equipment and/or facilities, the General Manager may require the User to enter into an ECSA. An ECSA will, upon the effective date of the ECSA, amend a permittee's permit. The ECSA shall contain terms and conditions by which a User must operate during its term and shall provide specific dates for achieving compliance with each term and condition for construction, modification and/or acquisition and installation of required equipment.

B. Provisions

The issuance of an ECSA may contain terms and conditions including but not limited to requirements for self-monitoring, modification and/or installation of equipment and/or facilities, submittal of drawings or reports, operator certification, audit of waste minimization practices, payment of fees, limits on rate and time of discharge, deposit of performance guarantee, or other provisions to ensure compliance with this Ordinance.

C. ECSA - Payment of Amounts Owed

The District shall not enter into an ECSA until such time as all amounts owed to the District, including user fees, non-compliance sampling fees, deposits, or other amounts due are paid in full, or an agreement for deferred payment secured by collateral or a third party, is approved by the General Manager. Failure to pay all amounts owed to the District shall be grounds for enforcement action to include but not limited to permit suspension or permit revocation as set forth in Section 704 and 705.

D. ECSA - Discharge Suspension/Revocation

If compliance is not achieved in accordance with the terms and conditions of an ECSA during its term, the General Manager may issue an order suspending or revoking discharge privileges and/or a user's discharge permit pursuant to Section 704 and 705 of this Ordinance.

704. SUSPENSION OF DISCHARGE

A. Grounds

The General Manger may suspend any discharge and/or permit when it is determined that a user:

1. Fails to comply with the terms and conditions of an Enforcement Compliance Schedule Agreement (ECSA.)
2. Knowingly provides a false statement, representation, record, report, or other

document to the District.

3. Refuses to provide records, reports, plans, or other documents required by the District to determine permit terms, conditions or limits, discharge compliance, or compliance with this Ordinance.
4. Falsifies, tampers with, or knowingly renders inaccurate any monitoring device or sample collection method.
5. Fails to report significant changes in operations or wastewater constituents and characteristics.
6. Violates a Probation Order.
7. Refuses reasonable access to the user's premises for the purpose of inspection and monitoring.
8. Does not make timely payment of all amounts owed to the District for user charges, non-compliance sampling fees, permit fees, or any other fees imposed pursuant to this Ordinance.
9. Violates any provision of the District's Ordinance or any condition or limit of the user's discharge permit.

B. Notice/Hearing

When the General Manager has reason to believe that grounds exist for discharge suspension, the General Manager shall give written notice thereof by personal service or certified mail to the user setting forth a statement of the facts and grounds deemed to exist, together with the time and place where the charges shall be heard by the General Manager's designee. The hearing date shall be not less than fifteen (15) calendar days nor more than forty-five (45) calendar days after the mailing of such notice.

1. At the suspension hearing, the user shall have an opportunity to respond to the allegations set forth in the notice by presenting written or oral evidence. The hearing shall be conducted in accordance with procedures established by the General Manager and approved by the District's General Counsel.
2. After the conclusion of the hearing, the General Manager's designee shall submit a written report to the General Manager setting forth a brief statement of facts found to be true, a determination of the issues presented, conclusions, and a recommendation.

Upon receipt of the written report, the General Manager shall make the determination and should the General Manager find that grounds exist for suspension of the discharge, shall issue a decision and order in writing within thirty (30) calendar days after the conclusion of the hearing by the designee. The written decision and order of the General Manager shall be personally served or sent by certified mail to the user or its legal counsel/representative at the user's address. In the event that the General Manager determines not to suspend the discharge, the General Manager may order other enforcement actions as appropriate to prevent non-compliance with Ordinance or the user's discharge permit.



C. Effect

1. Upon an order of suspension by the General Manager becoming final, the user shall immediately cease and desist its discharge and shall have no right to discharge any wastewater, directly or indirectly to the District's sewerage system for the duration of the suspension. All costs for physically terminating and reinstating service shall be paid by the user.
2. Any owner or responsible management employee of a business entity or permittee shall be bound by the order of suspension.
3. An order of discharge suspension issued by the General Manager shall be final in all respects on the sixteenth (16th) day after it is personally served or mailed to the user unless a request for hearing is filed with the Board pursuant to Section 715 no later than 4:00 p.m. on the fifteenth (15th) day following such personal service or mailing.

705. PERMIT REVOCATION

A. Grounds

The General Manager may revoke any permit when it is determined that a permittee:

1. Knowingly provides a false statement, representation, record, report, or other document to the District.
2. Refuses to provide records, reports, plans, or other documents required by the District to determine permit terms, conditions, or limits, discharge compliance, or compliance with this Ordinance.
3. Falsifies, tampers with, or knowingly renders inaccurate any monitoring device or sample collection method.
4. Fails to report significant changes in operations or wastewater constituents and characteristics.
5. Fails to comply with the terms and conditions of an ECSA, permit suspension or probation order.
6. Discharges effluent to the District's sewerage system while its permit is suspended.
7. Refuses reasonable access to the permittee's premises for the purpose of inspection and monitoring. 
8. Does not make timely payment of all amounts owed to the District for user charges, non-compliance sampling fees, permit fees, or any other fees imposed pursuant to this Ordinance.
9. Causes interference with the District's collection, treatment, or disposal system.
10. Fails to submit oral notice or written report of bypass occurrence.
11. Violates any condition or limit of its discharge permit or any provision of the District's Ordinance. 

B. Notice/Hearing

When the General Manager has reason to believe that grounds exist for the revocation of a permit, the General Manager shall give written notice by personal service or certified mail thereof to the permittee setting forth a statement of the facts and grounds deemed to exist together with the time and place where the charges shall be heard by the General Manager's designee. The hearing date shall be not less than fifteen (15) calendar days nor more than sixty (60) calendar days after the personal service or mailing of such notice.

1. At the hearing, the permittee shall have an opportunity to respond to the allegations set forth in the notice by presenting written or oral evidence. The revocation hearing shall be conducted in accordance with the procedures established by the General Manager and approved by the District's General Counsel.
2. After the conclusion of the hearing, the General Manager's designee shall submit a written report to the General Manager setting forth a brief statement of facts found to be true, a determination of the issues presented, conclusions, and a recommendation.

Upon receipt of the written report, the General Manager shall make the determination and should the General Manager find that grounds exist for permanent revocation of the permit, shall issue a decision and order in writing within thirty (30) calendar days after the conclusion of the hearing by the designee. The written decision and order of the General Manager shall be personally served or sent by certified mail to the permittee or its legal counsel/representative at the permittee's business address.

In the event the General Manager determines to not revoke the permit the General Manager may order other enforcement actions, including, but not limited to, a temporary suspension of the permit, under terms and conditions that are deemed appropriate.

C. Effect

1. Upon an order of revocation by the General Manger becoming final, the permittee shall permanently lose all rights to discharge any industrial wastewater directly or indirectly to the District's system. All costs for physical termination shall be paid by the permittee.
2. Any owner or responsible management employee of the permittee shall be bound by the order of revocation.
3. Any future application for a permit at any location within the District by any person subject to an order of revocation will be considered by the District after fully reviewing the records of the revoked permit, which records may be the basis for denial of a new permit.
4. An order of permit revocation issued by the General Manger shall be final in all respects on the sixteenth (16th) day after it is personally served or mailed to the permittee unless a request for hearing is filed with the Board pursuant to Section 715 no later than 4:00 p.m. on the fifteenth (15th) day following such personal service or mailing.

706. DAMAGE TO FACILITIES OR INTERRUPTION OF NORMAL OPERATIONS

- A. Any person who discharges any waste which causes or contributes to any obstruction,

interference, damage, or any other impairment to the District's sewerage facilities or to the operation of those facilities shall be liable for all costs required to clean or repair the facilities together with expenses incurred by the District to resume normal operations. Such discharge shall be grounds for suspension of discharge or permit revocation. A service charge of twenty-five percent (25%) of District's costs shall be added to the costs and charges to reimburse the District for miscellaneous overhead, including administrative personnel and record keeping. The total amount shall be payable with forty-five (45) days of invoicing by the District.

- B. Any person who discharges waste which causes or contributes to the District, (1) violating its discharge requirements established by any Regulatory Agency or (2) incurring additional expenses or suffering losses or damage to the facilities, shall be liable for any costs or expenses incurred by the District, including regulatory fines, penalties, and assessments made by other agencies or a court.

707. INDUSTRIAL WASTE PASS THROUGH

Any person whose discharge results in a pass-through event affecting the District or its sewerage facilities shall be liable for all costs associated with the event, including treatment costs, regulatory fines, penalties, assessments, and other indirect costs. The discharger shall submit to the District plans to prevent future recurrences to the satisfaction of the District.

708. TERMINATION OF SERVICE

- A. The District, by order of the General Manager, may physically terminate sewerage service to any property as follows:
 - 1. On a term of any order of emergency suspension or revocation of a permit; or
 - 2. Upon the failure of a person not holding a valid discharge permit to immediately cease discharge, whether direct or indirect, to the District's sewerage facilities.
- B. All costs for physical termination shall be paid by the user as well as all costs for reinstating service.

709. EMERGENCY SUSPENSION ORDER

- A. The District may, by order of the General Manager, suspend sewerage service when the General Manager determines that such suspension is necessary in order to stop an actual or impending discharge which presents or may present an imminent or substantial endangerment to the health and welfare of persons, or to the environment, or may cause interference to the District's sewerage facilities, or may cause the District to violate any State or Federal Law or Regulation. Any discharger notified of and subject to an Emergency Suspension Order shall immediately cease and desist the discharge of all industrial wastewater to the sewerage system.
- B. As soon as reasonably practicable following the issuance of an Emergency Suspension Order, but in no event more than five (5) days following the issuance of such order, the General Manager shall hold a hearing to provide the user the opportunity to present information in opposition to the issuance of the Emergency Suspension Order. Such a hearing shall not stay the effect of the Emergency Suspension Order. The hearing shall be conducted in accordance with procedures established by the General Manager and approved by the District's General Counsel. The General Manager shall issue a written decision and order within two (2) business

days following the hearing, which decision shall be personally served or sent by certified mail to the user or its legal counsel/ representative at that user's business address. The decision of the General Manager following the hearing shall be final and not subject to appeal.

710. INJUNCTION

Whenever a discharger of wastewater is in violation of or has the reasonable potential to violate any provision of this Ordinance, permit condition, or any Federal Pretreatment Standard or requirement as set forth in 40 CFR Section 403.8 et seq., fails to submit required reports, or refuses to allow the District entry to inspect or monitor the user's discharge, the District may petition the appropriate court for the issuance of a preliminary or permanent injunction, or both, as may be appropriate to restrain the continued violation or to prevent threatened violations by the discharger.

711. CIVIL PENALTIES

A. Authority

All users of the District's sewerage system and facilities are subject to enforcement actions administratively or judicially by the District, U.S. EPA, State of California Regional Water Quality Control Board, or the County of Riverside District Attorney. Said actions may be taken pursuant to the authority and provisions of several laws, including, but not limited to: (1) Federal Water Pollution Control Act, commonly known as the Clean Water Act (33 U.S.C. Section 1251 et seq.); (2) California Porter-Cologne Water Quality Act (California Water Code Section 13000 et seq.); (3) California Hazardous Waste Control Law (California Health & Safety Code Sections 25100 to 25250); (4) Resource Conservation and Recovery Act of 1976 (42 U.S.C. Section 6901 et seq.); and (5) California Government Code, Sections 54739-54740.6.

B. Recovery of Fines or Penalties

In the event the District is subject to the payment of fines or penalties pursuant to the legal authority and actions of other regulatory or enforcement agencies based on a violation of law or regulation or its permits, and said violation can be established by District, as caused by the discharge of any user of the District's sewerage system which is in violation of any provision of the District's Ordinance or the user's permit, District shall be entitled to recover from the user all costs and expenses, including, but not limited to, the full amount of said fines or penalties to which it has been subjected.

C. Ordinance

Pursuant to the authority of California Government Code Sections 54739-54740.6, any person who violates any provision of this Ordinance; any permit condition, prohibition or effluent limit; or any suspension or revocation order shall be liable civilly for a sum not to exceed \$25,000.00 per violation for each day in which such violation occurs. Pursuant to the authority of the Clean Water Act, 33 U.S.C. Section 1251 et seq., any person who violates any provision of this Ordinance, or any permit condition, prohibition, or effluent limit shall be liable civilly for a sum not to exceed \$25,000.00 per violation for each day in which such violation occurs. The General Counsel of the District, upon order of the General Manager, shall petition the appropriate court to impose, assess, and recover such penalties, or such other penalties as the District may impose, assess, and recover pursuant to Federal and/or State Legislative authorization.

D. Administrative Civil Penalties

1. Pursuant to the authority of California Government Code Sections 54740.5 and 54740.6, the District may issue an administrative complaint to any person who violates:
 - a) any provision of this Ordinance;
 - b) any permit condition, prohibition, or effluent limit; or
 - c) any suspension or revocation order.
2. The administrative complaint shall be served by personal delivery or certified mail on the person and shall inform the person that a hearing will be conducted, and shall specify a hearing date within sixty (60) days following service. The administrative complaint will allege the act or failure to act that constitutes the violation of the District's requirements, the provisions of law authorizing civil liability to be imposed, and the proposed civil penalty. The matter shall be heard by the General Manager or designee. The person to whom an administrative complaint has been issued may waive the right to a hearing, in which case a hearing will not be conducted.
3. At the hearing, the person shall have an opportunity to respond to the allegations set forth in the administrative complaint by presenting written or oral evidence. The hearing shall be conducted in accordance with the procedures established by the General Manager and approved by the District's General Counsel.
4. After the conclusion of the hearing, the General Manager's designee shall submit a written report to the General Manager setting forth a brief statement of the facts found to be true, a determination of the issues presented, conclusions, and a recommendation.
5. Upon receipt of the written report, the General Manager shall make a determination and should the General Manager find that grounds exist for assessment of a civil penalty against the person, shall issue a decision and order in writing within thirty (30) calendar days after the conclusion of the hearing by the designee.
6. If, after the hearing or appeal, if any, it is found that the person has violated reporting or discharge requirements, the General Manager or Board may assess a civil penalty against that person. In determining the amount of the civil penalty, the General Manager or Board may take into consideration all relevant circumstances, including but not limited to the extent of harm caused by the violation, the economic benefit derived through any non-compliance, the nature and persistence of the violation, the length of time over which the violation occurs, and corrective action, if any, attempted or taken by the person involved.
7. Civil penalties may be assessed as follows:
 - a) In an amount which shall not exceed two thousand dollars (\$2,000.00) for each day for failing or refusing to furnish technical or monitoring reports;
 - b) In an amount which shall not exceed three thousand dollars (\$3,000.00) for each day for failing or refusing to timely comply with any compliance schedules established by the District;

- c) In an amount which shall not exceed five thousand dollars (\$5,000.00) per violation for each day of discharge in violation of any waste discharge limit, permit condition, or requirement issued, reissued, or adopted by the District;
 - d) In any amount which does not exceed ten dollars (\$10.00) per gallon for discharges in violation of any suspension, revocation, cease and desist order or other orders, or prohibition issued, reissued, or adopted by the District.
8. An order assessing administrative civil penalties issued by the General Manager shall be final in all respects on the thirty-first (31st) day after it is served on the person unless an appeal and request for hearing is filed with the Board pursuant to Section 715 no later than the thirtieth (30th) day following such personal service or mailing. An order assessing administrative civil penalties issued by the Board shall be final upon issuance.
 9. Copies of the administrative order shall be served on the party served with the administrative complaint, either by personal service or by registered mail to the person at the business or residence address, and upon other persons who appeared at the hearing and requested a copy of the order.
 10. Any person aggrieved by a final order issued by the Board, after granting review of the order of the General Manager, may obtain review of the order of the Board in the Superior Court, pursuant to Government Code Section 54740.6, by filing in the court a petition for writ of mandate within thirty (30) days following the service of a copy of the decision or order issued by the Board.
 11. Payment of any order setting administrative civil penalties shall be made within thirty (30) days of the date the order becomes final. The amount of any administrative civil penalties imposed which have remained delinquent for a period of sixty (60) days shall constitute a lien against the real property of the discharger from which the discharge resulting in the imposition of the civil penalty originated. The lien shall have no effect until recorded with the county recorder. The District may record the lien for any unpaid administrative civil penalties on the ninety-first (91st) day following the date the order becomes final.
 12. No administrative civil penalties shall be recoverable under Section 711.D for any violation for which the District has recovered civil penalties through a judicial proceeding filed pursuant to Government Code Section 54740.

712. CRIMINAL PENALTIES

Any person who violates any provision of this Ordinance is guilty of a misdemeanor, which upon conviction is punishable by a fine not to exceed \$1,000.00, or imprisonment for not more than thirty (30) days, or both pursuant to Health and Safety Code Section 6523. Each violation and each day in which a violation occurs may constitute a new and separate violation of this Ordinance and shall be subject to the penalties contained herein.

713. APPEALS TO GENERAL MANAGER

A. General

Any user, permit applicant or permittee affected by any decision, action or

determination made by the General Manager's authorized representative may file with the General Manager a written request for an appeal hearing. The request must be sent by certified mail or hand delivered to be received by the District within thirty (30) days of mailing of notice of the decision, action, or determination of the District to the appellant. The request for hearing shall set forth in detail all facts supporting the appellant's request.

B. Notice

The General Manager shall, within fifteen (15) days of receiving the request for appeal, and pursuant to Section 713.A, provide written notice to the appellant of the hearing date, time, and place. The hearing date shall not be more than thirty (30) days from the mailing of such notice by certified mail to the appellant unless a later date is agreed to by the appellant. If the hearing is not held within said time due to actions or inactions of the appellant, then the staff decision shall be deemed final.

C. Hearing

At the hearing, the appellant shall have the opportunity to present information, supporting its position concerning the staff's decision, action, or determination. The hearing shall be conducted in accordance with procedures established by the General Manager and approved by the District's General Counsel.

D. Written Determination

After the conclusion of the hearing, the General Manager (or other designee) shall prepare a report setting forth a brief statement of facts found to be true, a determination of the issues presented, conclusions, and a recommendation whether to uphold, modify or reverse the staff's original decision, action, or determination. The General Manager shall make a determination and shall issue a decision and order within thirty (30) calendar days of the hearing by the designee. The written decision and order of the General Manager shall be personally served or sent by certified mail to the appellant or its legal counsel/representative at the appellant's business address.

The order of the General Manager shall be final in all respects on the thirty-first (31st) day after it is mailed to the appellant unless a request for hearing is filed with the Board pursuant to Section 715, no later than 5:00 p.m. on the thirtieth (30th) day following such mailing.

714. PAYMENT OF CHARGES

A. Except as otherwise provided, all fees, charges and penalties established by this Ordinance are due and payable upon receipt of notice thereof. All such amounts are delinquent if unpaid forty-five (45) days after date of invoice.

B. Any charge that becomes delinquent shall have added to it a penalty in accordance with the following:

1. Forty-six (46) days after date of invoice, a basic penalty of ten percent (10%) of the base invoice amount, not to exceed a maximum of \$1,000.00; and
2. A penalty of one and one-half percent (1.5%) per month of the base invoice amount and basic penalty shall accrue from and after the forty sixth (46th) day after date of invoice.

C. Any invoice outstanding and unpaid after ninety (90) days shall be cause for immediate

initiation of permit suspension or revocation proceedings.

- D. Penalties charged under this Section shall not accrue to those invoices successfully appealed, provided the District receives written notification of said appeal prior to the payment due date.
- E. Payment of disputed charges is still required by the due date during District review of any appeal submitted by permittees.

715. APPEALS TO THE BOARD

A. General

Any user, permit applicant, or permittee adversely affected by a decision, action, or determination made by the General Manager may, prior to the date that the General Manager's order becomes final, file a written request for hearing before the Board accompanied by an appeal fee in the amount established by a separate resolution of the District's Board. The request for hearing shall set forth in detail all the issues in dispute for which the appellant seeks determination and all facts supporting appellant's request.

No later than sixty (60) days after receipt of the request for hearing, the Board shall either set the matter for a hearing, or deny the request for a hearing.

A hearing shall be held by the Board within sixty-five (65) days from the date of determination granting a hearing unless a later date is agreed to by the appellant and the Board. If the matter is not heard within the required time, due to actions or inactions of the appellant, the General Manager's order shall be deemed final.

B. Granting Request for a Civil Hearing.

The Board shall grant all requests for a hearing on appeals concerning permit suspension, revocation, or denial, and civil administrative penalty awards. Whether to grant or deny the request for a hearing on appeals of other decisions of the General Manager shall be within the sole discretion of the Board.

C. Appeal Fee Refund

The appeal fee shall be refunded if the Board denies a hearing or reverses or modifies, in favor of the appellant, the order of the General Manager. The fee shall not be refunded if the Board denies the appeal.

D. Written Determination

After the hearing, the Board shall make a determination whether to uphold, modify, or reverse the decision, action, or determination made by the General Manager.

The decision of the Board shall be set forth in writing within sixty-five (65) days after the close of the hearing and shall contain a finding of the facts found to be true, the determination of the issues presented, and the conclusions. The written decision and order of the Board shall be personally served or sent by certified mail to the appellant or its legal counsel/representative at the appellant's business address.

The order of the Board shall be final upon its adoption. In the event the Board fails to reverse or modify the General Manager's order, it shall be deemed affirmed.

715.1 Appeals of Charges and Fees

Any user, permit applicant, or permittee affected by any decision, action, or determination by the District, relating to fiscal issues of the District in which the user, applicant, or permittee is located, including but not limited to the imposition and collection of fees, such as connection charges, sewer use charges, and special purpose discharge use charges, may request that the District reconsider imposition of such fees or charges. Following review of such a request, the District shall notify the user, permit applicant, or permittee by personal service or certified mail of the District's decision on the reconsideration request. Any user, permit applicant, or permittee adversely affected by the District's decision on the reconsideration request may file an appeal which shall be heard by the Board. The notice of appeal must be received by the District within thirty (30) days of the personal service or mailing of the District's decision on the reconsideration request.

Notwithstanding the foregoing, appeals of non-compliance sampling fees shall be made pursuant to the appeal procedures set forth in Sections 713 and 715.

716. RECOVERY OF COSTS INCURRED BY DISTRICT

In the event any person violates any of the terms and conditions of this Ordinance, or any order, permit, or agreement issued pursuant to this Ordinance, the District shall be entitled to all costs incurred correcting the violation, including but not limited to all construction spill response costs, and reasonable attorney's fees and costs which may be incurred in order to enforce any of said terms and conditions, with or without filing proceedings in court.

717. FINANCIAL SECURITY/AMENDMENTS TO PERMIT

A. Compliance Deposit

Users that have been subject to enforcement and/or collection proceedings may be required to deposit with the District an amount determined by the General Manager as necessary to guarantee payment to District of all charges, fees, penalties, costs and expenses that may be incurred in the future, before permission is granted for further discharge to the sewer.

B. Delinquent Accounts

The District may require an amendment to the permit of any permittee who fails to make payment in full of all fees and charges assessed by the District, including reconciliation amounts, delinquency penalties, and other costs or fees incurred by Permittee.

C. Bankruptcy

Every Permittee filing any legal action in any court of competent jurisdiction, including the United States Bankruptcy court, for purposes of discharging its financial debts or obligations or seeking court-ordered protection from its creditors, shall, within ten (10) days of filing such action, apply for and obtain the issuance of an amendment to its permit.

D. Permit Amendments

The District shall review and examine Permittee's account to determine whether previously incurred fees and charges have been paid in accordance with time requirements prescribed by this Ordinance. The District may thereafter issue an amendment to the User's permit in accordance with the provision of Article 4 and

Section 717 (E) of this Ordinance.

E. Security

An amendment to a waste discharge permit issued pursuant to Sections 717 (B), (C), and (D), may be conditioned upon the Permittee depositing financial security in an amount equal to the average total fees and charges for two (2) calendar quarters during the preceding year. Said deposit shall be used to guarantee payment of all fees and charges incurred for future services and facilities furnished by District and shall not be used by the District to recover outstanding fees and charges incurred prior to the Permittee filing and receiving protection from creditors in the United States Bankruptcy Court.

F. Return of Security

In the Event the Permittee makes payment in full within the time prescribed by this Ordinance of all fees and charges incurred over a period of two (2) years following the issuance of an amendment to the permit pursuant to Sections 717 (B), (C), and (D), the District shall either return the security deposit posted by the Permittee or credit it's account.

718. JUDICIAL REVIEW

A. Purpose and Effect

Pursuant to Section 1094.6 of the California Code of Civil procedure, the District hereby enacts this section to limit to ninety (90) days following final decisions in adjudicatory administrative hearings the time within which an action can be brought to review such decisions by means of administrative mandamus.

B. Definitions

As used in this Section, the following terms and words shall have the following meanings:

1. Decision shall mean and include adjudicatory administrative decisions that are made after hearing, after an award of civil penalties pursuant to Section 711.D, after revoking, suspending, or denying an application for a permit or a license, or after other administrative hearings required to enforce this chapter.
2. Complete Record shall mean and include the transcript, if any exists, of the proceedings, all pleadings, all notices and orders, any proposed decision by the General Manager, the final decision, all admitted exhibits, all rejected exhibits in the possession of the District or its offices or agents, all written evidence, and any other papers in the case.

C. Time Limit for Judicial Review

Judicial review of any decision of the District or its officer or agent may be made pursuant to Section 1094.5 of the Code of Civil Procedure only if the petition for writ of mandate is filed not later than the ninetieth (90th) day following the date on which the decision becomes final. If there is no provision for reconsideration in the procedures governing the proceedings or if the date is not otherwise specified, the decision is final on the date it is made. If there is provision for reconsideration, the decision is final upon the expiration of the period during which such reconsideration can be sought; provided that if reconsideration is sought pursuant to such provision the decision is final for the purposes of this Section on the date that reconsideration is

rejected.

D. Preparation of the Record

The complete record of the proceedings shall be prepared by the District officer or agent who made the decision and shall be delivered to the petitioner within ninety (90) days after the petitioner has filed written request therefore. The District may recover from the petitioner its actual costs for transcribing or otherwise preparing the record.

E. Extension

If the petitioner files a request for the record within ten (10) days after the date the decision becomes final, the time within which a petition, pursuant to Section 1094.5 of the Code of Civil Procedure, may be filed shall be extended to not later than the thirtieth (30th) day following the date on which the record is either personally delivered or mailed to the petitioner or the petitioner's attorney of record, if appropriate.

F. Notice

In making a final decision, the District shall provide notice to the person (s) subject to the administrative decision, that the time within which judicial review must be sought is governed by Section 1094.6 of the Code of Civil Procedure.

G. Administrative Civil Penalties

Notwithstanding the foregoing in Section 718, and pursuant to Government Code Section 54740.6, judicial review of an order of the Board imposing administrative civil penalties pursuant to Section 711.D may be made only if the petition for writ of mandate is filed not later than the thirtieth (30th) day following the day on which the order of the Board becomes final.

ARTICLE 8
SEVERABILITY

801. SEVERABILITY

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

**ARTICLE 9
REPEAL**

901. REPEAL

Ordinance No. 2008-117 is hereby superseded in its entirety on the effective date hereof and shall be of no further force or effect. All Ordinances, resolutions, policies, rules and regulations which are inconsistent with this Ordinance are hereby superseded to the extent that they are inconsistent with the provisions of this Ordinance.

**ARTICLE 10
EFFECTIVE DATE**

1001 EFFECTIVE DATE

The effective date of this Ordinance shall be **MONTH XX, 2022**



**Valley Sanitary District
Board of Directors Meeting
September 13, 2022**

TO: Board of Directors

FROM: Beverli A. Marshall, General Manager

SUBJECT: Approve the Third Amendment to the Employment Agreement with Beverli A. Marshall, General Manager, Increasing the General Manager’s Salary to Reflect the Cost-of-Living Adjustment Pursuant to Section 3 of the Agreement

<input checked="" type="checkbox"/> Board Action	<input type="checkbox"/> New Budget Approval	<input type="checkbox"/> Contract Award
<input type="checkbox"/> Board Information	<input checked="" type="checkbox"/> Existing FY Approved Budget	<input type="checkbox"/> Closed Session

Executive Summary

The purpose of this report is to discuss the proposed amendment to the General Manager’s contract.

Strategic Plan Compliance

This item complies with VSD Strategic Plan Objective 1: Fully staffed with a highly trained and motivated team.

Fiscal Impact

The cost-of-living adjustment is an annual increase of \$12,558 and is included in the adopted Comprehensive Budget for Fiscal Year 2022-23.

Background

The Riverside-San Bernardino-Ontario, CA CPI-U Index was at 8.5% as of January 2022 and 9.9% as of March 2022. At its meeting on May 24, 2022, the Board adopted Resolution No. 2022-1163, which included a cost-of-living adjustment of 5% for all District employees effective July 1, 2022. The employment agreement with the General Manager includes language providing a cost-of-living adjustment that is the same as provided to all employees of the District.

Per California Government Code § 54956(b), the Board cannot adjust the General Manager’s salary, salary schedule, or benefits unless it is done at a regular meeting of the Board. In addition, California Government Code § 54953(c)(3) requires that an oral report summarizing the proposed action must be made at the same meeting as the action taken.

Furthermore, CalPERS published a regulation on August 19, 2011, that requires all compensation earnable and reportable for “determination of the member’s retirement allowance” to be “duly approved and adopted by the employer’s governing body pursuant to meeting laws.”

Given that both meetings in August were scheduled as special meetings due to conflicts with the CASA Annual Conference and the CSDA Annual Conference, this is the first regular Board meeting during which the change could be adopted.

The language included in this third amendment is the same as in the second amendment except it reflects the new biweekly pay rate of \$10,140, which is 5% higher than the General Manager’s current pay rate of \$9,657. The effective date of the amendment is July 1, 2022, to coincide with the COLA provided to all other District employees.

Recommendation

Staff recommends that the Board approve the third amendment to the employment agreement.

Attachments

Attachment A: Third Amendment to Employment Agreement between VSD and Beverli A. Marshall, General Manager

**EMPLOYMENT AGREEMENT FOR GENERAL MANAGER OF
VALLEY SANITARY DISTRICT**

The Third Amendment (“Third Amendment”) to Employment Agreement between the VALLEY SANITARY DISTRICT (“District”) and BEVERLI A. MARSHALL (“Employee”) is entered into on the 13th day of September 2022.

Except as modified in this Third Amendment, the Employment Agreement (“Agreement”), originally dated May 15, 2019, between the District and the Employee shall remain in full force and effect.

The parties to this Third Amendment agree to the following changes to the Agreement:

Section 3 entitled “Salary and Benefits”, subsection A entitled “Salary” is hereby amended, in its entirety, to reflect the new salary based on the completed annual performance evaluation.

“3. Salary and Benefits.”

A. *Salary.* Employee shall be compensated at the rate of Ten Thousand One Hundred Forty Dollars and No Cents (\$10,140) bi-weekly, which shall be payable in installments at the same time as other employees of the District are paid, pursuant to the procedures regularly established, and as they may be amended by the District.

Additionally, each year Employee shall be eligible for a three percent (3%) salary increase, contingent on a satisfactory annual review by the Board of Directors. Such performance-based salary increases must be memorialized by written amendment to this Agreement.

Finally, Employee will receive any Cost-of-Living Adjustment (COLA) otherwise provided to all employees of the District. All compensation and comparable payments to be paid to Employee shall be less withholdings required by law.

The District and the Employee have duly executed this Third Amendment to be effective as of July 1, 2022.

VALLEY SANITARY DISTRICT

BEVERLI A. MARSHALL

By: _____
President, Board of Directors

By: _____
General Manager



**Valley Sanitary District
Board of Directors Meeting
September 13, 2022**

TO: Board of Directors

THROUGH: Beverli A. Marshall, General Manager

FROM: Jeanette Juarez, Chief Administrative Officer

SUBJECT: Adopting Resolution 2022-1170 Amending Employee Wage Schedule Effective July 1, 2022, and Rescinding Resolution 2022-1163

<input checked="" type="checkbox"/> Board Action	<input type="checkbox"/> New Budget Approval	<input type="checkbox"/> Contract Award
<input type="checkbox"/> Board Information	<input checked="" type="checkbox"/> Existing FY Approved Budget	<input type="checkbox"/> Closed Session

Executive Summary

The purpose of this report is for the Board to discuss amendments to the bi-weekly wage schedule and employee benefits.

Strategic Plan Compliance

This item complies with VSD Strategic Plan Goal 1: Fully Staffed with a Highly Trained and Motivated Team.

Fiscal Impact

The fiscal impact of the recommendations is within the established authority of the adopted Comprehensive Budget for Fiscal Year 2022-23.

Background

At the May 24, 2022, meeting, the Board of Directors adopted Resolution 2022-1163 amending the VSD Bi-Weekly Wage Schedule to reflect a cost-of-living adjustment (COLA) of 5% as well as various special compensation and benefits for District employees effective July 1, 2022.

The Employment Agreement between VSD and the General Manager includes a COLA that is the same as approved for employees. The amended Wage Schedule reflects this salary adjustment.

In addition to amending the Wage Schedule, Resolution No. 2022-1170 officially changes the lateral certification incentive pay as determined by the Board at its August 30, 2022, meeting.

Recommendation

Staff recommends that the Board adopt Resolution No. 2022-1170 amending the Bi-Weekly Wage Schedule effective July 1, 2022, and rescinding Resolution No. 2022-1163.

Attachments

Attachment A: Resolution No. 2022-1170

Attachment B: Amended Bi-Weekly Wage Schedule

RESOLUTION NO. 2022-1170
A RESOLUTION OF THE BOARD OF DIRECTORS OF VALLEY SANITARY
DISTRICT AMENDING EMPLOYEE WAGES & BENEFITS EFFECTIVE JULY 1, 2022,
AND RESCINDING RESOLUTION 2022-1163

The General Manager submitted to the Board of Directors a comprehensive budget for Fiscal Year 2022-23 that included employee wages and benefits; and,

The Board of Directors has considered the issues relating to employee wages and benefits from an economic viewpoint and has concluded that a Cost-of-Living Adjustment (COLA) adjustment is warranted.

The Board of Directors of Valley Sanitary District resolves:

1. The Wage Schedule attached to this Resolution as Exhibit 1 replaces the Wage Schedules adopted on May 24, 2022.
2. Retirement Plan: The District participates in the California Public Employees Retirement Plan (CalPERS). The plan for "Classic" employees is 2.5%@55 and the plan for "New Members" (PEPRA) is 2.0%@62.
3. Employer Contribution to CalPERS: The District will contribute to CalPERS the established employer contribution rate of 12.400% toward retirement of all "Classic" employees enrolled in the Tier 1 Retirement Plan and 7.760% for all "PEPRA" employees enrolled in the Tier 2 Retirement Plan.
4. Employee Contribution to CalPERS: Employees will contribute the employee contribution rate of 7.960% for all "Classic" employees enrolled in the Tier 1 Retirement Plan and 7.250% for all "PEPRA" employees enrolled in the Tier 2 Retirement Plan.
5. Social Security and Medicare: In addition to participation in CalPERS, the District participates in Social Security and Medicare programs with the District and employees each responsible for their respective portion as mandated by the Social Security Administration.
6. Medical Plan Premiums: The District will contribute the required PEMHCA Minimum Employer Contribution to CalPERS on behalf of employees for enrollment in one of the available medical plans through CalPERS. The contribution amount for calendar year 2022 is \$149 per month. Effective January 1, 2023, the contribution amount will increase to \$151.
7. Cafeteria Plan: The District will contribute up to \$2,117 into the District's cafeteria plan toward medical, dental, and vision plan premiums. The cost of the premiums that exceed the District's contribution will be paid by the employee through payroll deduction. If an employee chooses medical, dental, and vision plans that are less than the District's contribution, the District will contribute only the actual premium cost.

8. Cash-in-Lieu: Employees who waive enrollment in one of the available medical plans, and who provide proof of enrollment in another qualifying medical plan, will receive a monthly stipend of \$450.

9. Director’s Health Benefits: Board members are offered a medical, vision, and dental stipend for the calendar year. The annual amount is set at the monthly PEMHCA rate established by CalPERS multiplied by 12 months.

10. Longevity Pay: Employees will receive an incentive to encourage longevity with the District upon completion of their 7th anniversary with the District. The initial amount will be \$100 per month. Each five-year anniversary following the first milestone will increase the premium by \$100. The premium, and each subsequent increase, will become effective the first day of the pay period following each longevity milestone anniversary.

11. Standby Pay: Employees assigned to standby will receive special assignment pay of \$43.00 per weekday and \$85.00 per Saturday, Sunday, and District observed holidays. The table below is used to determine call-back or call-back 2 pay:

TYPE	HOURS WORKED	HOURS PAID	RATE	TRAVEL TIME
Call-back	≤ 1 hour 29 minutes	Two-hour minimum	Hourly Rate	None
Call-back 2	≥ 1 hour 30 minutes	Actual time worked	Overtime Rate	30 Minutes

12. Shift Differential: Employees whose assigned shift includes Saturday or Sunday will receive special assignment pay of 5% of the base hourly pay rate for the hours worked on Saturday or Sunday. This differential will not be paid for hours worked on the other days of the employee’s shift.

13. Uniforms: Employees in specific job classifications are required to wear uniforms for health and safety. The District furnishes and launders the uniforms and reports the value to CalPERS as required.

14. Safety Shoes: Employees in specific job classifications that are required to wear safety shoes will be reimbursed up to \$250 each year for the purchase of appropriate footwear.

15. Bi-Lingual Pay: Employees assigned to be available to translate or interpret in the course of their work will receive special assignment pay of \$100 per month.

16. Certification Incentive Pay: Employees that achieve a certification that is required by their job classification but is at a grade higher than what is required, and no higher classification exists in the classification series, will receive an amount equivalent to 5% of their base hourly pay rate.

17. Lateral Certification Incentive Pay: Employees who obtain and maintain a certification that is **not** required by their classification and who have been receiving incentive pay of 5% of the employee’s base hourly pay rate for each type of certification that is approved and obtained. Effective September 1, 2022, employees approved for a new certification will receive an incentive of \$150 per month for each certification. No additional incentive will be given for higher certification levels.

18. Holidays: The District observes the following holidays. If a holiday falls on a Saturday, it will be observed on the preceding Friday. If a holiday falls on a Sunday, it will be observed on the following Monday.

Holiday Title	Holiday Date
New Year’s Day	January 1
MLK Jr. Birthday	3 rd Monday in January
Presidents’ Day	3 rd Monday in February
Cesar Chavez Day	March 31
Memorial Day	Last Monday in May
Juneteenth	June 19
Independence Day	July 4
Labor Day	First Monday in September
Veterans’ Day	November 11
Thanksgiving Day	4 th Thursday in November
Native American Heritage Day	Friday after Thanksgiving Day
Christmas Eve	December 24
Christmas Day	December 25
New Year’s Eve	December 31

Employees will be paid for eight hours of time off on each holiday. Employees working alternative schedules (9/80) will be paid for eight hours of time off on each holiday and will be given the option for the remaining one or two hours to utilize Vacation or Administrative Leave or to work the one or two hours in the same pay period in which the holiday falls.

For employees assigned to the “Operator of the Day” shift, a 10-hour shift, will be paid an additional two hours (for a total of 10 hours per holiday), which is consistent with long-standing practice.

19. Vacation Leave: Employees accrue vacation leave based on years of service and may take this leave per District policy.

20. Sick Leave: Full-time employees accrue 12 sick days (96 hours) each year. Employees may cash out up to one-half of their sick leave balance each year or upon separation from the District, as allowed by District policy.

21. Management Leave: FLSA exempt employees receive 40 hours of Management Leave each calendar year. Unused hours are not carried over to the next calendar year.

22. Tuition Reimbursement: The District will reimburse employees for approved tuition and course materials up to \$1,000 per quarter, semester, or course, with a maximum reimbursement of \$3,000 per employee per fiscal year.

23. Life Insurance: The District will enroll employees in a life insurance plan at no cost to the employee. The plan coverage is equivalent to the employee's annual base wages, with a minimum of \$50,000, \$10,000 for their spouse, and \$5,000 per dependent child up to 26 years of age.

24. Short-Term Disability: The District participates in the State of California Short-Term Disability Plan. Employees are required to contribute to this plan through payroll deduction.

25. Long-Term Disability: The District participates in a long-term disability plan at no cost to employees.

26. Wellness Program: The District will reimburse employees once each fiscal year for enrollment in gym memberships, exercise and fitness classes, or fitness technology (Fitbit, Peleton, Mirror, etc.). The maximum reimbursement is \$420.

27. Deferred Compensation (457) Plan: Each employee at the District can voluntarily participate, at their own expense, in one of the deferred compensation plans offered by the District through payroll deduction. The District does not match employee contributions into these plans.

28. Except as noted, the effective date of these changes is July 1, 2022.

29. Resolution 2022-1163 is rescinded.

ADOPTED this 13th day of September 2022, by the following roll call vote.

AYES:

NAYES:

ABSENT:

ABSTAIN:

Scott Sear, President

ATTEST:

Dennis Coleman, Secretary/Treasurer



Valley Sanitary District

Wage Schedule, Effective July 1, 2022

Bi-Weekly Rate

Job Title	Steps						
	A	B	C	D	E	F	G
Accounting Technician	2,312	2,427	2,548	2,676	2,810	2,950	3,098
Accounting Analyst	2,933	3,080	3,234	3,395	3,565	3,743	3,931
Administrative Assistant	2,207	2,317	2,433	2,554	2,682	2,816	2,957
Assistant Engineer	3,253	3,416	3,587	3,766	3,954	4,152	4,360
Associate Engineer	3,635	3,816	4,007	4,207	4,418	4,639	4,870
Collection System Technician-in-Training	1,929	2,026	2,127	2,233	2,345	2,462	2,585
Collection System Technician I	2,144	2,251	2,363	2,481	2,605	2,736	2,872
Collection System Technician II	2,363	2,481	2,605	2,736	2,872	3,016	3,167
Collection System Technician III	2,605	2,736	2,872	3,016	3,167	3,325	3,491
Clerk of the Board	2,537	2,664	2,797	2,937	3,084	3,238	3,400
Development Services Technician I	2,525	2,651	2,783	2,922	3,069	3,222	3,383
Development Services Technician II	2,783	2,922	3,069	3,222	3,383	3,552	3,730
Development Services Technician III	3,069	3,222	3,383	3,552	3,730	3,916	4,112
Electrician/Instrument Tech-in-Training	2,127	2,233	2,345	2,462	2,585	2,714	2,850
Electrician/Instrumentation Technician I	2,393	2,513	2,639	2,771	2,909	3,055	3,207
Electrician/Instrumentation Technician II	2,639	2,771	2,909	3,055	3,207	3,368	3,536
Electrician/Instrumentation Technician III	2,909	3,055	3,207	3,368	3,536	3,713	3,898
Engineering Technician	2,757	2,895	3,040	3,192	3,352	3,519	3,695
Environmental Compliance Technician I	2,353	2,471	2,594	2,724	2,860	3,003	3,153
Environmental Compliance Technician II	2,594	2,724	2,860	3,003	3,153	3,311	3,477
Environmental Compliance Technician III	2,860	3,003	3,153	3,311	3,477	3,650	3,833
Human Resources Specialist	2,793	2,933	3,080	3,234	3,395	3,565	3,743
Laboratory Technician-in-Training	2,117	2,223	2,334	2,451	2,573	2,702	2,837
Laboratory Technician I	2,353	2,471	2,594	2,724	2,860	3,003	3,153
Laboratory Technician II	2,594	2,724	2,860	3,003	3,153	3,311	3,477
Laboratory Technician III	2,860	3,003	3,153	3,311	3,477	3,650	3,833
Maintenance Technician-in-Training	1,929	2,026	2,127	2,233	2,345	2,462	2,585
Maintenance Technician I	2,144	2,251	2,363	2,481	2,605	2,736	2,872
Maintenance Technician II	2,363	2,481	2,605	2,736	2,872	3,016	3,167
Maintenance Technician III	2,605	2,736	2,872	3,016	3,167	3,325	3,491
Management Analyst	3,166	3,325	3,491	3,665	3,848	4,041	4,243
Procurement Technician	2,345	2,462	2,585	2,715	2,850	2,993	3,143
Wastewater Operator-in-Training	1,998	2,098	2,203	2,313	2,429	2,550	2,678
Wastewater Operator I	2,220	2,331	2,448	2,570	2,699	2,833	2,975
Wastewater Operator II	2,448	2,570	2,699	2,833	2,975	3,124	3,280
Wastewater Operator III	2,699	2,833	2,975	3,124	3,280	3,444	3,616
Collection System Supervisor	3,154	3,312	3,477	3,651	3,833	4,025	4,226
Development Services Supervisor	3,375	3,544	3,721	3,907	4,103	4,308	4,523
Electrical/Instrumentation Supervisor	3,368	3,536	3,713	3,899	4,094	4,298	4,513
Facilities Maintenance Supervisor	3,368	3,536	3,713	3,899	4,094	4,298	4,513
Lab & Environmental Comp. Supervisor	3,420	3,591	3,771	3,959	4,157	4,365	4,583
Wastewater Operations Supervisor	3,455	3,628	3,809	4,000	4,199	4,409	4,630
Chief Administrative Officer	5,092	5,347	5,614	5,894	6,189	6,499	6,824
District Engineer	5,485	5,759	6,047	6,349	6,667	7,000	7,350
Chief Operations Officer	4,935	5,182	5,441	5,713	5,999	6,299	6,614
General Manager (Contract)							10,140



**Valley Sanitary District
Board of Directors Meeting
September 13, 2022**

TO: Board of Directors

THROUGH: Beverli A. Marshall, General Manager

SUBJECT: Monthly General Managers Report – July 2022

<input type="checkbox"/> Board Action	<input type="checkbox"/> New Budget Approval	<input type="checkbox"/> Contract Award
<input checked="" type="checkbox"/> Board Information	<input type="checkbox"/> Existing FY Approved Budget	<input type="checkbox"/> Closed Session

Executive Summary

The purpose of this report is to keep the Board and the public informed on VSD’s day-to-day operations.

Strategic Plan Compliance

The recommendation complies with the VSD Strategic Plan Goal 6: Improve Planning, Administration, and Governance.

Fiscal Impact

There is no fiscal impact from this report.

Background

The following data represents the activities and metrics for the month of July 2022.

Administrative Services

- Held one (1) Operations Committee Meeting
- Held two (2) Special Board Meetings
- Submitted the Special District Leadership Foundation (SDLF) Certificate of Excellence Renewal
- Tax roll preparation and submission
- Completed and submitted the tax roll delinquency report.
- Continued with year-end audit.
- Updated Covid-19/Monkeypox surveillance information on our website
- Researched ideas for the CWEA photo contest

Environmental Compliance Services

- WastewaterScan, a Stanford initiative program partnered with Verily started at in August for analysis of Covid-19 and Monkeypox.

- Laboratory staff were interviewed and showcased on August 22nd with the KESQ news and NBC-Palm Springs news for Wastewater Surveillance activities for Monkeypox.
- Laboratory staff were interviewed for a future feature in the WEF's Wastewater-based epidemiology (WBE) podcast "Sewer Signals".

Operations & Maintenance

Development Services

- Construction has begun on the Wood Springs Suites Extended Stay Hotel West of Jackson Street and South of Avenue 42.
- Construction has begun on the Indio Public Safety Campus Expansion on the corner of Jackson Street and Dr. Carreon Blvd.
- Construction has begun on the COD Indio Campus Expansion on the corner of Oasis Street and Bliss Avenue.
- Construction has begun on the COD Child Development Center on the corner of Oasis Street and Wilson Avenue.
- Construction has begun on the new 7-Eleven gas station and convenience store on the northwest corner of Golf Center Parkway and Avenue 45.
- Construction has begun on the Arroyo Crossing I project, a 184-unit low-income apartment complex located on the west side of Jefferson Street, south of Hwy 111.

Collection Services

- No-Spill report for the month of August will be submitted to the California Integrated Water Quality System, as required in the Waste Discharge Requirements Monitoring and Reporting Program. Due by the end of the month.
- Field Vector crew is currently jetting in the area of Dr. Carreon and Arabia
- CCTV Inspection work is currently being conducted in the area of Avenue 42 and Jackson.

Capital Improvement Program

- The Reclaimed Water Project - Phase 1 was awarded to Schneider Electric / Stantec in June 2020. Construction costs will be determined during the design phase and will be awarded to Schneider Electric / Stantec upon approval of the Board. This project will replace an aging and capacity restricting grit chamber and provide redundancy by adding a second digester and expanding the bar screens. This project will also include replacement of the Main Switch Control Panel and the addition of a sludge thickener unit. Schneider has completed the 60% design submittal and has prepared the guaranteed maximum price based on the latest design plans. *Update: The Board has approved the guaranteed maximum price along with Contract Amendment No. 1 with Schneider Electric. Schneider Electric has acquired*

the payment and performance bonds and other documentation required by VSD and Bank of America. The project is proceeding to 90% design.

- The Preliminary Design Report for the replacement of the sewer siphon at Westward Ho Drive is complete. This is a FEMA funded project to replace the damaged sewer siphon from the February 2019 storm. The design is in progress. Staff and the consultant had a preliminary meeting with CVWD regarding requirements for crossing the channel. Staff reviewed the 50% design plans and the updated project cost schedule. Staff reviewed the 90% design plans and specifications and submitted comments for correction. Staff is finishing their review of the submitted 95% set of plans and specifications. Staff has met with both the City of Indio and La Quinta, and both have no revisions or concerns. Staff has sent plans to CVWD and IWA for review and VSD received comments back from both agencies for incorporation. Carollo will be performing additional potholing to verify IWA and other utilities. Potholing has revealed that an IWA water line is closer to the project alignment than indicated on record drawings and must be rerouted around the proposed siphon manhole. *Update: Permitted Plans have been signed by CVWD. Staff is currently filing an encroachment permit license application as required by CVWD for the permanent pipeline crossing of the channel. Once the contractor is selected, they will file for a construction permit and the encroachment permit will be processed. This project is currently being held up by FEMA. VSD needs FEMA approval before proceeding with bidding and construction which is expected by January 2023. Staff is preparing the CEQA documentation for this project.*
- Staff is continuing to work with Harris and Associates on the Collections System Rehabilitation and Maintenance project. The first rehabilitation project on Indio Blvd. is complete. This was a good first project and lessons were learned on how to better the process for the next project. The CCTV inspection project is complete. Harris is currently developing plans for the downtown Indio rehabilitation and repair project. This is being done to rehabilitate and replace deficient sewer mains in the streets and allies of the downtown area. The 50% plans for the Downtown Indio Rehabilitation project have been reviewed and comments have been returned to Harris for revision. The 100% design plans have been reviewed by IWA and the City of Indio and both agencies returned comments for revision. *Update: The Downtown Indio Rehabilitation Project has been put out to bid. The bid opening is scheduled for October 12, 2022. Staff are in the final stages of negotiating an easement on the Indio Motor Machine property with the owner. Harris is finalizing the lift station assessment report and program recommendations. Harris has completed the 50% design drawings for the next repair and rehabilitation project for VSD to review.*
- VSD is currently working with Stantec, who is acting as an Owner's Representative, on the repair and rehabilitation of the Influent Pump Station. The Request for Proposal (RFP) was released on August 28 and was closed on September 28, 2020. The Board awarded the project to the DCI / Dudek team, and a pre-construction meeting was held on December 4th, 2020. The

DCI / Dudek has developed a preliminary bypass plan for the initial inspection and shutdown of the influent pump station structure. The preliminary bypass and inspection were completed from February 22nd to February 26th. VSD has chosen the valves and gates that will be used for this project based on Dudek / DCI and Stantec's recommendations. Dudek and VSD are coordinating the ordering and purchasing of long, lead items. Dudek has submitted the Basis of Design Report which Stantec and VSD staff have reviewed. *Update: The Board has approved the guaranteed maximum price. The Notice of Award has been issued and Change Order No.2 signed. The contractor is preparing the necessary submittals for VSD and Stantec review and approval. Installation of the bypass system for the influent pump station is tentatively scheduled for October 2022.*

- The above ground, steel waterline adjacent to the aeration basins is old and prone to leaks, especially at the grooved joints, and has exceeded its useful life. The new steel waterline will have traditional joints that will provide a longer life. This project has been on the books for several years and has been a lower priority due to lack of leaks in recent years and the difficult nature of replacement. The project design was awarded to Dudek who has completed the project design and specifications. The construction portion of the project was put out to bid on February 7th, 2022. The project bid opening took place on March 16th, 2022, and VSD received six sealed bids for this project with Van Dyke Corporation being the lowest responsible bidder. *Update: The first phase of this project has been completed. The Board has approved the proposal from Dudek for the second phase of the project which consists of replacing the piping for the frost sprayers. Dudek is currently working on the 30% design plans and specifications.*
- VSD has chosen SGH Architects as the architectural firm for the preliminary design of a new single-story training/office building and new laboratory building. Staff has selected a new location for the training/office building that will allow the single-story building with minimal demolition. The architect has completed the schematic design and cost estimate for both the training/office building and laboratory building. An onsite survey was conducted on July 7th. SGH Architects is continuing with final design of both the Office & Training and Laboratory Buildings. *Update: SGH has submitted 50% design plans which include both buildings for staff review and comment in December 2021. This project has been delayed for a year or two to allow other priority projects to proceed and maintain our debt coverage.*

Recommendation

Staff recommends that the Board receive the Manager's Report for activities during the month of July 2022.

Attachments

- Attachment A: Administrative Services Report
- Attachment B: Monthly NPDES Report
- Attachment C: Collection System Report
- Attachment D: Development Services Report

Attachment E: Capital Improvement Program Update
Attachment F: Laboratory & Compliance Report
Attachment G: Wastewater Surveillance Summary

Administrative Services - Task Summary 2022

Task	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total To Date
Active litigation filed	-	-	-	-	-	-	-					-	-
Board meeting	2	2	2	3	2	3	3						17
Budget/Finance Committee meeting	1	-	2	-	1	-	1						5
Operations Committee meeting	-	1	-	1	-	1	-						3
Community Engagement Committee meeting	2	-	1	-	-	-	1						4
Employee anniversaries	-	4	1	1	5	3	6						20
Employee promotions	-	-	-	-	-	-	-						-
Facebook postings	2	2	8	9	8	12	12						53
Insurance claims initiated	-	-	-	-	-	-	-						-
Lost time work incidents	-	-	-	-	-	-	-						-
Media coverage items		3	-	-	-	3	1						7
New hires	1	1	-	-	-	-	-						2
Press release	-	2	1	1	1	-	1						6
Public records request	1	-	-	-	-	1	2						4
Resignations	-	-	1	-	-	-	-						1
Retirements	-	-	-	-	-	-	-						-

July 2022	Plant Influent		ASP Effluent			Pond Effluent		
	CBOD (mg/L)	TSS (mg/L)	Monthly Average Flow (MGD)	CBOD (mg/L)	TSS (mg/L)	Monthly Average Pond Effluent Flow (MGD)	CBOD	TSS
1								
2								
3								
4								
5								
6								
7								
8	650	1,400		12	2			
9								
10								
11	173	308		12	3.9			
12								
13								
14								
15								
16								
17								
18								
19								
20								
21	290	220		< 10	< 2			
22								
23								
24								
25	222	197		13	4.9			
26								
27								
28								
29								
30								
31			6.11			0.000		
Average	334	531	6.11	12	3.2	0.000		
Minimum	173	197	6.11	< 10	< 2	0.000		
Maximum	650	1,400	6.11	13	4.9	0.000		
Exceedences	0	0	0	0	0	0	0	0
Permit LIMITS				25	30		40.0	49.0

Total Plant Discharge (Outfall) Grab								
EColi (MPN/100ml)	Oil and Grease (mg/L)	Copper (ug/L)	Di(2-ethylhexyl)phthalate (ug/L)	Cyanide (total) (ug/L)	Ammonia (total, as N) (mg/L)	Nitrate (as N) (mg/L)	Nitrite (as N) (mg/L)	Total Nitrogen (mg/L)
18.1								
21.3								
6.3	< 1.4	4.6	< 0.5	< 0.9	24	0.062	0.016	31
98.5								
1,986.3								
54.4*	1.4	4.6	0.5	0.9	24	0.062	0.016	31
6.3	< 1.4	4.6	< 0.5	< 0.9	24	0.062	0.016	31
1,986.3	< 1.4	4.6	< 0.5	< 0.9	24	0.062	0.016	31
1	0	0	0	0	0	0	0	0
126(mo) / 400 (max)	25	9.0	5.9	4.3				

Collection Services Task Summary Report for 2022

Task	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total To Date
Customer Service Calls	-	2	2	1	6	-	1	1					2
F.O.G. Inspection - Completed													-
F.O.G. Inspection - Fail													-
F.O.G. Inspection - Pass													-
Hot spot cleaning (total)*	26	-	-	36	-	-	-	26					26
Lift station inspection	19	19	20	19	19	19	19	19					57
Manhole inspection	47	65	172	103	194	188	102	180					470
Sewer line CCTV (feet)	8,412	7,016	9,477	9,375	10,681	6,649	5,158	26,459					38,266
Sewer line cleaning (feet)	28,012	25,782	59,902	56,005	70,360	63,778	36,534	69,736					170,048
SSO Response - Cat 1	0	0	0	0	0	0	0	0					0
SSO Response - Cat 2	0	0	0	0	0	0	0	0					0
SSO Response - Cat 3	0	0	0	0	0	0	0	0					0
USA Markings	40	39	45	44	64	40	78	65					183
*Note: Hot spot cleaning is performed quarterly													



VALLEY SANITARY DISTRICT DEVELOPMENT SERVICES REPORT

13-Sep-22

Plan Check in Progress
Inspection in Progress
New Project

PROJECT NAME	STREET ADDRESS / CROSS STREET	CURRENT PROJECT STATUS	NEXT ACTION ITEM
7-Eleven Golf Center	44925 Golf Center/Avenue 45	Civil plans submitted for new 7-Eleven store approved. Arch. plans approved and returned to the applicant 10/26/20. Issued permit 3915 on 10/26/20.	Inspect work improvements as scheduled.
Add'l Dwelling Unit - Cebreros Residence	83181 Blue Mountain Court	Plans submitted for additional dwelling unit. Plans approved and notified applicant 3/3/21. Permit 3967 7/26/2021	Inspect work improvements as scheduled.
Arroyo Crossing Phase 1 architectural plans	47555 Jefferson Street/Highway 111	Architectural plans submitted for new apartment complex. Plans approved and notified applicant 12/22/21. Permit 3998 issued 1/6/22.	Inspect work improvements as scheduled.
Arroyo Crossing Phase 1 civil plans	47555 Jefferson Street/Highway 111	Civil plans submitted for new apartment complex. Plan review completed. Plans approved and returned to applicant 12/22/21. Permit 3998	Inspect work improvements as scheduled.
Arroyo Crossing Phase 2 architectural plans	47777 Jefferson Street/Highway 111	Architectural plans submitted for new apartment complex. Plans approved and notified applicant 1/21/22 Permit 4005 on 2/7/22.	Inspect work improvements as scheduled.
Arroyo Crossing Phase 2 civil plans	47777 Jefferson Street/Highway 111	Civil plans submitted for new apartment complex. Plans approved and notified applicant 1/21/22. Permit 1005	Inspect work improvements as scheduled.
Autozone Jackson Street	41850 Jackson Street/aAvenue 42	Plans submitted for plan check. Sewer main relocation. Plans approved 1/21/21. Waiting for engineer to finalize easements docs. Permit 3954 issued 5/13/21.	10% warranty bond in place Reinspect and notice of acceptance Due 1/1/2023
Buzzbox	42625 Jackson Street #112	Plans submitted existig building T1. Completed 1st plan check and returned to the City 2/22/19.	Perform 2nd plan check upon plan resubmittal.
Chandi Plaza Building "B" Shell	81-971 Indio Blvd/Avenue 44	Plans submitted for plan check. Completed 1st check and returned to the applicant 10/13/20. Issued permit 3963 on 6/29/21.	Inspect work improvements as scheduled.
COD Child Development Center	45742 Oasis Street	Plans submitted for child development center. Plans approved and notified applicant 1/25/22. Permit 4025 4/21/22	Inspect work improvements as scheduled.
College of the Desert	45524 Oasis Street	Plans submitted for campus expansion. Plan review completed, plan approved and notified applicant 1/25/22. Permit 4026 4/22/22	Inspect work improvements as scheduled.
Corso Residence	49491 Braley Court	Plans submitted for single family residence. Plans approved and notified applicant 9/2/20. Permit 3931 issued 1/5/21	Inspect work improvements as scheduled.
Destiny Church	80250 Highway 111/Jefferson Street	Plans submitted for plan check. Plans approved and notified applicant 7/12/21. Issued permit 3974 on 9/14/21.	Inspect work improvements as scheduled.
El Pollo Loco	42223 Jackson Street/Showcase Parkway	Plans submitted for restaurant building. Completed first plan check and returned to applicant 8/5/21. Permit issued 10/21/21 3982 Finald 8/26/22	No further action required.
EOS Fitness Hwy 111	Highway/Jefferson Street	Plans submitted for construction of new gym facility. Plans approved and notified applicant 4/27/20. Permit 4049	Waiting for Development Agreement and Bonds before owner can process permit paperwork.
EOS Fitness Public Sewer Extension	SWC of Spectrum Street & Avenue 42	Mainline complete. Waiting on Maintenance Bond to release Performance Bond	Release Performance Bond when Maintenance Bond is recieved
Fred Young (Villa Hermosa Apts Phase III)	83801 Dr. Carreon Blvd / West of Van Buren	Plans submitted for apts at Fred Young Farm Labor Dev. Plans approved and returned to the applicant 7/17/2019. Submitted revision to approved plans 9/16/20 Revised Plans approved 11/5/2020. Permit 3944 issued 3/23/21.	Inspect work improvements as scheduled.
Gabino's Creperie	82862 Miles Ave	Plans submitted, fee paid with credit card	In Queue
Gallery at Indian Springs	Jefferson St/Westward Ho Drive	Tract is Complete. Warranty Bond received 8/25/2021.	Notice of acceptance after 12 month warranty bond release.

Monthly Capital Improvement Project Update - August 2022

Project Title	Project Description	Current Status	Fiscal Year Budget	Total Spent to Date
Westward Ho Sewer Siphon Replacement Design and Construction	Due to the February 2019 rain event, the existing VSD sewer siphon that crosses the CVWD storm channel at Westward Ho Drive became exposed and was damaged. In order to prevent this from happening again in the future, Carollo Engineers is currently working with VSD on the final design of a new sewer that is to be constructed well below the new channel scour depth. The design being proposed would utilize horizontal directional drilling to create a new sewer siphon alignment under the channel and adjacent to the original siphon. Permit processing with at least CVWD and possibly other regulatory agencies may extend the design/permit period. Some or possibly all the project costs will be reimbursed by FEMA / CalOES.	Permitted Plans have been signed by CVWD. Staff is currently filing an encroachment permit license application as required by CVWD for the permanent pipeline crossing of the channel. Once the contractor is selected, they will file for a construction permit and the encroachment permit will be processed. This project is currently being held up by FEMA. VSD needs FEMA approval before proceeding with bidding and construction which is expected by January 2023. Staff is preparing the CEQA documentation for this project.	\$5,102,000.00	\$0.00
Collections System Rehabilitation Projects	Harris & Associates is assisting the District in creating a 10-year rehabilitation and replacement program for the collections system. The purpose of this project is to repair, rehabilitate, replace and/or realign aging or defective pipelines and/or segments projected to reach capacity within the foreseeable future. Harris and the District have assigned a rating and priority to all of the pipes in the collection system and are splitting them up into projects for each fiscal year. The first project for this fiscal year will consist of the rehabilitation of approximately 2,300 feet of sewer located in Indio Boulevard and underneath the railroad near Cabazon Avenue using cured in place lining. The second project will consist of hiring a contractor to perform CCTV inspections of all pipes within the District that cannot be surveyed by collections staff due to high flows or pipe diameter. The third project is the downtown Indio rehabilitation and repair project. This project is being done to rehabilitate and replace deficient sewer mains in the streets and allies of the downtown area.	The Downtown Indio Rehabilitation project has been put out to bid. The bid opening is scheduled for October 12, 2022. Staff are in the final stages of negotiating an easement on the Indio Motor Machine property with the owner. Harris is finalizing the lift station assessment report and program recommendations. Harris has completed the 50% design drawings for the next repair and rehabilitation project for VSD to review.	\$4,895,007.00	\$29,835.90
Reclaimed Water Project Phase 1	The contract for this project was awarded to Schneider Electric / Stantec. The project design cost is \$2,200,000 and project schedule is approximately 460 days. Construction costs will be determined during the design phase and will be awarded to Schneider Electric / Stantec upon approval of the Board. The Reclaimed Water Project – Phase 1 will replace an aging and capacity restricting grit chamber and provide redundancy by adding a second digester and expanding the bar screens. This project will also include adding a biofilter, and a sludge thickener unit.	The Board has approved the guaranteed maximum price along with Contract Amendment No. 1 with Schneider Electric. Schneider Electric has acquired the necessary bonds and other documentation required by VSD and Bank of America. The design build team is proceeding 90% design.	\$17,763,656.00	This project is being financed by Bank of America.
Influent Pump Station Rehabilitation	Stantec is assisting the District as an Owner’s Representative and DCI / Dudek are acting as the design-build team for this project. The influent pump station structure is showing significant signs of deterioration. Proposed improvements to the pump station include: bypass of the pump station for inspection and repair, repair/replacement of leaking and broken gates, repair of interior concrete coating, installation of new valves for proper isolation/drainage, installation of a new jockey pump in the empty pump bay.	The Board has approved the guaranteed maximum price. The Notice of Award has been issued and Change Order No.2 signed. The contractor is preparing the necessary submittals for VSD and Stantec review and approval. Installation of the bypass system for the influent pump station is tentatively scheduled for October 2022.	\$3,300,000.00	\$3,208.00

Monthly Capital Improvement Project Update - August 2022

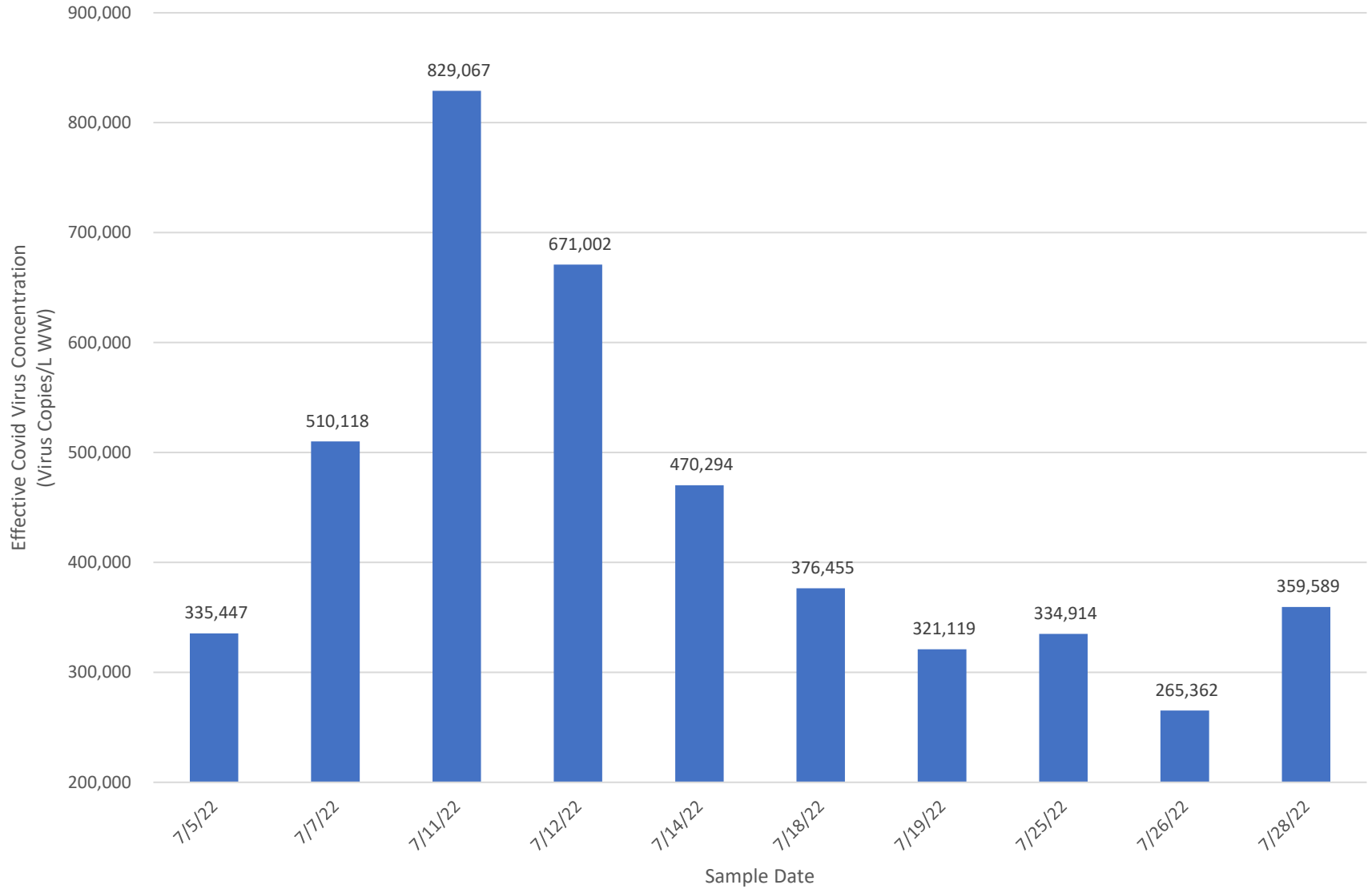
Project Title	Project Description	Current Status	Fiscal Year Budget	Total Spent to Date
Steel WaterLine Replacement	The above ground, steel waterline adjacent to the aeration basins is old and prone to leaks, especially at the grooved joints, and has exceeded its useful life. The new steel waterline will have traditional joints that will provide a longer life. This project has been on the books for several years and has been a lower priority due to lack of leaks in recent years and the difficult nature of replacement. The project was awarded to Dudek who has begun the development of the project design and specifications.	The first phase of this project has been completed. The Board has approved the proposal from Dudek for the second phase of the project which consists of replacing the piping for the frost sprayers. Dudek is currently working on the 30% design plans and specifications.	\$350,000.00	\$2,018.75
New Training and Office Building and Laboratory Building	The District and SGH Architects are developing the intital design for a new office / training building that will be located to the west of the existing Operations building. The purpose of this new building is to provide space for new offices for collections and maintenance personnel as well as a training area for company events and meetings. Also as part of this project, VSD has contracted SGH to develop designs for a new laboratory building to replace the existing lab due to the current issues lab staff are experiencing with the layout and air filtering system.	SGH has submitted 50% design plans which include both buildings for staff review and comment in December 2021. This project has been delayed for a year or two to allow other priority projects to proceed and maintain our debt coverage.	\$0.00	\$0.00
Additional Parking and Landscaping	The District is need of additional parking for employees and customers. Staff proposes to remove the lawn at the front of the property and replace it with parking and drought tolerant landscaping.	A preliminary design of the Project has been completed. In que for the next steps.	\$0.00	\$0.00

Environmental Compliance Summary Report for 2022

Task	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Pretreatment												
Customer Service Calls	5	6	11	8	5	3	9					
Commercial Approval Letters		1	1	2		2	1					
Change of Ownership Inspection	1	1	0	1		0	0					
SIU Permit Compliance	3	3	4	7	4	5	4					
FOG-FSE Inspections Completed	23	24	25	17	8	10	15					
Commercial Inspections Completed	4	6	16	27	9	9	6					
Environmental & Collections investigations	3	1	1	1	2	1	2					
Failed Inspections or NOV												
Total # of Inspections	33	34	46	52	23	25	27	0	0	0	0	0
Laboratory												
# of Collected Samples	478	233	233	224	245	240	241					
# of Tests (Analyses)	692	449	481	459	494	495	498					
# of Samples sent to Contract Labs	41	21	13	17	19	31	30					
# of Contracted Tests (Analyses)	79	46	19	31	49	63	78					
% of Samples performed In-House	91.4%	91.0%	94.4%	92.4%	92.2%	87.1%	87.6%					

Total YTD
47
30
122
77
11
0
240
Total YTD
1894
3568
172
365
90.9%

VSD Wastewater Treatment Plant
Monthly Surveillance Report



UNOFFICIAL UNTIL APPROVED BY EAST VALLEY RECLAMATION AUTHORITY
EAST VALLEY RECLAMATION AUTHORITY

SPECIAL MEETING
September 6, 2022
MINUTES

President Dennis Coleman called to order the Regular Meeting of the East Valley Reclamation Authority at 9:37 a.m. in the Valley Sanitary District Board Room at 45-500 Van Buren Street, Indio, California.

1. CALL TO ORDER

1.1 Roll Call

Directors Present: President Dennis Coleman (*Valley Sanitary District*)
Vice President Glenn Miller (*City of Indio*)
Secretary Elaine Holmes (*City of Indio*)
Treasurer William Teague (*Valley Sanitary District*)

Staff Present: Beverli Marshall – General Manager, *Valley Sanitary District*
Reymundo Trejo – General Manager, *Indio Water Authority*
Holly Gould – EVRA Clerk of the Board, *Valley Sanitary District*
Ron Buchwald – Engineering Services Manager, *Valley Sanitary District*
Brian Kinder – Manager of Finance & Customer Service, *Indio Water Authority*

1.2 Pledge of Allegiance

2. PUBLIC COMMENT - NONE.

3. CONSENT CALENDAR

3.1 Minutes of June 29, 2022. **Recommendation:** Approve

It was moved by Vice President Miller, seconded by Treasurer Teague, to **APPROVE** the Consent Calendar as submitted, 3-0. Secretary Holmes abstained from the vote due to her absence at the meeting.

4. ADMINISTRATIVE ITEMS

4.1 Authorize the Valley Sanitary District General Manager to Execute a Professional Services Agreement with Todd Groundwater to Complete a Groundwater Model Under and Around Valley Sanitary District in an Amount Not to Exceed \$87,295

An analysis completed by the East Valley Reclamation Authority (EVRA) determined that a groundwater injection system at the VSD Water Reclamation Facility to recharge the Indio Subbasin is possible. To further analyze the project's viability, EVRA staff recommends a more micro-level analysis of the Subbasin. Todd Groundwater is the consultant that completed the Indio Groundwater Subbasin Alternative Plan. Due to their access to the data needed to complete the analysis, using Todd Groundwater is the more efficient and cost-effective way of

achieving the report. The total cost of the contract is \$87,295. The approximate timeline for this report is 12 months, with a draft report by February 2023.

It was moved by Vice President Miller, seconded by Secretary Holmes, and unanimously carried by roll call vote to **APPROVE** the VSD General Manager to execute a professional services agreement with Todd Groundwater in an amount not to exceed \$87,295.

4.2 Authorize the Valley Sanitary District General Manager to Execute a Professional Services Agreement with Carollo Engineers, Inc. to Complete An Updated Comprehensive Recycled Water Master Plan in an Amount Not to Exceed \$368,583

An updated Comprehensive Recycled Water Master Plan (RWMP) is needed to further analyze the project's viability and the feasibility of other recycled water projects. Given current and projected drought conditions, projects impractical in previous analyses need to be re-evaluated in preparation for the CEQA process. Carollo Engineers, Inc. completed a recycled water feasibility study for the City of Indio and is familiar with the geographical and economic conditions. Having Carollo conduct the analysis is a more efficient and cost-effective way to update the report. The total cost of the contract is \$368,583.

It was moved by Secretary Holmes, seconded by Treasurer Teague, and unanimously carried by roll call vote to **APPROVE** the VSD General Manager to execute a professional services agreement with Carollo Engineers, Inc. in an amount not to exceed \$368,583.

4.3 Authorize the City of Indio City Manager to Execute a Professional Services Agreement with CA Consulting Services LLC to Provide Recycled Water Program Management Services in an Amount Not to Exceed \$80,000

The EVRA Board recently adopted the FY 2022-23 budget of nearly \$950,000 to develop a comprehensive recycled water master plan, a groundwater model, research grant funding opportunities, and local recycled water customers. The EVRA staff will require highly qualified professional engineering resources to support this effort. The Indio Water Authority recently solicited proposals for technical advisory and engineering program management services. A panel of local public agencies evaluated the proposals. It ranked CA Consulting Services, LLC as the highest firm to provide as-needed Technical Engineering and Program Management services. Based on the recent solicitation and the highly qualified recycled water experts, the EVRA staff requested a scope of services and budget to support recycled water program management support services. CA Consulting Services, LLC submitted a scope of work and cost proposal of \$80,000 and a term of 18 months. The scope of work includes monthly communications and program management support, technical review of a recycled water master plan analysis to be prepared by Carollo Engineers, technical review of a groundwater model for a potential IPR project that Todd Groundwater will develop, support with discussions with local tribes, support with cross connection shut-down testing, review of retrofit requirements for potentially converting the Eagle Falls Golf Course to recycled water irrigation, reviewing and assisting in pursuing grant funding opportunities, providing Recycled Water On-Site Supervisor Training as required for new use sites, and any other support as needed.

It was moved by Vice President Miller, seconded by Secretary Holmes, and unanimously carried by roll call vote to **APPROVE** the Indio City Manager to execute a professional services agreement with CA Consulting Services LLC in an amount not to exceed \$80,000.

4.4 Adopt Resolution 2022-22 Determining That a Commercial Food Waste Diversion Program is an Appropriate Activity of the East Valley Reclamation Authority

The East Valley Reclamation Authority (EVRA) is a joint powers authority that was established in 2013 with powers and operational activities identified in the Joint Exercise of Powers Agreement (JEPA). The JEPA defines the Operations of EVRA as “the tertiary or enhanced treatment of water supplied to the Authority by VSD to be delivered to IWA for its use, and such other activities as the Board may determine from time to time .”In response to Senate Bill (SB) 1383, which requires restaurants and residents to dispose of food waste separately from regular trash, The City approved its Sustainability Plan and 2022 Annual Work Plan with identifying Goal 3 Zero Waste, which includes supporting the business community by working with restaurants to develop a food waste diversion program. VSD adopted its 2020 Strategic Plan identifying Objective 2.1: Increase recycling and reuse of resources and byproducts and Objective 6.2: Increase regional collaboration. The United States Environmental Protection Agency has identified anaerobic digestion at wastewater treatment facilities as a beneficial solution to reducing greenhouse gas emissions by capturing the methane produced by the food waste destruction process, creating renewable biogas that can reduce energy costs at the treatment facility; and reduce the cost of hauling food waste to landfill sites that are often a significant distance from the origination point. Resolution 2022-22 will expand EVRA's operational activities to include a food waste diversion program as an efficient vehicle to enable the City and VSD to discuss the viability of a joint program for mutual benefit.

It was moved by President Coleman, seconded by Treasurer Teague, and unanimously carried by roll call vote to **ADOPT** Resolution No. 2022-22, determining that a commercial food waste diversion program is an appropriate activity of the East Valley Reclamation Authority.

5. GENERAL MANAGERS’ REPORT

Reymundo Trejo, IWA General Manager, stated that he would have an update from Geoscience for the meeting.

6. AUTHORITY BOARD MEMBER COMMENTS AND/OR QUESTIONS - NONE

7. ADJOURN

There being no further business to discuss, the meeting was **ADJOURNED** at 10:32 a.m.

Holly Gould
EVRA Clerk of the Board
Approved:

**VALLEY SANITARY DISTRICT
BUDGET & FINANCE COMMITTEE MEETING MINUTES**
September 6, 2022

A regular meeting of the Valley Sanitary District (VSD) Budget & Finance Committee was held at 45-500 Van Buren Street in Indio, California, on Tuesday, September 6, 2022.

1. CALL TO ORDER

Chairman Dennis Coleman called the meeting to order at 1:01 p.m.

1.1 Roll Call

Directors Present:

Chairperson Dennis Coleman

Committee Member Debra Canero

Staff Present:

Beverli Marshall, General Manager; Jeanette Juarez, Business Services Manager; Anna Bell, Laboratory & Compliance Supervisor; and Holly Gould, Clerk of the Board

1.2 Pledge of Allegiance

2. PUBLIC COMMENT

The public comment on any item not appearing on the agenda. Please notify the Secretary in advance of the meeting if you wish to speak on a non-hearing item.

None.

3. DISCUSSION / ACTION ITEMS

3.1 Approve Minutes for July 5, 2022, Regular Committee Meeting

Committee member Canero motioned to approve the minutes of the July 5, 2022, Budget & Finance Committee Meeting. Chairperson Coleman seconded the motion. Motion carried unanimously.

3.2 Request Feedback for the Funding of Additional Laboratory Staff

With the upcoming implementation of the Laboratory Information Management System (LIMS), the compliance requirements of the ELAP-TNI certification renewal, the additional sampling that is now taking place, and the need for redundancy for the Environmental Compliance Technician, it has become clear that the Laboratory and Compliance Department needs additional staff. Another staff member in the department will allow schedule flexibility for additional programs and events like wastewater surveillance, outreach programs, and attending conferences. The added position will reduce the need for assistance from the Operations Department during times of conferences and leave requests (i.e., sick, vacation, FMLA, jury duty, etc.) – which requires prior preparations in ensuring Operations staff are fully trained and documented to assist in the Laboratory functions. The additional member will also create more flexibility for trained staff that can function in the capability of the laboratory or the

pretreatment program. The District can help offset the cost of hiring an additional laboratory worker by \$31,200 by utilizing the stipend provided by the Verily WastewaterSCAN program. The committee recommended that staff present this item to the Operations Committee before bringing it before the entire Board. They also suggested listing all of the tasks that need assistance so the Board can clearly understand the need for an additional staff member.

3.3 Audit Update

Jeanette Juarez, Chief Administrative Officer, gave an update on the Fiscal Year 2022 audit. Jeanette stated that the auditors completed their onsite audit on August 26 and are now preparing financials. So far, the audit is going very smoothly, with some minor OPEB clarifications. Jeanette also informed the committee that the District is relaunching the upgraded Blackbaud financial software on September 19 with a soft transition.

4. **ADJOURNMENT**

There being no further business to discuss, the meeting adjourned at 2:12 p.m. The next regular committee meeting will be on November 1, 2022.

Respectfully submitted,
Holly Gould, Clerk of the Board
Valley Sanitary District