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RESOLUTION NO. <u>708</u>

A RESOLUTION OF THE BOARD OF WATER COMMISSIONERS OF THE CITY OF SAN BERNARDINO ESTABLISHING ANNUAL INDUSTRIAL USER AND LIQUID WASTEHAULER FEES, AND NONCOMPLIANCE INSPECTION AND MONITORING FEES. THIS RESOLUTION SUPERCEDES RESOLUTION NO. 517.

WHEREAS, the United States Environmental Protection Agency (EPA) has established the Industrial Wastewater Pretreatment Program through the Clean Water Act; and

WHEREAS, Publicly Owned Treatment Works (POTW) are required to develop and implement the Industrial Waste Pretreatment Program in compliance with Federal laws and regulations; and

WHEREAS, the City of San Bernardino has adopted ordinances set forth in Municipal Code, Chapter 13.32, to implement the Industrial Waste Pretreatment Program and Liquid Waste Hauler Program to control the discharge of waste into the POTW; and

WHEREAS, the City of San Bernardino operates a Septic Receiving Station at the Water Reclamation Facility for the disposal of domestic liquid waste generated within the City of San Bernardino service area; and

WHEREAS, the San Bernardino Municipal Code, Chapter 13.32, Sections 725 and 730 provides that users shall be required to pay required permit fees, monitoring fees and inspection fees, and that the amount of said fees shall be established by Resolution of the Board of Water Commissioners; and

WHEREAS, a review of the existing fee and billing structure was completed to develop an efficient billing process and determine the equitable costs for services provided to users in order to properly permit, and provide inspection and monitoring services.

NOW THEREFORE BE IT RESOLVED by the Board of Water Commissioners of the City of San Bernardino that:

SECTION 1: Industrial Users and Liquid Waste Haulers shall be defined and classified as follows:

A. CLASS I

- 1. Any industrial user subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N, which discharges the categorical wastewater to the POTW.
- 2. Any industrial user that discharges an average of 25,000 gallons per day or more of industrial wastewater to the POTW (excluding sanitary, non-contact cooling and boiler blowdown wastewater).
 - 3. Any industrial user that discharges industrial wastewater which makes up 5 percent or

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more of the average dry weather hydraulic or organic capacity of the POTW treatment plant.

- 4. Any other industrial user designated as such 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).
- B. CLASS II Any industrial user that discharges an average between 10,000 and 24,999 gallons per day of industrial wastewater to the POTW.
- C. CLASS III Any industrial user that discharges an average between 1 and 9,999 gallons per day of industrial wastewater to the POTW and pretreatment is required.
- D. CLASS IV Any industrial user that has a temporary need, of less than 180 days, to discharge industrial wastewater to the POTW.
- E. CLASS V Any industrial user subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N, which does not discharge categorical wastewater to the POTW.
- F. CLASS VI Any Liquid Waste Hauler that hauls domestic liquid wastes which are discharged at the City of San Bernardino Municipal Water Department Septic Receiving Station.
- <u>SECTION 2:</u> Industrial Wastewater Discharge Permits, and Liquid Waste Hauler Permits shall be issued for a specified time period, not to exceed three years.
- SECTION 3: The following permit related activities shall be performed by the City of San Bernardino Municipal Water Department annually:
 - A. Class I Annual Permit Fee, Quarterly Inspections and Quarterly 3/day Monitoring
 - B. Class II Annual Permit Fee, Bi-Annual Inspections and Bi-Annual 3/day Monitoring
 - C. Class III Annual Permit Fee, Annual Inspection and Monitoring
 - D. Class IV Temporary Permit Fee, Initial Inspection and Monitoring
 - E. Class V Annual Permit Fee and Bi-Annual Inspections
 - F. Class VI Annual Permit Fee and Quarterly Monitoring
- SECTION 4: Industrial User and Liquid Waste Hauler Fees shall be established at the annual rates specified hereafter:
 - A. Class I Industrial Wastewater Discharge Fee \$2,000
 - B. Class II Industrial Wastewater Discharge Fee \$1,000

1	C.	Class III Industrial Wastewater Discharge Fee	-	\$150
2	D.	Class IV Temporary Industrial Wastewater Discharge Fee	-	\$500
3	E.	Class V Dry Categorical Fee	-	\$200
4	F.	Class VI Liquid Waste Hauler Fee	-	\$250
5	SECTION 5: Non-permitted Industrial Users who are issued a Control Number shall be charged an			
6	annual inspection fee of \$50 to cover the costs associated with the annual inspection of the facility.			
7	SECTI	ION 6: All Industrial Users and Liquid Waste Haulers determined	d by in no	n compliance with
8	the requirements specified in SBMC 13.32 shall be issued a noncompliance fee at the rates specified hereafter:			
9	A.	Noncompliance Monitoring Activities - \$100 each event		
10	B.	Noncompliance Inspection Activities - \$50 each event		
11	SECTI	ION 7: This resolution shall become effective on April 19, 2007.		
12	I HER	REBY CERTIFY that the foregoing resolution was duly adopted	ed by the	Board of Water
13	Commissioners of the City of San Bernardino at a regular meeting thereof held on the 20th day of			
14	March	, 2007, by the following vote, to wit:		
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	AYES:	COMMISSIONERS COCKE, CALLICOTT, BATTEY, MILLER		
15		COMMISSIONERS COCKE, CALLICOTT, BATTEY, MILLER NONE		
15 16	AYES:			
15 16 17	AYES:	NONE		
15 16 17 18	AYES:	NONE COMMISSIONER FERNANDEZ	. Oha	······································
15 16 17 18 19	AYES:	NONE COMMISSIONER FERNANDEZ Robin L. Ohama	x-Officio	
15 16 17 18 19 20	AYES:	NONE COMMISSIONER FERNANDEZ Zollein Z.		
15 16 17 18 19 20 21	AYES:	NONE COMMISSIONER FERNANDEZ Robin L. Ohama		
15 16 17 18 19 20 21 22	AYES:	NONE COMMISSIONER FERNANDEZ Robin L. Ohama		
15 16 17 18 19 20 21 22 23	AYES: NAYES: ABSENT:	NONE COMMISSIONER FERNANDEZ Robin L. Ohama		
15 16 17 18 19 20 21 22 23 24	AYES: NAYES: ABSENT:	NONE COMMISSIONER FERNANDEZ Robin L. Ohama		
15 16 17 18 19 20 21 22 23 24 25	AYES: NAYES: ABSENT:	NONE COMMISSIONER FERNANDEZ Robin L. Ohama		