

CITY OF SAN BERNARDINO MUNICIPAL WATER DEPARTMENT
1350 South "E" Street
San Bernardino, CA 92408
P.O. Box 710, 92402

RULE AND REGULATION NO. 1
NOTICE OF ADOPTION OF RULES AND REGULATIONS
AND DEFINITION OF TERMS USED

1.0 RULES AND REGULATIONS

1.1 General

The following Rules and Regulations are effective in the City of San Bernardino, and were established by resolution of the Board of Water Commissioners (BOWC) and resolution by the Mayor and Council of the City of San Bernardino. Specific rules and regulations governing payment of bills, Water Department rates and credits, are in accordance with ordinances of the City of San Bernardino.

All Rules and Regulations herein set forth are subject at all times to change or abolition by action of the Board of Water Commissioners as the respective and controlling authority of the City. Copies of the Rules and Regulations in effect will be kept on file and up to date in the offices of the City of San Bernardino Water Department and in the office of the City Clerk of the City of San Bernardino. Consumers or others contemplating any expenditure or activities governed by these rules and regulations should assure themselves that they have the latest and correct information by contacting the Water Department.

A. Definitions

For the purpose of these Rules and Regulations, all words herein in the present tense shall include the future, all words in the plural number shall include the singular, and all words in the singular number shall include the plural. Whenever in these Rules and Regulations the following words and phrases set forth in this section are used, they shall, for the purpose of these Rules and Regulations, have the following meanings respectively, to wit:

- (1) **"Abandoned Service"** shall mean a service connection documented based on actual field

conditions that the service lateral was cut, capped, and left in place. If the service classified as abandoned in actually removed, the service shall be reclassified as removed in Water Department records. See "Killed Service".

- (2) **"Act"** means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended from time to time, 33 U.S.C. Section 1251 et seq.
- (3) **"American Water Works Association (AWWA) Standards"** shall mean the latest revision of the standards adopted by AWWA and available for review at the Water Department.
- (4) **"Applicant"** means developer, landowner, or individual requesting water and/or wastewater backbone infrastructure extensions or service.
- (5) **"Approved Analytical Methods"** shall mean the sample analysis techniques prescribed in 40 CFR Part 136 and amendments thereto. Where 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analysis shall be performed using validated analytical methods, approved by the SBMWD, or any other applicable sampling and analytical procedures, including procedures suggested by the SBMWD or other parties as approved by the EPA.
- (6) **"Approved Backflow Prevention Assembly"** shall mean an assembly that has been investigated and approved by the Water Department. The approval of backflow prevention devices by the Water Department will be on the basis of a favorable report by an approved testing laboratory recommending such an approval, and acceptance through the Water Department's approval process.
- (7) **"Authorized Representative"** shall mean:
 - a. A responsible corporate officer, if the Industrial User is a corporation of the level of president, secretary, treasurer, or vice president in charge of a principal business function, or any other person who performs similar policy or decision making

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

- b. A general partner or proprietor if the Industrial User is a partnership, or sole proprietorship, respectively.
- c. A director, highest appointed official, or employee designated to oversee the operation performance of the activities of a federal, state or local government facility.
- d. A duly Authorized Representative of the individual designated in a, b, or c, provided such authorization is confirmed in writing by the individual described in a, b, or c; and the authorization specifies an individual having responsibility for the overall operation of the facility from which the Industrial Discharge originates, such as the position of plant manager, operator of a well, or well field superintendent, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and
- e. the written authorization is submitted to the Control Authority.

- (8) **"Automated Meter Reading"** shall mean the equipment for the remote collection of consumption data from a customer's water meter.

- (9) **"Backflow Prevention Assembly or Device"** shall mean an assembly for the prevention of backflow from the customer's water system to the Water Department's water system and may include, but not be limited to, a backflow prevention device, isolation valves, test cocks, thrust restraints, a vault, connecting piping, an enclosure, and other appurtenances.
- (10) **"Backwater Valve"** shall mean a device intended to prevent untreated wastewater in a Sewer Main or Sewer Lateral from flowing backward ("back flowing") into the House Sewer.
- (11) **"Beneficial Use"** means the Applicant may utilize Water Department facilities for fire protection purposes and water through Water Department approved services. Beneficial use is granted when the water facilities have been properly conveyed to the Water Department and all service installations have been approved by the Water Department.
- (12) **"Best Management Practices (BMPs)"** shall mean schedules of activities, prohibitions 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 pretreatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal or drainage from raw materials storage. The POTW may develop BMPs, which shall be considered local limits and pretreatment standards for the purposes of these Rules and Regulations.
- (13) **"Billing Date"** shall be the date shown on the monthly water and sewer bill.
- (14) **"Biochemical Oxygen Demand (BOD)"** shall mean the quantity of oxygen, expressed in mg/L, required to biologically oxidize material in a waste or wastewater sample measured under standard laboratory methods of five (5) days at twenty degrees Centigrade.
- (15) **"Board"** shall refer to the group of up to five Board members for the Water Department as established by the City of San Bernardino Charter

Article VI: Section 603, Water and Wastewater. The words "Water Board" shall have the same meaning.

- (16) **"Building Official"** shall mean the Director of Community Development, an authorized representative, or any City Officer who is subsequently empowered to assume the duties of the Building Official.
- (17) **"Building Permit(s)"** shall mean the permit(s) issued by either the City of San Bernardino or San Bernardino County for a structure including but not limited to the foundation, shell, and other related building components.
- (18) **"Bypass"** shall mean the intentional diversion of waste streams from any point of a user's pretreatment facility.
- (19) **"Capacity Charge"** shall mean a variable charge or fee by service size required to obtain a service connection onto a Water Department water main to cover the costs per Equivalent Dwelling Unit (EDU) for bond-funded improvements, cost of water storage, cost of water production, and cost of pumping and transmission. The service charge will also address the connection and capacity fees associated with the sewer system.
- (20) **"Categorical Industrial User"** shall mean all industrial users subject to National Categorical Pretreatment Standards promulgated by the EPA in accordance with Sections 307 (b) and (c) of the Clean Water Act (33 U.S.C. Sec. 1317 et seq.) and amendments thereto, and as listed by the EPA under the appropriate subpart of 40 CFR Chapter I, Sub-chapter N, and amendments thereto.
- (21) **"Chemical Oxygen Demand (COD)"** shall mean the quantity of oxygen, expressed in mg/L required to chemically oxidize material in a waste sample or wastewater sample, under specific conditions of an oxidizing agent, temperature, and time. COD results are not necessarily related to BOD results
- (22) **"City"** shall mean City of San Bernardino, acting through the elected officials and authorized representatives.

- (23) **"City Attorney"** shall mean the San Bernardino City Attorney or an authorized representative, deputy, or agent appointed by the City Attorney.
- (24) **"Class I User"** shall mean an industrial user (IU) subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Sub--chapter N; or an industrial user classified as a Significant Industrial User (SIU) as specified in 40 CFR 403.3(vv)(ii).
- (25) **"Class II User"** shall mean an IU with an average discharge between ten thousand (10,000) and twenty-four thousand nine hundred ninety-nine gallons (24,999) per day of industrial wastewater to the POTW, or as specified by the Director.
- (26) **"Class III User"** shall mean an IU with an average discharge up to nine thousand nine hundred ninety-nine (9,999) gallons per day of industrial wastewater to the POTW and pretreatment is required to reduce the potential for adversely affecting the operation of the POTW or violating any pretreatment standard, prohibition, or requirement of the Rules and Regulations.
- (27) **"Class IV User"** shall mean an IU that has a temporary need, less than 180 days, to discharge wastewater to the POTW.
- (28) **"Class V User"** shall mean an IU that performs operations regulated by Federal Categorical Standards with no industrial wastewater discharged to the POTW from the Categorical process(es) (Dry Categorical).
- (29) **"Class VI User"** shall mean a Liquid Wastehauler that hauls domestic liquid wastes from septic tanks, chemical toilets, cesspools, seepage pits, or private disposal systems which are discharged to the septic receiving station located at the WRP.
- (30) **"Collection Agency"** shall mean the City, acting through the SBMWD, or a public agency with which the City has an interjurisdictional agreement covering the collection and discharge of sewage within such agency into the City's Collection System for transmission, treatment, and disposal.

- (31) **"Collection System"** shall mean all pipes, plant facilities, sewers and conveyance systems carrying wastewater to the WRP and RIX, owned and maintained by the City and/or by tributary Satellite Service Areas contracting with the City for transmission, treatment, and disposal, excluding Private Sewer lateral connections and house sewers.
- (32) **"Combination Service"** shall mean a single lateral connection through which water is obtained for the dual purpose of private fire service and domestic service or domestic landscape and domestic service.
- (33) **"Combined Wastestream Formula"** shall mean the formula, as outlined in the general pretreatment regulations of the Clean Water Act, 40 CFR 403.6(e), for determining wastewater discharge limitations for Categorical Industrial Users whose effluent is a mixture of regulated, unregulated, and dilution wastewater as defined in the formula.
- (34) **"Common Council"** shall mean the City of San Bernardino City Council responsible for representing the City and the San Bernardino Municipal Water Department.
- (35) **"Compliance Order"** shall mean a time schedule issued to an industrial user by the SBMWD which specifies corrective actions called milestones to be completed by the IU to correct violations of the industrial user's wastewater discharge permit or Rule and Regulation No. 26.
- (36) **"Compliance Schedule"** shall mean a time schedule enforceable under Rule and Regulation No. 26 containing increments of progress, i.e., milestones, in the form of dates. These milestones shall be for the commencement and/or completion of major events leading to the construction and operation of additional pretreatment facilities or the implementation of policies, procedures or operational management techniques required for the user to comply with all applicable federal, state or local environmental regulations which may directly or

indirectly affect the quality of the user's wastewater effluent.

- (37) **"Composite Sample"** shall mean a collection of individual samples obtained at selected time or flow-based increments, which are combined into one sample.
- (38) **"Conditional Will Serve"** shall mean a water and sewer commitment that may be made if the applicant completes specific requirements within specified timeframes as specified in a written agreement with the Water Department.
- (39) **"Confined Space,"** pursuant to California Code of Regulations, Title 8, Section 5157, subsection b, and amendments thereto, shall mean a space that:
- a. Is large enough and so configured that a person can bodily enter and perform assigned work;
 - b. Has limited or restricted means for entry or exit (for example, tanks vessels, silos, storage bins, hoppers, vaults, and pits are spaces that may have limited means of entry); and
 - c. Is not designed for continuous occupancy by a person.
- (40) **"Consent Order"** shall mean a time schedule agreed upon between the SBMWD and an IU which specifies corrective actions called milestones to be completed by the IU to correct violations of the IU's wastewater discharge permit or Rule and Regulation No. 26.
- (41) **"Constituent"** shall mean any physical, chemical, or biological component of water or wastewater which can be quantified using Approved Analytical Methods.
- (42) **"Construction Water"** shall mean metered water delivered for construction purposes including, but not limited to, compaction and dust control.
- (43) **"Conventional Pollutants"** shall mean BOD, COD, total suspended solids, pH, fecal coliform, oil and grease, total nitrogen and such additional pollutants which may be specified and controlled

in the NPDES permit issued to the WRP by the RWQCB.

- (44) **"Conveyance Agreement"** shall mean the Agreement between the Developer and the Water Department whereas the Developer completed all construction items, provided all submittals, and the Water Department has accepted the construction of all mains and laterals.
- (45) **"Cooling Water"** shall mean all water used solely for the purpose of cooling a manufacturing process, equipment, or product.
- (46) **"Cost Letter"** shall mean a letter or correspondence that documents all costs as defined in these Rules and Regulation.
- (47) **"Costs"** shall mean labor, material, equipment rental, street cut repair charges, transportation expense, supervision, engineering, and all other necessary overhead expenses.
- (48) **"County"** shall mean the County of San Bernardino or the Board of Supervisors of the County of San Bernardino.
- (49) **"Cross-Connection"** shall mean any unauthorized or illegal physical connection or arrangement of piping or fixtures between two (2) otherwise separate piping systems, or a private well, one of which contains potable water and the other non-potable water or industrial fluids of questionable safety, through which, or because of which, backflow may occur into the potable water system. This would include but not be limited to any temporary connections, such as swing connections, removable sections, four-way plug valves, spools, dummy section of pipe, swivel or change-over devices or sliding multiport tube.
- (50) **"Customer of Record"** shall mean a person who is recipient of water and sewer service from the Water Department through an existing service connection, or a person applying for water through an existing service connections.
- (51) **"Day"** shall mean calendar day unless otherwise specified.

- (52) **"De Minimus User"** shall mean any user whose industrial wastewater discharge is less than 100 gallons per day and is not regulated by a federal categorical pretreatment standard or industrial user group permit.
- (53) **"Deferral Agreement"** shall mean the agreement between the Water Department and the Developer whereas the Water Department will allow the Developer to defer the acquisition of service charges until sale or transfer of the lots. A deferral agreement will be approved by the SBMWD only after an acceptable payment bond has been issued in the full amount of the project acquisition to the SBMWD. Payment of all fees is required prior to the certificate of occupancy issued by the City Community and Economic Development Department, only after all acquisition has been paid will the SBMWD release the payment bond.
- (54) **"Dental Industrial User"** shall mean all industrial users subject to Dental Amalgam Effluent and BMP Standards or related requirements promulgated by the Environmental Protection Agency (EPA), and any subsequent programs or requirements imposed by a State Agency.
- (55) **"Department"** shall mean the Water Department of the City of San Bernardino. See also "Water Department" and "SBMWD".
- (56) **"Design and Construction Standards for Water and/or Wastewater System Improvements"** shall mean the minimum design and construction criteria for water distribution and sewage collection systems within the jurisdiction of the Water Department.
- (57) **"Developer"** shall mean any person, agent, or corporation engaged in or proposing development of property.
- (58) **"Developer Approval"** is the approval(s) required from the City of San Bernardino for subdivision of a parcel or issuance of a building permit.
- (59) **"Developer-Installed Agreement"** means an agreement between the Water Department and Applicant executed by the General Manager that

shall establish the terms for the installation and transfer of the title of water and sewage collection system facilities.

- (60) **"Developer Required Size"** means the minimum water and sewage collection facility size required to service the Applicant's development only.
- (61) **"Dilution"** shall mean the increase in use of water, wastewater or any other means to dilute a wastestream as a partial or complete substitute for adequate treatment to achieve discharge requirements.
- (62) **"Director"** shall mean either the Director of Water Reclamation or Environmental & Regulatory Compliance or an authorized representative, deputy, or agent appointed by the Director.
- (63) **"Discharger"** shall mean any person who directly or indirectly causes or contributes to a discharge to the POTW.
- (64) **"Disconnection of Service"** shall mean an active service connection which has been turned-off or terminated for nonpayment of water and sewer bills.
- (65) **"Domestic Liquid Wastes"** shall mean all domestic wastes contained in septic tanks, cesspools, seepage pits, holding tanks, private disposal systems, or chemical toilets not connected to the POTW.
- (66) **"Domestic Service"** shall mean a service connection through which water is obtained for all purposes permissible under law, including commercial and industrial uses exclusive of fire protection and construction service.
- (67) **"Domestic Wastewater"** shall mean wastewater from private residences and wastewater from other premises resulting from the use of water for personal washing, sanitary purposes or the discharge of human excrement and related matter.
- (68) **"E&RC"** shall mean the Environmental and Regulatory Compliance Division of the SBMWD.
- (69) **"Effluent"** shall mean treated wastewater flowing from treatment facilities, a POTW, or a user's pretreatment equipment to the POTW.

- (70) **"Electrical Conductivity"** shall mean the quantitative measurement of salt/ionic constituents dissolved in wastewater generated from, but not limited to: boilers, cooling towers, and water systems.
- (71) **"Emergency"** shall mean a sudden or unexpected occurrence or need that requires immediate action to prevent an adverse impact upon life, health, property or essential public services. The term shall also refer to the facts or circumstances that SBMWD reasonably determines create an imminent threat of harm to public health or safety, the environment or the POTW.
- (72) **"Emergency Service Connection"** shall mean a Water Department authorized service connection on an interim basis required to safeguard health and protect private or public property.
- (73) **"Employee"** shall mean any individual employed by the Water Department, excluding independent contractors, consultants, and their employees.
- (74) **"Engineer"** shall mean the SBMWD's designated Engineer of Record, or an authorized representative or deputy.
- (75) **"EPA"** shall mean the United States Environmental Protection Agency.
- (76) **"Equivalent Dwelling Unit" or "EDU"** shall mean a unit of measure that standardizes all land use categories to the level of demand created by one single-family dwelling unit. EDUs are computed in accordance with the probable demand that a user places on the system by assignment of an equivalency factor.
- (77) **"Exchange Type Soft Water Conditioning Equipment"** shall mean any soft water conditioning equipment that is removed from the premises at which it is normally operated for regeneration at a commercial regeneration facility.
- (78) **"Existing Source"** shall mean any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced before the publication of proposed pretreatment standards

under Section 307(c) of the Federal Clean Water Act and amendments thereto.

- (79) **"Federal Categorical Pretreatment Standard"** shall mean the National Pretreatment Standards, established by the EPA, specifying quantities or concentrations of pollutants or pollutant properties which may be discharged or introduced into the POTW by existing or new industrial users in specific industrial categories established as separate regulations under the appropriate subpart of 40 CFR Chapter I, Subchapter N, and amendments thereto.
- (80) **"Fire Hydrant"** shall mean a public fire hydrant(s) to be located within a public right-of-way or easement. The fire hydrant shall be of a type and manufacturer approved by the entity having jurisdiction.
- (81) **"Fire Hydrant Meter"** shall mean a portable water meter which is connected to a fire hydrant for the purpose of temporary water use. (These meters are sometimes referred to as Construction Meters).
- (82) **"Fire Service"** shall mean a service connection through which water is available on private property for fire protection exclusively. Private fire service shall be equipped with a Water Department approved backflow device and meter per Water Department Standards.
- (83) **"Fire Service Acquisition of Service Charge"** shall mean a variable charge or fee by service size required to obtain a fire service connection onto a Water Department water main to cover the costs per Equivalent Dwelling Unit (EDU) for bond-funded improvements, cost of water storage, cost of water production, and cost of pumping and transmission.
- (84) **"Fixture Units"** shall be defined as specified in the Uniform Plumbing Code, current edition.
- (85) **"Flow, Permitted Average"** shall mean the mathematical daily average flow of industrial wastewater discharged from a permitted user to the POTW.

- (86) **"Flow, Permitted Maximum"** shall mean the permitted average flow plus 20% of the average flow. The permitted maximum flow is designed to allow for periodic production increases which result in an increase in the amount of wastewater discharged to the POTW.
- (87) **"Flow Monitoring Equipment"** shall mean the equipment and structures required to be installed, maintained, and calibrated at the user's expense to measure, totalize, and record the amount of water used at the facility or the quantity discharged to the POTW.
- (88) **"Frontage Fee"** shall mean actual costs incurred either by the Water Department or Applicant who executed a Developer-Installed Agreement and Conveyance Agreement with the Water Department documenting all approved costs incurred and advanced by Applicant necessary to document refundable costs due to either the Water Department or Applicant who initially advanced the costs and shall be calculated by the total length of water main installed divided into the total approved costs.
- (89) **"General Manager"** shall mean the person duly appointed by the Board to perform the duties of the position, or that person's duly appointed representative.
- (90) **"Good Faith"** shall mean the user's honest intention to remedy noncompliance together with actions that support the intention without the use of enforcement actions by the SBMWD. Examples of these intentions are improved Best Management Practices (BMP) or the installation of pretreatment equipment to reduce or eliminate pollutants.
- (91) **"Grab Sample"** shall mean an individual sample collected over a period of time not exceeding fifteen minutes.
- (92) **"Grease Waste"** shall mean the floating, solid, and semi-solid waste contained within an approved oil/grease interceptor located at a Restaurant User.

- (93) **"Grease Wastehauler"** shall mean any person engaged in the removal, transport, and disposal of grease waste removed from a permitted Restaurant User.
- (94) **"Grease Wastehauler Manifest"** shall mean the manifest required to document the removal of pretreatment waste from a permitted Restaurant User.
- (95) **"Hazardous Material"** shall mean any material capable of creating imminent endangerment to health or the environment including, but not limited to, any substance designated under 40 CFR Section 310.11(d) and amendments thereto, or any hazardous chemical substance subject to regulation under the Toxic Substances Control Act, 15 USC USC Section 2601, et seq. and amendments thereto. In general, substances which are toxic, explosive, corrosive, flammable or irritants, or which generate pressure through heat or decomposition, e.g., heavy metals, pesticides, strong acids or bases, distillate fuels, oxidants, etc.
- (96) **"Heating Water"** shall mean all water used solely for the heating of a manufacturing process, equipment, or product.
- (97) **"House Sewer"** shall mean that portion of the property owner's plumbing system used to collect wastewater from any plumbing fixture or drain for the proper discharge of such wastewater into the private sewer lateral.
- (98) **"Hydrolysate"** shall mean the resultant liquid from the hydrolysis of human remains.
- (99) **"Hydrolysis"** shall mean the process by which the body of a deceased person is chemically reduced to its essential organic components and bone fragments either before or after processing of the remains after removal from the hydrolysis chamber.
- (100) **"Illegal Service"** shall mean an active service connection, but which installation was not authorized by the Water Department or is in violation of the Water Department's service rules. Illegal services include, but are not

limited to, expansions of on-site systems to serve adjacent parcels.

- (101) **"Inactive Service"** shall mean a service connection which is not in use, but is fully operational in accordance with Water Department standards and documented in Water Department records.
- (102) **"Industrial User" (IU)** shall mean all persons, entities, public or private, industrial, commercial, governmental, educational, or institutional which discharge or cause to be discharged, industrial wastewater into the POTW.
- (103) **"Industrial User Permit"** shall mean the regulatory permitting procedure established and enforced by the Director to authorize and control the discharge of industrial wastewater from industrial users into the POTW.
- (104) **"Industrial Wastewater"** shall mean all water containing wastes of the community, excluding domestic wastewater, and includes all wastewater from any producing, manufacturing, processing, governmental, educational, institutional, commercial, service, agricultural or other operation. Industrial wastewater may also include cooling tower and boiler blowdown water, brine wastewater from the regeneration of water conditioning equipment, and potable water treatment wastewater as determined by the Director.
- (105) **"Infectious Waste"** shall mean all wastes that normally cause, or significantly contribute to cause, increased morbidity or mortality of human beings.
- (106) **"Interceptor"** shall mean an approved detention chamber designed to remove floatable and settleable material from industrial wastewater prior to discharge to the POTW.
- (107) **"Interference"** shall mean any discharge from a user which, alone or in conjunction with a discharge or discharges from other sources both: inhibits or disrupts the POTW, treatment processes or operations, or sludge processes, use or disposal; and which is a cause of a violation

of any requirement of the NPDES permit (including an increase in the magnitude or duration of violation) or of the prevention of sewage sludge use or disposal in compliance with Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II, more commonly referred to as the Resource Conservation and Recovery Act (RCRA), state regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the SWDA), the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection Research and Sanctuaries Act, and any amendments to these Acts or regulations.

- (108) **"Ion Exchange Water Softener"** shall mean a water conditioning apparatus that is designed to remove hardness or other impurities from a user's incoming potable water supply.
- (109) **"Jumper"** shall mean a length of pipe installed in lieu of a meter (also known as an "idler").
- (110) **"Killed Service"** shall mean a service connection documented based on actual field conditions that the service lateral no longer exists. The service is classified as killed in Water Department records. If field conditions later indicate that a service classified as killed was actually abandoned, the service shall be classified as abandoned in Water Department records. See "Abandoned Service".
- (111) **"Lift Station"** shall mean a facility used for pumping wastewater from a lower to a higher elevation via a force main piping system under pressure, particularly where the elevation of the source is not sufficient for gravity flow and/or when the use of gravity conveyance will result in an excessively deep sewer main that is more challenging to construct and maintain.
- (112) **"Liquid Wastehauler"** shall mean any person engaged in the removal, transport, and disposal of domestic liquid wastes from chemical toilets, septic tanks, seepage pits, cesspools, or any other private disposal system for domestic wastewater.

- (113) **"Liquid Wastehauler Manifest"** shall mean the manifest required to be completed and submitted to the Director before authorization to discharge domestic liquid wastes at the WRP is granted.
- (114) **"Liquid Wastehauler Permit"** shall mean the regulatory permitting procedure established and enforced by the Director to authorize and control the discharge of domestic liquid waste from liquid wastehaulers into the WRP.
- (115) **"Local Discharge Limit"** shall mean the maximum concentration of a pollutant determined from either a grab or composite sample which is permitted to be discharged to the POTW, developed by the SBMWD in accordance with 40 CFR 403.5(c) and amendments thereto.
- (116) **"Lower Explosive Limit (LEL)"** shall mean the minimum concentration of combustible gas or vapor in the air that will ignite if an ignition source is present.
- (117) **"Main Extension"** shall mean any addition to the Water Department's Network Distribution System or Sanitary Sewer Collection System, consisting of a pipeline which is a nominal eight (8) inches in diameter or greater, for the purpose of providing an adequate water supply or for the purpose of providing sanitary sewer service. The Water Department reserves the right to increase the length or diameter of a main extension beyond that required to serve a particular development in order to provide for the orderly development of the Water Department's Network Distribution System or Sanitary Sewer Collection System, improve water quality, and/or improve system reliability.
- (118) **"Mass Emission Rate"** shall mean the pounds per day discharged to the City's Collection System of a particular pollutant or combination of pollutants, as contained in an Industrial User Permit.
- (119) **"Master Meter"** shall mean the Water Department approved primary measuring device installed for, but owned by the Water Department, which is used for the purpose of accurately recording all

consumption entering an area containing a number of customers, or sub-metered services.

- (120) **"May"** shall mean permissive.
- (121) **"Medical Waste"** shall mean infectious agents, human blood, blood products, pathological wastes, sharps, recognizable body parts, fomites, etiologic agents, contaminated bedding, surgical wastes, potentially contaminated laboratory waste dialysis waste, hypodermic needles, syringes, medical 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.
- (122) **"Meter"** shall mean the Water Department approved measuring device, installed for, but owned by the Water Department, which is used for the purpose of accurately recording the consumption of water used by customers.
- (123) **"mg/L"** shall mean milligrams per liter.
- (124) **"Milestone"** shall mean increments of progress in the form of dates, not to exceed nine months, and are used in compliance schedules. Milestones shall be for the commencement and/or completion of major events leading to the construction and operation of additional pretreatment facilities or the implementation of policies, procedures or operational management techniques required for the user to comply with all applicable federal, state or local environmental regulations which may directly or indirectly affect the quality of the user's wastewater effluent.
- (125) **"Monthly Average"** shall mean the average of daily measurements over a calendar month as calculated by adding all the daily measurements taken during the calendar month and dividing that sum by the sum of the number of daily measurements taken in the calendar month.
- (126) **"Multiple Family Dwelling Units"** shall mean a structure that contains two or more dwelling units per structure (i.e., hotels, motels,

condominiums, apartments, townhouses, and live--work units that share a common wall). In addition, mobile home parks shall be considered multiple family dwelling units.

- (127) **"National Pollutant Discharge Elimination System (NPDES) Permit"** shall mean the permit(s) issued by the Regional Water Quality Control Board pursuant to Section 402 of the Act (33 U.S.C. 1342) establishing waste discharge requirements for the SBMWD WRP and RIX.
- (128) **"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 Part 403.5.
- (129) **"New Source"** shall mean any building, structure, facility, or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(c) of the Federal Clean Water Act and amendments thereto, which will be applicable to such source if such standards are thereafter promulgated in accordance with that Section, provided that:
- a. The building, structure, facility or installation is constructed at a site at which no other source is located; or
 - b. The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - c. The production or wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent factors such as the extent to which the new facility is integrated with the existing facility, and the extent to which the new facility is

engaged in the same general type of activity as the existing source may be considered.

- (130) **"Noncompliance Monitoring Program (NMP)"** shall mean an Administrative Order issued to an industrial user which requires the user to submit production and flow data and complete monitoring, at a frequency determined by the Director, for all pollutants determined to be in violation of discharge limits.
- (131) **"Non-Contact Cooling or Heating Water"** shall mean any water which is used for temperature control and has no direct contact with any raw material, or intermediate or final product.
- (132) **"Non-Domestic Wastewater"** shall mean all wastewater except Domestic Wastewater, Domestic Liquid Waste, and Unpolluted Water including but not limited to wastewater resulting from industrial, commercial, producing, manufacturing, processing, governmental, educational, institutional, and agricultural operations, brine wastewater from the regeneration of water conditioning equipment, and all non-exempt truck hauled liquid wastewater.
- (133) **"Nonpotable Water"** (also called recycled or reclaimed water) shall mean water that does not meet the State of California standards for potable water and that is made available for irrigation purposes for large scale turf and landscaped areas including, but not limited to, golf courses, schools, and parks. Nonpotable water may include reclaimed or recycled wastewater, water which has been recovered from a ground water recharge/recovery facility for nonpotable use, and/or potable water which has been blended with reclaimed or recovered groundwater for capacity or water quality reasons.
- (134) **"Nonstandard Service Connection"** shall mean a service connection from a main to a parcel, which is not contiguous to the main to which the connection is made. A service will not be considered or classified as nonstandard if the parcel to be served is not adjacent to a public right-of-way and a permanent right of access with

overlapping utility easement is provided for the on-site (private) lateral.

- (135) **"Off-site Main"** shall mean the system of piping or conduit installed in or under any public street, alley, place, or easement on private property for the purposes of collecting wastewater or distributing potable water. This definition includes all devices, equipment, pipes, and systems used in the transmission, storage, treatment, recycling and reclamation of municipal wastewater, sludge, industrial wastewater, except sewer laterals. These public mains extend from the existing system to a development and generally remain outside the development boundaries.
- (136) **"Oil and Grease"** shall mean any of the following in part or in combination:
- a. Petroleum derived products, e.g., oils, fuels, lubricants, solvents, cutting oils;
 - b. Vegetable derived products, e.g., oils, shortenings, water soluble cutting oils;
 - c. Animal derived products, e.g., fats, greases, oils, lard.
- (137) **"On-site Main"** shall mean the system of piping or conduit installed in or under any public street, alley, place, or easement on private property for the purposes of collecting wastewater or distributing potable water. This definition includes all devices, equipment, pipes, and systems used in the transmission, storage, treatment, recycling and reclamation of municipal wastewater, sludge, industrial wastewater, except sewer laterals. These public mains, which are installed specifically to provide service to developments, are generally located within the development's boundaries.
- (138) **"Oversized Main Extension"** shall mean a main larger in diameter than the minimum diameter necessary to provide a supply of water to (or conveyance of sewage from) a proposed development, which will be capable of meeting future demands on the Water Department's distribution system. The Water Department may

increase the length of an oversized main extension beyond that required to serve a particular development, in order to provide for the orderly development of the Water Department's distribution system (or sewage collection), improve water quality and/or improve system reliability.

- (139) **"Oversized Water Facility"** shall mean a facility larger than the minimum facility size necessary to provide the necessary supply of water (or the handling of sewage) to a proposed development, which will be capable of meeting future demands on the Water Department distribution system. The Water Department may increase the size of the water facility beyond that required to serve a particular development, in order to provide for the orderly development of the Water Department's distribution (or sewage collection) system, improve water quality and/or improve system reliability.
- (140) **"Parcel Map"** shall be as defined in State of California, Government Code, Sections 66444-66450.
- (141) **"Pass Through"** shall mean any discharge which exits the WRP or RIX into receiving waters or waters of the State in quantities or concentrations which, alone or in conjunction with other discharges from other sources, causes a violation of any requirement of the NPDES Permit, including an increase in the magnitude or duration of a violation.
- (142) **"Permit-Required Confined Space"** pursuant to California Code of Regulations, Title 8, Section 5157, subsection b, and amendments thereto, shall mean a confined space that has one or more of the following characteristics:
- a. Contains or has a potential to contain a hazardous atmosphere;
 - b. Contains a material that has the potential for engulfing an entrant;
 - c. Has an internal configuration such that an entrant could be trapped or asphyxiated by inwardly converging walls or by a floor

which slopes downward and tapers to a smaller cross-section; or

d. Contains any other recognized serious safety or health hazard.

(143) **"Permittee"** shall mean any user which is issued an Industrial User, Liquid Wastehauler, or Grease Wastehauler permit.

(144) **"Person"** shall mean any individual, firm, company, association, society, general or limited partnership, limited liability company, trust, corporation, governmental agency or group, and includes the plural as well as the singular.

(145) **"pH"** shall mean the logarithm (base 10) of the reciprocal of the concentration of hydrogen ions, as analyzed in accordance with Approved Analytical Methods. pH represents both acidity and alkalinity on a scale ranging from 0-14 where 7 represents neutrality, values less than 7 represent acidity and values greater than 7 represent alkalinity.

(146) **"Point of Delivery"** shall mean the location on User's property, immediately downstream of the Water Department's meter and control valve vault, and test port at the boundary of the permanent easement granted by the nonpotable water User.

(147) **"Pollutant"** shall mean anything which causes the deterioration of water quality such that it impairs subsequent and/or competing uses of the water. Also means any constituent or characteristic of wastewater including but not limited to conventional pollutants, domestic wastewater, hazardous substances, infectious waste, slug discharges, dredged spoil, solid waste, incinerator residue, sewage, garbage, sewage sludge, munitions, chemical wastes, biological materials, radioactive materials, medical waste, heat, rock, sand, dirt, dust, wood product, cleaning chemicals of any kind and industrial, municipal, and agricultural waste and wastewaters. Pollutants may also include, but are not limited to, paints, oil and other automotive fluids, soil, sand, sediment, dirt, rubbish, trash, garbage, debris, refuse, waste, fecal coliform, fecal streptococcus, enterococcus,

other biological materials, radiological materials, suspended solids, heavy metals, hazardous waste, chemicals, fresh concrete, yard waste from commercial landscaping operations, animal waste, materials that result from the process of constructing a building or structure, nauseous or offensive matter of any kind and industrial, municipal, and agricultural waste.

- (148) **"Pollution"** shall mean the person made or person induced adverse alteration of the chemical, physical, biological, or radiological integrity of water.
- (149) **"Potable Water"** shall mean water that is treated pursuant to the Safe Drinking Water Act and meets the standards of the State of California Department of Health Services.
- (150) **"POTW"** shall mean the Publicly Owned Treatment Works and shall include the City's Collection System, the collection system of Satellite Service Areas, the SBMWD Water Reclamation Plant, and the RIX. This definition includes all devices, equipment, pipes, and systems used in the transmission, storage, treatment, recycling and reclamation of domestic municipal wastewater, sludge, or industrial wastewater, except private sewer lateral connections or house sewers.
- (151) **"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 less harmful state prior to, or in lieu of, introducing such pollutants into the POTW. The reduction or alteration may be obtained by physical, chemical or biological processes, process changes, waste minimization, or other legal means designed to remove or reduce pollutants in a wastestream, except dilution.
- (152) **"Pretreatment Requirement"** shall mean any substantive or procedural requirement related to pretreatment imposed on an Industrial User.
- (153) **"Pretreatment Standard"** shall mean any regulation containing pollutant discharge limits or prohibitions promulgated by EPA or the City, applicable to industrial users, including

promulgated Categorical Standards; National Prohibitive Discharge Standards developed pursuant to Section 307(b) of the Clean Water Act and 40 CFR 403.5, general discharge prohibitions contained in Rule and Regulation No. 26 Section 3.0; and any specific local discharge limits established by the City.

- (154) **"Pretreatment Waste"** shall mean all waste, liquid, solid, or semi-solid removed from a wastestream or discharge by physical, chemical, or biological means.
- (155) **"Private Main"** shall mean a water (or sewer) pipeline and appurtenances not owned by the Water Department.
- (156) **"Private Sewer Lateral"** shall mean the privately owned and maintained wastewater collection pipe or conduit extending from the premises where the wastewater is generated (house sewer) up to, but not including, the connection to the City's or satellite service area's collection system. Same meaning as "Service Lateral Line" and "Sewer Lateral".
- (157) **"Prohibited Discharges"** shall mean all discharges specified in Section 3.0 of Rule and Regulation No. 26, which are prohibited from being discharged to the POTW.
- (158) **"Property"** means a lot or parcel of land, a building or an establishment.
- (159) **"Property Owner"** shall mean any individual who is on record of title as being the owner of any parcel of land that may or may not be served by the Water Department either in the past, present, or future.
- (160) **"Public Main", "Main", "Water Facility", or "System"** shall mean a water or sewer pipeline and appurtenances which is owned by the Water Department.
- (161) **"Public Sewer"** - See "Collection System."
- (162) **"Qualified Professional"** shall mean any person who by virtue of experience, education, or training, is qualified to evaluate and assess

pollutant discharges and violations of Rule and Regulation No. 26.

- (163) **"RCRA"** shall mean the Resource Conservation and Recovery Act as contained in 40 CFR Part 260-266 and 270 and amendments thereto.
- (164) **"Restaurant User"** shall mean all retail establishments selling prepared foods and drinks for consumption on or off the premises; and lunch counters and refreshment stands selling prepared foods and drinks for immediate consumption. Users which provide food and drink on the premises as a subordinate service incidental to their primary operations and institutional facilities (e.g., schools, churches, jails, prisons, and juvenile halls, etc.), may also be considered restaurant users.
- (165) **"RIX"** shall mean the Rapid Infiltration and Extraction Facility, located in the City of Colton, operated exclusively by the City of San Bernardino Municipal Water Department, and owned jointly with the City of Colton through the RIX Joint Powers Authority (JPA). The RIX receives effluent from the WRP and the City of Colton's Water Reclamation Facility that is treated to Secondary treatment limits and discharges to the Santa Ana River in compliance with NPDES Permits.
- (166) **"Sample Location"** shall mean a location approved by the Director where a representative sample of non-domestic wastewater is collected from an industrial user.
- (167) **"Satellite Service Area"** - A wastewater collection system that is owned or operated by another entity which transmits untreated wastewater to the City's Collection System for transmission, treatment, and disposal in accordance with an interjurisdictional agreement.
- (168) **"SBMWD"** shall mean the City of San Bernardino Municipal Water Department. See also "Department" and "Water Department".
- (169) **"Self-monitoring"** shall mean wastewater samples collected by a user or the user's contracted

- laboratory, consultant, engineer, or similar entity.
- (170) **"Service Area"** shall mean the physical geographic area where water service is provided and where wastewater is generated and discharged to the POTW.
- (171) **"Service Connection"** shall mean the service lateral extending from the Department's water main, whether located in a public thoroughfare or dedicated easement, to the individual meter. This include the tapping of the water main, corporation stop together with the valves, lateral piping, fittings, meter box and meter.
- (172) **"Service Deposit"** shall mean an amount deposited with the Water Department to assure payment of water and sewer bills.
- (173) **"Service Lateral Line"** shall have the same meaning as "Private Sewer Lateral" and "Sewer Lateral."
- (174) **"Service Relocation"** shall mean a change in location that will require tapping the existing main or a new water main at a new location, installing a new service lateral. This service will require the payment of appropriate application fees, inspection fees, installation fees and/or other charges.
- (175) **"Sewage"** means human excrement and gray water (household showers, dishwashing operations, etc.).
- (176) **"Sewer Collection Capacity Charge"** shall mean a charge paid by new development to finance capital improvements of SBMWD's Sanitary Sewer Collection System needed to serve and accommodate new customer growth and is applied on a per EDU basis.
- (177) **"Sewer Lateral"** shall Have the same meaning as "Service Lateral Line" and "Private Sewer Lateral."
- (178) **"Sewer Main"** shall mean the system of piping or conduit installed in or under any public street, alley, place, or easement on private property for the purposes of collecting wastewater. This definition includes all devices, equipment,

pipes, and systems used in the transmission, storage, treatment, recycling and reclamation of municipal wastewater, sludge, industrial wastewater, except sewer laterals. Same as "Sewer Main Line."

- (179) **"Sewer Main Line"** shall have the same meaning as "Sewer Main."
- (180) **"Sewer Treatment Capacity Charge"** shall mean a fee charged for new wastewater connections, or to existing connections with a change in use that may result in increased wastewater flows. The fee is established to fund wastewater treatment plant improvements that ensure treatment capacity is available and is applied on a per EDU basis.
- (181) **"Shall"** means mandatory.
- (182) **"Significant Industrial User (SIU)"** shall mean all industrial users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N and amendments thereto, or any user that meets any of the following conditions:
- a. Industrial wastewater discharge at an average rate of at least twenty-five thousand gallons per day (gpd) to the WRP (excluding sanitary, noncontact cooling and boiler blowdown wastewater);
 - b. A process wastestream discharge which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the WRP; or
 - c. Is designated by the Director on the basis that the user has a reasonable potential for adversely affecting the WRP or for violating any pretreatment standard or requirement.
- (183) **"Significant Noncompliance (SNC)"** shall mean any compliance violation that meets one or more of the following criteria:
- a. Chronic violations of wastewater discharge limits, which are defined as those in which sixty-six (66%) percent or more of all of the measurements for each pollutant taken during a consecutive six month period exceed

- (by any magnitude) the daily maximum limit or the average limit for the same pollutant;
- b. Technical review criteria (TRC) violations, which are defined as those in which thirty-three (33%) percent or more of all of the measurements for each pollutant taken during a consecutive six month period equal or exceed the product of the daily maximum limit or the average limit multiplied by the applicable TRC (TRC=1.4 for BOD, TSS, fats, oil and grease, and 1.2 for all other pollutants except pH);
 - c. Any other violation of a pretreatment effluent limit (daily maximum or longer-term average) that the SBMWD determines has caused, alone or in combination with other discharges, interference or pass through (including endangering the health of WRP personnel or the general public);
 - d. Any discharge of a pollutant that has caused imminent endangerment to human health or welfare or to the environment or has resulted in the SBMWD exercise of its emergency authority to halt or prevent such a discharge;
 - e. Failure to meet, within ninety (90) days after the scheduled date, a compliance schedule milestone contained in an Administrative Order, for starting construction, completing construction, or attaining final compliance;
 - f. Failure to provide, within forty-five (45) days of the due date, any required reports such as baseline monitoring reports, ninety-day (90) compliance reports, periodic self--monitoring reports, and reports on compliance with compliance schedules;
 - g. Failure to pay, within thirty (30) days, all applicable industrial user application, permit, and enforcement penalty fees;
 - h. Failure to accurately report non--compliance; or

- i. Any other violations or group of violations which the SBMWD believes will adversely affect the operation and implementation of the SBMWD pretreatment program.
- (184) **"Single Pass Non-Contact Cooling Water"** shall mean water that is used solely for the purpose of cooling, has no direct contact with any raw material, or any intermediate, final or waste product, and is used only once before being discharged.
- (185) **"Single Pass Non-Contact Heating Water"** shall mean water that is used solely for the purpose of heating, has no direct contact with any raw material, or any intermediate, final or waste product, and is used only once before being discharged.
- (186) **"Slug Discharge"** shall mean any non-routine, episodic discharge of wastewater, material or waste with such a high volume or pollutant concentration which will violate any Pretreatment Standard or requirement, or cause damage to, interference with, or pass through in the collection system, WRP, or WRP sludge processes, use, or disposal.
- (187) **"Slug Discharge Control Plan"** shall mean a plan submitted by an Industrial User as required in 40 CFR 403.8(f)(2)(v) and SBMC Section 13.32.475(B), which specifies the potential pollutants used and/or stored at the User's facility; potential pathways the pollutants may enter the POTW, and facilities and procedures for preventing or controlling the occurrence of a Slug Load Discharge to the POTW.
- (188) **"Spent Solutions"** shall mean any concentrated non-domestic wastewater, such as plating solutions or static rinses, brine wastewater from the regeneration of water conditioning equipment, which contains concentrations of pollutants, the discharge of which may cause Interference, Pass Through, or a violation of any Pretreatment Standard or requirement.
- (189) **"Spill Containment"** shall mean a protection system consisting of berms, dikes, or containers, which are used to prevent the discharge of raw

materials, waste materials, chemicals, or finished products to the Storm Drain or POTW.

- (190) **"Standard Methods"** shall mean the "Standard Methods for the Examination of Water and Wastewater" prepared and published by the American Public Health Association, American Water Works Association, and Water Environment Federation, which specifies accepted procedures used to assess the quality of water and wastewater.
- (191) **"Storm Drain"** shall mean a system of open channels, lined and unlined channels, surface channels, impound basins, ground water recharge basins, storm water holding ponds, underground pipes, curb and gutter, cross gutters, storm water pump and lift stations, parking lots, paved areas, streets, and natural water courses used to collect and direct storm precipitation and surface runoff to a receiving body of water or underground aquifer recharge basins.
- (192) **"Storm water"** shall mean water flowing or discharged as a result of rain, snow, or other precipitation.
- (193) **"Submeter"** shall mean a device that measures water consumption of an individual rental unit within a multiple family dwelling unit, multiunit residential structure, or mixed-use residential and commercial structure, and that is owned and operated by the owner of the structure or the owner's agent. The Water Department will not own, install, maintain, read, test, or be associated in any way with the billing for submeters.
- (194) **"Substantial Completion"** shall be deemed by the Water Department Engineer in writing.
- (195) **"Tampering"** shall mean acts by persons which cause damage to, or alteration of, or the unauthorized access to Water Department property including, but not limited to, service connections, shut off valves, hydrants, mains, meters, registers, maintenance hole structures, Lift Stations and service locks. Such persons shall be responsible for payment of costs incurred and any and all prescribed by these Rules and Regulations.

- (196) **"Temporary Industrial User"** shall mean any user who is granted temporary permission by the Director to discharge wastewater to the WRP for no more than 180 days and is controlled by a Class IV Industrial User Permit.
- (197) **"Temporary Water Service Connection"** shall mean an authorized service connection installed at a location not adjacent to the parcel served, i.e., a nonstandard location, and which is subject to removal or relocation at such time as a main is constructed contiguous to the parcel or temporary water service connections for developer-installed projects and shall mean a metered backflow service to supply water through private unconveyed water facilities that have been constructed to a point of substantial completion as defined in these Rules and Regulations.
- (198) **"Total Dissolved Solids (TDS)"** shall mean the total amount of nonvolatile residue by laboratory filtration and dried at 180 degrees C.
- (199) **"Total Suspended Solids (TSS)"** shall mean the total amount of residue retained by laboratory filtration and dried at 103-105 degrees C.
- (200) **"Total Toxic Organics (TTO)"** shall mean the sum of all quantifiable values of the regulated toxic organic compounds which are found in the user's industrial wastewater discharge.
- (201) **"Toxic Organic Management Plan (TOMP)"** shall mean a plan submitted by an Industrial User pursuant to Rule and Regulation No. 26 Subsection 4.16 which specifies the solvents and other toxic organics used and stored, the methods of delivery, storage and disposal; and the procedures for preventing or controlling the discharge of the solvents and toxic organics to the POTW or ground.
- (202) **"Tract"** shall mean all provisions of the State of California subdivision Map Act of the State of California, Government Code Sections 66410-66424.6 and shall be as defined in Division 2, Subdivisions Chapter 2, Maps.

- (203) **"Unpolluted Water"** shall mean cooling and heating water, single pass cooling and heating water, air conditioning condensate, ice melt, condensate, groundwater, landscape irrigation, crop irrigation, rain water, and water not containing any substances limited or prohibited by effluent standards in effect or water whose discharge will not cause any violation of receiving water quality standards.
- (204) **"Unusual Installation Conditions"** shall mean circumstances that include, but are not limited to, the length of the lateral, the type of pavement, anticipated soil or other underground conditions, and the width or travel conditions of the roadway or right-of-way and also those imposed as a result of governmental or property owner actions.
- (205) **"Upset"** shall mean an exceptional incident which causes temporary and unintentional non-compliance with the discharge limitations or prohibitions applicable to a user, the WRP, or the RIX and which is beyond the reasonable control of a user, the WRP, or the RIX.
- (206) **"User"** shall mean any person, public or private, residential, industrial, commercial, governmental, educational, or institutional which discharges or causes to be discharged, wastewater into the POTW or contracted service area.
- (207) **"Waste"** shall mean any discarded solid, semi-solid, liquid, or gaseous material.
- (208) **"Waste Discharge Requirements (WDRs)"** shall mean those requirements issued to all federal and state agencies, municipalities, counties, districts, and other public entities that own or operate sanitary sewer systems greater than one mile in length that collect and/or convey untreated or partially treated wastewater to a publicly owned treatment facility in the State of California as ordered by the State Water Resources Control Board in Order 2006-0003-DWQ, or amendments thereto.

- (209) **"Wastehauler"** shall mean any person engaged in vehicular transport of domestic liquid wastes to be discharged at the POTW.
- (210) **"Waste Manifest"** shall mean the waste hauling receipt which is required to be retained on site by an industrial user for a hazardous, non--hazardous, or pretreatment waste as required by the Director.
- (211) **"Wastewater"** shall mean the liquid and water carried domestic waste or non-domestic waste from residential, commercial, industrial, governmental, educational, or institutional facilities, together with any groundwater, surface water, and storm water, that may be present which is discharged to the POTW.
- (212) **"Water Backbone Infrastructure"** consists of the following water facilities: Pump stations, booster stations, reservoirs, transmission pipelines (mains), distribution mains, or other facilities approved by the General Manager.
- (213) **"Water Board"** shall refer to the group of up to five Board members for the Water Department as established by the City of San Bernardino Charter Article VI: Section 603, Water and Wastewater. The word "Board" shall have the same meaning.
- (214) **"Water Commitment"** shall mean a written commitment from the Water Department to either provide or refuse water and/or sewer service to a specific development on a specific parcel of land.
- (215) **"Water Department"** shall mean the City of San Bernardino Municipal Water Department. See also "Department" and "SBMWD."
- (216) **"Water Facility Oversizing Agreement"** means an agreement between the Water Department and Applicant approved by the BOWC that shall establish the terms for the cost sharing due to Water Department required oversizing of water facilities. The Water Facility Oversizing Agreement can be either a standalone document or included as part of a Developer-Installed Agreement.

- (217) **"Water Supply"** shall mean the water supply serving the area tributary to the collection system of the City or Service Area or WRP.
- (218) **"Waters of the State"** means any surface water or groundwater, including saline waters, within the boundaries of the State of California.
- (219) **"Will Serve Letter"** shall mean a written document for commitment or refusal of commitment for water and/or sewer service that may be made at the Applicant's request.
- (220) **"Work Order"** shall mean a request for work to be conducted by the Water Department.
- (221) **"WRP"** shall mean the City of San Bernardino Municipal Water Department Water Reclamation Plant.

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