

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE BOARD OF PUBLIC UTILITIES RECOMMENDING THAT THE SANTA ROSA CITY COUNCIL ADOPT AN ORDINANCE AMENDING SECTIONS OF SANTA ROSA CITY CODE TITLE 15 SEWERS TO MAINTAIN COMPLIANCE WITH EPA INDUSTRIAL PRETREATMENT PROGRAM REGULATION REVISIONS

WHEREAS, the City of Santa Rosa Industrial Pretreatment Program, as a requirement of Laguna Treatment Plant National Pollutant Discharge Elimination System (NPDES) Permit Number CA0022764, continuously develops the source control programs to accommodate changes in regulations, pollutants of concern and industrial/commercial business sectors, which may include revisions to Santa Rosa City Code Title 15 Sewers; and

WHEREAS, findings from the 2022 Pretreatment Compliance Audit of the City of Santa Rosa Industrial Pretreatment Program require revisions to Santa Rosa City Code Title 15 Sewers.

NOW, THEREFORE, BE IT RESOLVED that the Board of Public Utilities recommends that the Santa Rosa City Council adopt an ordinance amending sections of Santa Rosa City Code Title 15 – Sewers: § 15-04.030 Definitions (16); § 15-08.490 Periodic Compliance Reports; and § 15-08.620 Recordkeeping as set forth in Exhibit A attached hereto.

DULY AND REGULARY ADOPTED by the City of Santa Rosa Board of Public Utilities this 19th day of December 2024.

AYES:

NOES:

ABSENT:

ABSTAIN:

APPROVED: \_\_\_\_\_  
Daniel J. Galvin, III, Chair

ATTEST: \_\_\_\_\_  
Michelle Montoya, Recording Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Dustin Cooper, Interim City Attorney

Exhibit A: Draft Ordinance of the Council of the City of Santa Rosa Amending Certain Sections of Santa Rosa City Code Title 15 – Sewers to Maintain Compliance with EPA Industrial Pretreatment Program Regulation Revisions

## Exhibit A

ORDINANCE NO. \_\_\_\_\_

### ORDINANCE OF THE COUNCIL OF THE CITY OF SANTA ROSA AMENDING SECTIONS OF SANTA ROSA CITY CODE TITLE 15 – SEWERS, 2025, TO MAINTAIN COMPLIANCE WITH EPA INDUSTRIAL PRETREATMENT PROGRAM REGULATION REVISIONS

THE PEOPLE OF THE CITY OF SANTA ROSA DO ENACT AS FOLLOWS:

Section 1. Chapter 15-04, Section 15-04.030 (16) shall be amended to read as follows:

#### **“15-04.030 Definitions.**

(16) “Categorical user or categorical industrial user (CIU)” means all industrial users that are subject to categorical pretreatment standards under 40 CFR Part 403.6 or as amended and in any industry as defined in 40 CFR Chapter I, Subchapter N, Parts 405-471 or as amended.”

Section 2. Chapter 15-08, Section 15-08.490 shall be amended to read as follows:

#### **“15-08.490 Periodic compliance reports.**

(A) All significant industrial users shall, unless the Control Authority/city performs the IUs sampling and meter reads, submit a report no less than twice per year, indicating the nature and concentration of pollutants in the discharge which are limited by pretreatment standards or requirements and the measured or estimated average and maximum daily flows for the reporting period. All periodic compliance reports shall be signed and certified in accordance with 40 CFR Part 403.6(a)(2)(ii) or as amended. The report shall contain a description of the methods utilized by the user in collecting the wastewater sample for analysis, including but not limited to the sampling device(s) used, the sampling period, the amount of each sample collected, sample handling and preservation techniques used, and date of sample delivery to the laboratory for analysis.”

Section 3. Chapter 15-08, Section 15-08.620 shall be amended to read as follows:

#### **“15-08.620 Recordkeeping.**

Users subject to the reporting requirements of this title shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this title, including documentation associated with Best Management Practices, and any additional records of information obtained pursuant to monitoring activities undertaken by the user independent of such requirements. Records will include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples, the dates analyses were performed, who performed the analyses, the analytical techniques or methods used, and the results of such analyses. These records shall remain available for a period of at least five years. This period will be automatically extended for the duration of any litigation concerning the user or the City, or where the user has been specifically notified of a longer retention period by the Director of Utilities. (Ord. 3895 § 3, 2008)”

Section 4. Environmental Determination. The Council finds that the adoption and implementation of this ordinance are not a “project” subject to the California Environmental Quality Act (CEQA) because it does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. Alternatively, the proposed action is exempt from the provisions of the California Environmental Quality Act under section 15061(b)3 in that the Council finds there is no possibility that the implementation of this ordinance may have significant effects on the environment.

Section 5. Severability. If any section, subsection, sentence, clause, phrase or word of this ordinance is for any reason held to be invalid and/or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Section 6. Effective Date. This ordinance shall take effect on the 31st day following its adoption.

This ordinance was introduced by the Council of the City of Santa Rosa on \_\_\_\_\_, 2025

IN COUNCIL DULY PASSED AND ADOPTED this \_\_\_\_ day of \_\_\_\_\_, 2025.

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST: \_\_\_\_\_ APPROVED: \_\_\_\_\_  
City Clerk Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney