

CITY OF SANTA ROSA  
BOARD OF PUBLIC UTILITIES

TO: CHAIR AND BOARD MEMBERS  
FROM: MARTIN ST GEORGE, ENVIRONMENTAL COMPLAINEE  
SUPERVISOR  
SUBJECT: ORDINANCE AMENDING SECTIONS OF SANTA ROSA CITY  
CODE TITLE 15 - SEWERS, 2025, TO MAINTAIN COMPLIANCE  
WITH EPA INDUSTRIAL PRETREATMENT PROGRAM  
REGULATION REVISIONS

AGENDA ACTION: RESOLUTION

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RECOMMENDATION

It is recommended by Santa Rosa Water that the Board of Public Utilities, by resolution, recommend that the 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.

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EXECUTIVE SUMMARY

This ordinance consists of proposed sewer code edits that derive from the California State Water Resources Control Board (SWRCB) Pretreatment Compliance Audit findings from the August 5, 2022 audit of the City's Industrial pretreatment program.

BACKGROUND

The City of Santa Rosa (City) owns and operates the Laguna Treatment Plant (LTP), a publicly owned treatment works (POTW), regulated under National Pollutant Discharge Elimination System (NPDES) Permit Number CA0022764. To fulfill the requirements of the NPDES permit, the City operates an Industrial Pretreatment Program that was initiated in 1975 and approved by the US Environmental Protection Agency (US EPA) and North Coast Regional Water Quality Control Board in 1983.

The City's Industrial Pretreatment Program is inspected by US EPA inspectors, represented during this audit by the SWRCB staff, to monitor adherence with Federal pretreatment program guidelines. In the EPA audit report for the August 5, 2022, Pretreatment Compliance Inspections (2022 EPA Report), the findings revealed that the

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City needed to make minor changes to Santa Rosa City Code Title 15 – Sewers to be consistent with current federal code language.

PRIOR BOARD OF PUBLIC UTILITIES REVIEW

On October 3, 2019, the Board of Public Utilities, by resolution, recommended that the City Council adopt Ordinance No. ORD-2019-016, which implemented edits to the City Code required by the EPA Pretreatment Audit on November 14, 2019, including the addition of dental amalgam separator language and the codifying of new local limits.

ANALYSIS

This ordinance will update the City's Sewer Code to reflect US EPA audit findings. The governing text for the EPA Pretreatment Program 40 Code of Federal Regulations 400-699 sets the requirements for the contents in the City's local code. The US EPA Pretreatment Program model ordinance language is written in a different style than the City of Santa Rosa code language. Occasionally, the pretreatment program auditors find inconsistencies in the city code needing alignment with the EPA Pretreatment Program model language. The proposed edits are from three sections of Title 15 - Sewers. In the first edit to Section 15-04.030 Definitions. (16) "Categorical user or categorical industrial user (CIU)", there was an editing error made in the definition during the comprehensive sewer code rewrite in 2008.

In Section 15-08.090 Periodic Compliance Reports, the auditors interpreted "at a frequency determined by the Director of Utilities" as altering "...the enforceability of the self-monitoring requirement on the industrial user (IU)." And "The City is required to modify its significant industrial user (SUO) so that periodic compliance reports are required to be submitted at the correct frequency indicated in 40 CFR 403.12(e)." The Code of Federal Regulations requires an IU to self-report twice a year when the industry performs the self-monitoring. The city performs monitoring, sampling, inspecting, and making meter reads, of the facility so the self-reporting is not necessary.

The final proposed code edit is an omission from the implementation of the Federal Streamlining Rule promulgated in 2008. The Streamlining Rule allowed for Best Management Practice Permits (BMP) to be used on an industry wide basis when there were pollutants of concern that could be controlled by BMPs instead of constituent concentrations for all of one type of business. This is the case with hospitals in the in the Regional Treatment System. Product substitution has removed pollutants of concern from the effluent waste streams as long as BMPs are maintained. Documentation substantiating maintenance of the BMPs must be kept on file. This code edit codifies the requirement for BMP documentation.

FISCAL IMPACT

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No direct budgetary impact is anticipated.

ENVIRONMENTAL IMPACT

Pursuant to CEQA Guidelines Section 15378, the proposed action is not a “project” subject to the California Environmental Quality Act (CEQA) because it does not have a potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment. In the alternative, the proposed action is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the project may have a significant effect on the environment.

BOARD/COMMISSION/COMMITTEE REVIEW AND RECOMMENDATIONS

Not applicable.

NOTIFICATION

Not applicable.

ATTACHMENTS

- Attachment 1 – Draft 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
- Attachment 2 – Redline of Draft 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
- Resolution/Exhibit A

PRESENTER

Martin St. George, Environmental Compliance Supervisor