

California Regional Water Quality Control Board

San Francisco Bay Region

1515 Clay Street, Suite 1400, Oakland, California 94612 (510) 622-2300 • Fax (510) 622-2460 http://www.waterboards.ca.gov/sanfranciscobay



Date: July 7, 2005 File No. 1210.57 (MTC)

TO: Sewer System Authorities (attached list)

SUBJECT: New Requirements for Preparing Sewer System Management Plans

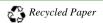
This letter is to notify you, as a Sanitary Sewer Collection System Agency, that you are required to prepare a Sewer System Management Plan (SSMP) pursuant to Section 13267 of the California Water Code. The enclosed SSMP Development Guide should be used to develop your plan, which will contain the following ten elements:

- 1. Goals
- 2. Organization
- 3. Overflow Emergency Response Plan
- 4. Fats, Oils, and Grease (FOG) Control Program
- 5. Legal Authority
- 6. Measures and Activities
- 7. Design and Construction Standards
- 8. Capacity Management
- 9. Monitoring, Measurement, and Program Modifications
- 10. SSMP Audits

As indicated in the attached guide, if you believe any element of this program is not applicable to your agency, your SSMP does not need to address it, but an explanation in the SSMP should be provided, indicating why that element of the SSMP is not applicable. Failure to prepare and maintain an SSMP will subject you to monetary liabilities that may be imposed by the San Francisco Bay Regional Water Quality Control Board (Regional Water Board). The following paragraphs provide some background and further details on the requirements and liabilities.

Background

This requirement is the result of a collaborative effort between the Bay Area Clean Water Agencies (BACWA) and the Regional Water Board to reduce and prevent sanitary sewer overflows. Over the past two years, BACWA and Regional Water Board staff met to develop



Sewer System Authorities (attached list) Page 2

draft SSMP guidelines. In 2004, six workshops were held for collection system agencies to present the draft SSMP guidelines and refine the contents for a comprehensive sanitary sewer overflow (SSO) control program for the region. This program comprises two components: 1) electronic reporting of SSOs; and, 2) development and implementation of SSMPs. The requirement for electronic SSO reporting began on December 1, 2004. The enclosed SSMP Development Guide incorporates input from collection system agencies in the San Francisco Bay Area.

Response Form

The first step of the process for developing your SSMP is to return a completed copy of the attached **SSMP Form A** to the Regional Water Board, to indicate that you have received this letter, understand the requirements, and intend to comply. There is a space on the form for feedback about the regional SSO control program. The Regional Water Board will continue working with BACWA to ensure successful implementation of this program.

Schedule

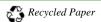
Individual elements of the SSMP are required to be completed according to the schedule shown below:

SSMP Item	Required Completion Date
 Goals Organization Emergency Response Plan FOG Control Program 	August 31, 2006
 Legal Authority Measures and Activities Design and Construction Standards 	August 31, 2007
 Capacity Management Monitoring, Measurement, and Program Modifications SSMP Audits 	August 31, 2008

Required Schedule for SSMP Elements

Notification to Regional Water Board of Completed SSMP Elements

You must notify the Regional Water Board when you complete each set of SSMP elements. Use the attached forms as follows:



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- Use SSMP Form B-1 to indicate completion of the first set of SSMP elements
- Use **SSMP Form B-2** to indicate completion of the second set of SSMP elements
- Use SSMP Form B-3 to indicate completion of the third and last set of SSMP elements

Applicability to NPDES Permitted Facilities

For Publicly-Owned Treatment Works (POTWs) whose discharges are regulated in NPDES permits, and who also operate sanitary sewer systems, any requirement for development of an SSMP in your NPDES permit should be considered fulfilled using the requirements outlined in this letter.

Annual Reports for Reporting of SSOs

As indicated in a previous letter from the Regional Water Board dated November 15, 2004, the first annual report for your agency's SSO control activity is due March 15, 2006, and should cover 13 months from December 1, 2004, through December 31, 2005. Subsequent annual reports are due March 15th, and should contain information for the preceding 12-month calendar year. Additional detail on requirements for annual reports will be forwarded to your agency later this year.

Basis for Requirement and Liabilities

Because SSOs are a threat to water quality, you should be aware that this letter establishes formal requirements for technical information pursuant to California Water Code Section 13267. Failure to respond, late response, or incomplete response may subject you to civil liability imposed by the Water Board to a maximum of \$1,000 per day. Any revisions of the request set forth must be confirmed in writing by Regional Water Board staff.

State-wide SSO Control Program

The State Water Resources Control Board (State Water Board) has recently begun the development of a state-wide SSO control program. Regional Water Board and BACWA representatives are working with State representatives to ensure compatibility between the Regional and State programs. In the event the State program has additional requirements beyond the Regional program, these elements will need to be incorporated into the SSMP. Collection System agencies will be notified of any new requirements as they occur. Currently, the State Water Board's proposed SSMP has a more aggressive development and implementation time schedule.



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Questions

If your agency has questions about program requirements or SSMPs, please contact Michael Chee at <u>mchee@waterboards.ca.gov</u> or (510) 622-2333.

Sincerely,

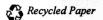
Executive Officer

Attachments:

- Sanitary Sewer Authorities Mailing List
- SSMP Form A: Notification Form To Indicate Receipt of Letter Requiring the Development of an SSMP
- SSMP Form B-1: Notification Form To Indicate Completion of First Set of Sewer System Management Plan (SSMP) Elements
- SSMP Form B-2: Notification Form To Indicate Completion of Second Set of Sewer System Management Plan (SSMP) Elements
- SSMP Form B-3: Notification Form To Indicate Completion of Third (and Final) Set of Sewer System Management Plan (SSMP) Elements
- Fact Sheet Requirements For Submitting Technical Reports Under Section 13267 of the California Water Code

Enclosure:

Sanitary Sewer Management Plan (SSMP) Development Guide



Chris McAuliffe U.S. Filter 601 Canal Blvd. Richmond, CA 94804

Jeff Brown City of Hercules 111 Civic Drive Hercules, CA 94547

Andy Morrison Collection Service Manager Union Sanitary District 5072 Benson Road Union City, CA 94587

Michael C. Cameron General Manager Oro Loma Sanitary District 2600 Grant Avenue San Lorenzo, CA 94580

Rob Fowler Dublin San Ramon SD 7051 Dublin Blvd. Dublin, CA 94568

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Larry Rosenberg Director of Public Works City of Piedmont 120 Vista Avenue Piedmont, CA 94611

Stanley Townsend Director of Public Works City of Calistoga, Dept. of Public Works 1232 Washington Street Calistoga, CA 94515

Sam Mehta City and County of San Francisco P.O.Box 8097 San Francisco, CA 94128

Sewer System Authorities Mailing List

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Steve Beal Rodeo SD 800 San Pablo Avenue Rodeo, CA 94572

Alex Ameri Deputy Director/Utilities Department of Public Works 777 B Street Hayward, CA 94541

Roland Williams General Manager Castro Valley Sanitary District 21040 Marshall Street Castro Valley, CA 94546

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Maurice Kaufman City Engineer City of Emeryville 1333 Park Avenue Emeryville, CA 94608

Douglas Humphrey General Manager Stege Sanitary District P.O. Box 537 El Cerrito, CA 94530

Don Moore Joint Treatment Plant Yountville Town 6550 Yount Street Yountville, CA 94599

Bob Correa San Mateo WQCP 1949 Pacific Blvd. San Mateo, CA 94403 Mark Adams Maintenance Supervisor City of Pinole, Public Works Department 2131 Pear Street Pinole, CA 94564

Chuck Weir East Bay Dischargers Authority 2651 Grant Avenue San Lorenzo, CA 94580

Dean Wilson Water Pollution Control Plant Manager City of San Leandro 3000 Davis Street San Leandro, CA 94577

Vivian Housen General Manager LAVWMA 7051 Dublin Blvd. Dublin, CA 94568

Darren Greenwood Water Resources Manager City of Livermore 101 West Jack London Blvd. Livermore, CA 94551

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Fuad Sweiss Engineering Division Manager City of Oakland 250 Frank Ogawa Pl Suite 4314 Oakland, CA 94612

Jonathan Goldman Public Works Director City of St. Helena 1480 Main Street St. Helena, CA 94574

Andy Ellicock Chief of Plant Operations The California Veterans Home P.O. Box 1200 Yountville, CA 94599

Larry Patterson Public Works Director City of San Mateo 330 W. 20th Avenue San Mateo, CA 94403 John Lisenko Director of Public Works City of Foster City 610 Foster City Blvd. Foster City, CA 94404

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David Montero Sanitary District No. 2 of Marin County P.O. Box 159 Corte Madera, CA 94925

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Gordon Sweeney City of Sausalito 420 Litho Street Sausalito, CA 94965

Bev James General Manager Novato SD 500 Davidson Street Novato, CA 94945 David Bishop Public Works Director Town of Hillsborough 1600 Flibunda Avenue Hillsborough, CA 94010

Ellen Ellsworth City Engineer Town of Colma 1188 El Camino Real Colma, CA 94014

Phil Scott, Public Works Superintendent City of Burlingame 501 Primrose Burlingame, CA 94010

Bonner Beuhler Manager Almonte Sanitary District P.O. Box 698 Mill Valley, CA 94941

Wayne Bush Director of Public Works City of Millbrae Valley 26 Corte Madera Avenue Mill Valley, CA 94941

Rob Cole Central Marin Sanitation Agency 1301 Andersen Drive San Rafael, CA 94901

Andrew Preston San Rafael Sanitation District P.O. Box 151560 San Rafael, CA 94915

Joe Rodgers Park Administration Angel Island State Park P.O. Box 318 Tiburon, CA 94920

Jeff Nelson Interim General Manager Tamalpais Community Services District 305 Bell Lane Mill Valley, CA 94941

Tony Pullin Sewer Authority Mid-Coastside P.O. Box 3100 Half Moon Bay, CA 94019 Terry White Deputy Director, Maintenance Service City of South San Francisco 550 North Canal Street South San Francisco, CA 94080

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Michael Carlin SFPUC Planning Bureau Manager City and County of San Francisco 1145 Market Street Suite 401 San Francisco, CA 94103

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Tim Clayton District Manager West Bay Sanitary District 500 Laurel Street Menlo Park, CA 94025

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Jim Porter Director of Public Works City of Los Altos 1 N. San Antonio Road Los Altos, CA 94022

Ron Garner Deputy Director San Jose/Santa Clara WPCP 700 Los Esteros Road San Jose, CA 95134

David Ross District Manager Cupertino Sanitary District 20065 Stevens Creek Blvd. Cupertino, CA 95014

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Bob Donaldson South Bayside System Authority 1400 Radio Road Redwood City, CA 94065

Kent Dewell Town Engineer Town of Woodside P.O. Box 94062 Woodside, CA 94062

Ann Stillman Principal Civil Engineer Department of Public Works 555 County Center 5th Floor Redwood City, CA 94063

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Steve Oster Sunol Sanitary District 253 Lincoln Avenue San Jose, CA 95126

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Mintze Cheng Director of Public Works Town of Los Altos Hills 26379 Fremont Road Los Altos Hills, CA 94022

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Qumar Khan Director of Public Works for Maintenance Sewer Manager for City of Clayton 1455 Gasoline Alley Concord, CA 94520

Larry Bahr Fairfield-Suisun Sewer District 1010 Chadbourne Road Fairfield, CA 94585

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Tom Franza City of San Francisco PUC 750 Phelps Street San Francisco, CA 94124

Debra J. Figone Town Manager Town of Los Gatos 110 East Main Street Los Gatos, CA 95031 Qumar Khan Director of Public Works for Maintenance City of Concord 1455 Gasoline Alley Concord, CA 94520

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Gary Cullen City Engineer City of Suisun City 701 Civic Center Blvd. Suisun City, CA 94585

Daniel Tafolla Environmental Services Director Vallejo Sanitary & Flood Control District 450 Ryder Street Vallejo, CA 94590

Jim Zambenini Water Agency Coordinator Sonoma Valley County SD P.O.Box 11628 Santa Rosa, CA 95406

Mike Dickson Delta Diablo SD 2500 Pittsburg-Antioch Highway Antioch, CA 94509

Joanne Landi Bayshore Sanitary District 36 Industrial Way Brisbane, CA 94005

Neal Fujita Water Resources Manager East Bay Regional Parks District 2950 Peralta Oaks Crt Oakland, CA 94605

SSMP Form A: Notification Form To Indicate Receipt of Letter Requiring the Development of an SSMP

Return this form to the Regional Water Quality Control Board at the following address by August 31, 2005. You may email a PDF file of this form, mail the form, or fax the form.

Attention: Michael Chee San Francisco Bay Regional Water Quality Control Board 1515 Clay Street, Suite 1400 Oakland, CA 94612 Email: <u>mchee@waterboards.ca.gov</u> Fax: (510) 622-2460

Name of Agency _____

Agency Contact Person _____

Contact Person Phone Number _____

Contact Person Email _____

Certification:

I certify that my agency has received the July 2005 letter requiring the development of a Sanitary Sewer Management Plan (SSMP), including the enclosure titled, "Sewer System Management Plan (SSMP) Development Guide." I understand the nature of the requirements and intend to comply by the deadlines indicated.

Signature of Responsible Agency Representative

Date

Print Name and Title

We also welcome your comments about the San Francisco Bay Area SSO Control Program:

SSMP Form B-1: Notification Form To Indicate Completion of First Set of Sewer System Management Plan (SSMP) Elements

Return this form to the Regional Water Quality Control Board at the following address by August 31, 2006. You may email a PDF file of this form, mail the form, or fax the form.

Attention: Michael Chee San Francisco Bay Regional Water Quality Control Board 1515 Clay Street, Suite 1400 Oakland, CA 94612 Email: <u>mchee@waterboards.ca.gov</u> Fax: (510) 622-2460

Name of Agency _____

Agency Contact Person _____

Contact Person Phone Number _____

Contact Person Email _____

First Set of SSMP Elements

SSMP Item	Required Completion Date
 Goals Organization Emergency Response Plan FOG Control Program 	August 31, 2006

Certification:

I certify that my agency has completed the Sewer System Management Plan (SSMP) elements as specified above. The document(s) comprising these elements are on file at our agency's offices.

Signature of Responsible Agency Representative

Date

Print Name and Title

SSMP Form B-2: Notification Form To Indicate Completion of Second Set of Sewer System Management Plan (SSMP) Elements

Return this form to the Regional Water Quality Control Board at the following address by August 31, 2007. You may email a PDF file of this form, mail the form, or fax the form.

Attention: Michael Chee San Francisco Bay Regional Water Quality Control Board 1515 Clay Street, Suite 1400 Oakland, CA 94612 Email: <u>mchee@waterboards.ca.gov</u> Fax: (510) 622-2460

Name of Agency _____

Agency Contact Person _____

Contact Person Phone Number _____

Contact Person Email

Second Set of SSMP Elements

SSMP Item	Required Completion Date
Legal AuthorityMeasures and Activities	August 31, 2007
 Design and Construction Standards 	

Certification:

I certify that my agency has completed the Sewer System Management Plan (SSMP) elements as specified above. The document(s) comprising these elements are on file at our agency's offices.

Signature of Responsible Agency Representative

Date

Print Name and Title

SSMP Form B-3: Notification Form To Indicate Completion of Third (and Last) Set of Sewer System Management Plan (SSMP) Elements

Return this form to the Regional Water Quality Control Board at the following address by August 31, 2008. You may email a PDF file of this form, mail the form, or fax the form.

Attention: Michael Chee San Francisco Bay Regional Water Quality Control Board 1515 Clay Street, Suite 1400 Oakland, CA 94612 Email: <u>mchee@waterboards.ca.gov</u> Fax: (510) 622-2460

Name of Agency _____

Agency Contact Person _____

Contact Person Phone Number _____

Contact Person Email

Third Set of SSMP Elements

SSMP Item	Required Completion Date
 Capacity Management Monitoring, Measurement, and Program Modifications SSMP Audits 	August 31, 2008

Certification:

I certify that my agency has completed the Sewer System Management Plan (SSMP) elements as specified above. The document(s) comprising these elements are on file at our agency's offices.

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Signature	of Res	nonsihle	Agency	Representative	2
Signature	01 1(05	ponsiole	rigency	Representative	~

Date

Print Name and Title

California Environmental Protection Agency - San Francisco Bay Regional Water Quality Control Board

Fact Sheet – Requirements For Submitting Technical Reports Under Section 13267 of the California Water Code

What does it mean when the regional water board requires a technical report?

Section 13267¹ of the California Water Code provides that "...the regional board may require that any person who has discharged, discharges, or who is suspected of having discharged...waste that could affect the quality of waters...shall furnish, under penalty of perjury, technical or monitoring program reports which the regional board requires".

This requirement for a technical report seems to mean that I am guilty of something, or at least responsible for cleaning something up. What if that is not so?

Providing the required information in a technical report is not an admission of guilt or responsibility. However, the information provided can be used by the regional water board to clarify whether a given party has responsibility.

Are there limits to what the regional water board can ask for?

Yes. The information required must relate to an actual or suspected discharge of waste, and the burden of compliance must bear a reasonable relationship to the need for the report and the benefits obtained. The regional water board is required to explain the reasons for its request.

What if I can provide the information, but not by the date specified?

A time extension can be given for good cause. Your request should be submitted in writing, giving reasons.

Are there penalties if I don't comply?

Depending on the situation, the regional water board can impose a fine of up to \$1,000 per day, and a court can impose fines of up to \$25,000 per day as well as criminal penalties. A person who submits false information is guilty of a misdemeanor.

Do I have to use a consultant or attorney to comply?

There is no legal requirement for this, but as a practical matter, in most cases the specialized nature of the information required makes use of a consultant and/or attorney advisable.

What if I disagree with the 13267 requirement and the regional water board staff will not change the requirement and/or date to comply?

You have two options: ask that the regional water board reconsider the requirement, or submit a petition to the State Water Resources Control Board. See California Water Code sections 13320 and 13321 for details.

If I have more questions, who do I ask?

Requirements for technical reports normally indicate the name, telephone number, and email address of the regional water board staff person involved at the end of the letter.

April, 2005

¹ All code sections referenced herein can be found by going to www.leginfo.ca.gov