

STATE WATER RESOURCES CONTROL BOARD  
ORDER NO. 201106-0003XXXX-DWQ

STATEWIDE GENERAL WASTE DISCHARGE REQUIREMENTS  
FOR  
SANITARY SEWER SYSTEMS  
(SSS WDRs)

The State Water Resources Control Board, ~~hereinafter referred to as~~ "(State Water Board)", finds that:

~~1. 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 are required to comply with the terms of this Order. Such entities are hereinafter referred to as "Enrollees".~~

1. The SSS WDRS for sanitary sewer systems is the result of a review and update of Order No. 2006-0003-DWQ and will improve wastewater spill data collection and oversight of sanitary sewer system management. The implementation of the general Waste Discharge Requirements (WDRs) for sanitary sewer systems under Order No. 2006-0003-DWQ adopted in May 2006 has provided the State Water Board with information to assess water quality problems caused by wastewater spills from sanitary sewer systems. It has also provided uniformity in reporting on the number of wastewater spills, the wastewater volume spilled, and the causes of wastewater spills in the state.

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2. The provisions of the SSS WDRs implement California Water Code requirements that specify that notification be provided when wastewater spills to waters of the state occur (Water Code section 13271), that a report of the spill be filed with the Water Boards (Water Code section 13193(c)), and that the waste from the spill be cleaned up and its effects be abated (Water Code section 13304).

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3. Both the lineal footage of pipe and the volume of wastewater transported by a sanitary sewer system are significant indicators of the potential for the sanitary sewer system to have wastewater spills that can affect human health and the environment. To ensure that the number of wastewater spills and the volume of wastewater spilled in the state are reported and oversight of sewer system management is provided, all publicly and privately owned entities, including federal and state agencies, municipalities, counties, districts, private residential and commercial development owners, mobile home park owners, and other entities that own sanitary sewer systems in the State of California meeting both of the following two applicability criteria are required to comply with the terms of the SSS WDRs. Such entities are hereinafter referred to as "Enrollees".

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Applicability Criteria:

(a) The sanitary sewer system has a connected system of pipes greater than one mile in contiguous length, and

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- (b) The sanitary sewer system collects and conveys, on any single day, more than 25,000 gallons per day of untreated or partially treated wastewater to a publicly or privately owned treatment facility or sanitary sewer system.

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4. Enrollees who own multiple sanitary sewer system meeting the above two applicability criteria and that are not physically connected are required to enroll each distinct sanitary sewer system separately under the SSS WDRs if they are managed as distinct assets in the form of separate sanitation districts, under separate operations and maintenance and/or capital improvement budgets, or are otherwise managed as distinct and separate sanitary sewer systems. This will facilitate the tracking of wastewater spills from each distinct collection system in the state and ensure all collection system assets are managed properly and spills from them are reported. ← --- Formatted: Bullets and Numbering
  
5. To ensure all of an Enrollee's collection system assets are managed properly and spills from them are reported, where an Enrollee owns at least one sanitary sewer system meeting the two applicability criteria in Finding No. 3 and additional sanitary sewer systems with connected systems of pipes less than one mile in contiguous length not physically connected to the Enrollee's enrolled sanitary sewer system, the Enrollee must comply with the SSS WDRs for those sanitary sewer systems they own that are under one mile in contiguous length and manage them under a Sanitary Sewer Management Plan. ← --- Formatted: Bullets and Numbering
  
6. Several sanitary sewer systems in the State of California are combined. They collect and convey both wastewater and storm water. These combined sanitary sewer systems are owned by entities that also own publicly owned treatment works that have been issued National Pollutant Discharge Elimination System (NPDES) permits. Requirements for proper operation and maintenance of these combined sanitary sewer systems are incorporated via standard conditions in their NPDES permits. Requirements for spill reporting from these combined sanitary sewer systems shall be incorporated in their Monitoring and Reporting Programs (MRPs). ← --- Formatted: Bullets and Numbering
  
- ~~2-7.~~ Sanitary sewer overflows (SSOs) and Private Lateral Sewage Discharges (PLSDs) are overflows from sanitary sewer systems of ~~domestic~~ wastewater including domestic sewage, as well as industrial and commercial wastewater, depending on the pattern of land uses in the area served by the sanitary sewer system. SSOs and PLSDs often contain high levels of suspended solids, pathogenic organisms, toxic pollutants, nutrients, oxygen-demanding organic compounds, oil and grease and other pollutants. SSOs and PLSDs may cause a public nuisance, particularly when raw untreated wastewater is discharged to areas with high public exposure, such as streets or surface waters used for drinking, fishing, or body contact recreation. SSOs and PLSDs may pollute surface or ground waters, threaten beneficial uses and public health, adversely affect aquatic life, and impair the recreational use and aesthetic enjoyment of surface waters. ← --- Formatted: Bullets and Numbering
  
- ~~3-8.~~ Sanitary sewer systems experience periodic failures resulting in discharges that may affect to waters of the state. ~~There are m~~Many factors (including factors related to geology, design, construction methods and materials, age of the system, population growth, and system operation and maintenance), which affect the likelihood of an SSO. A proactive approach that requires Enrollees to ensure that a system-wide operation, maintenance, and management plan is in place will reduce the number and frequency of SSOs- within the state. -This approach will in turn decrease the risk to human health and the environment caused by SSOs. ← --- Formatted: Bullets and Numbering

- 4.9. Major causes of SSOs and PLSDs include but are not limited to: grease blockages, root blockages, debris blockages, sewer line flood damage, manhole structural failures, pipe failures, vandalism, pump station mechanical failures, power outages, excessive storm or ground water inflow/infiltration, debris blockages, sanitary sewer system age, and construction related material failures, lack of proper operation and maintenance, insufficient capacity, and contractor-caused damages. Many SSOs and PLSDs are can be prevented able with by having adequate and appropriate facilities, source control measures, and proper operation and maintenance of the sanitary sewer system.
10. 8. It is the State Water Board's intent to gather additional information on the causes and sources of SSOs and PLSDs to augment existing information and to determine the full extent of SSOs and PLSDs and consequent public health and/or environmental impacts occurring in the State.

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- 9.11. Both uniform SSO and PLSD reporting and a centralized statewide electronic database are needed have been developed and implemented to collect information to allow the State Water Board and Regional Water Quality Control Boards (Regional Water Boards) to effectively analyze the extent of SSOs and PLSDs statewide and their potential impacts on beneficial uses and public health. The monitoring and reporting program required by this Order and the attached Monitoring and Reporting Program No. 20062011-0003XXXX-DWQ, are is necessary to assure ensure compliance with the SSS WDRs.

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- 10.12. Information regarding SSOs and PLSDs must be provided to Regional Water Boards and other regulatory agencies in a timely manner and be made available to the public in a complete, concise, and timely fashion.

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- 11.13. Some Regional Water Boards have issued WDRs or WDRs that serve as National Pollution Discharge Elimination System (NPDES) permits to sanitary sewer system owners and/or operators within their jurisdictions. These SSS WDRs Order establishes minimum requirements to prevent SSOs. Although it is the State Water Board's intent that the SSS WDRs Order be the primary regulatory mechanism for sanitary sewer systems statewide, Regional Water Boards may issue more stringent or more prescriptive WDRs for sanitary sewer systems. Upon issuance or reissuance of a Regional Water Board's WDRs for a system subject to the SSS WDRs Order, the Regional Water Board shall will coordinate its requirements with stated requirements within the SSS WDRs Order, to identify requirements that are more stringent, to remove requirements that are less stringent than the SSS WDRs Order, and to provide consistency in reporting.

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## **SEWER SYSTEM MANAGEMENT PLANS**

- 5.14. To facilitate implementation of asset management principles including proper maintenance, operations, management, and funding and management of sanitary sewer systems, the SSS WDRs requires each Enrollee must to develop and implement a system-specific Sewer System Management Plan (SSMP) for each sanitary sewer system enrolled for coverage under the SSS WDRs. To be effective, SSMPs must shall include provisions to provide proper and efficient management, operation, and maintenance of sanitary sewer systems, while taking into consideration risk management and cost benefit analysis. Additionally, an the SSMP must shall contain a

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spill response plan that establishes standard procedures for immediate response to an SSO in a manner designed to minimize water quality impacts and potential nuisance conditions.

~~6-15.~~ Many local public agencies in California have already developed SSMPs and implemented measures to reduce SSOs. These entities can build upon their existing efforts to establish a comprehensive SSMP consistent with ~~the SSS WDRs Order~~. Others ~~public and private entities~~, however, ~~will~~ require technical assistance and, in some cases, funding to improve sanitary sewer system operation and maintenance in order to develop SSMPs and measures to reduce SSOs.

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~~7-16.~~ SSMP certification by technically qualified and experienced persons can provide a useful and cost-effective means for ensuring that SSMPs are developed and implemented appropriately.

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## REGULATORY CONSIDERATIONS

~~16-17.~~ The Federal Clean Water Act largely prohibits any discharge of pollutants from a point source to waters of the United States except as authorized under an NPDES permit. In general, any point source discharge of ~~sewage wastewater~~ effluent to waters of the United States ~~must shall~~ comply with technology-based, secondary treatment standards, at a minimum, and any more stringent requirements necessary to meet applicable water quality standards and other requirements. Hence, the unpermitted discharge of wastewater from a sanitary sewer system to waters of the United States is illegal under the Clean Water Act.

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18. In addition, ~~many the~~ Basin Plans adopted by the Regional Water Boards in the ~~San Francisco Bay, Central Valley, Lahontan, Santa Anna, and San Diego~~ regions contain discharge prohibitions that apply to the discharge of untreated or partially treated wastewater. Finally, the California Water Code generally prohibits the discharge of waste to land prior to the filing of any required report of waste discharge and the subsequent issuance of either WDRs or a ~~conditional~~ waiver of WDRs.

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~~12-19.~~ California Water Code section 13263 provides that the State Water Board may prescribe general WDRs for a category of discharges if the State Water Board finds or determines that:

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- The discharges are produced by the same or similar operations;
- The discharges involve the same or similar types of waste;
- The discharges require the same or similar treatment standards; and
- The discharges are more appropriately regulated under general discharge requirements than individual discharge requirements.

~~The SSS WDRs Order~~ establish ~~es~~ requirements for a class of operations, facilities, and discharges that are similar throughout the state.

~~20. 13.~~ The issuance of ~~the SSS WDRs general WDRs to the~~ Enrollees will:

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- (a) Reduce the administrative burden of issuing individual WDRs to each Enrollee;

(b) Provide for a unified statewide approach for the reporting and database tracking of SSOs and PLSDs;

(c) Establish consistent and uniform requirements for SSMP development and implementation;

~~(d) Provide statewide consistency in reporting; and~~

~~(e)(d)~~ Facilitate consistent enforcement for violations.

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~~14.21.~~ The beneficial uses of surface waters that can be impaired by SSOs and PLSDs include, but are not limited to, aquatic life, drinking water supply, body contact and non-contact recreation, and aesthetics. ~~The beneficial uses of ground water that can be impaired include, but are not limited to, drinking water and agricultural supply.~~ Surface waters and ground waters throughout the state support these uses to varying degrees.

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~~15.22.~~ The implementation of requirements set forth in ~~the SSS WDRs Order~~ will ensure the reasonable protection of past, present, and probable future beneficial uses of water and the prevention of nuisance. The requirements implement the water quality control plans (Basin Plans) for each region and take into account the environmental characteristics of hydrographic units within the state. Additionally, the State Water Board has considered water quality conditions that could reasonably be achieved through the coordinated control of all factors that affect water quality in the area, costs associated with compliance with these requirements, the need for developing housing within California, and the need to develop and use recycled water.

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~~23.~~ The provisions of the SSS WDRs are issued pursuant to the authority set forth in the following Water Code and Health and Safety Code provisions:

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(a) Water Code section 13271 that requires any person who "causes or permits any hazardous substance or sewage to be discharged in or on any waters of the state, or discharged or deposited where it is, or probably will be, discharged in or on any waters of the state" to provide immediate notification to the California Emergency Management Agency "as soon as (A) that person has knowledge of the discharge, (B) notification is possible, and (C) notification can be provided without substantially impeding cleanup or other emergency measures". Provisions of the SSS WDRs implement this Water Code requirement.

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(b) Water Code section 13193(c) that requires a report be filed with the appropriate Regional Water Board when a spill or overflow from a sanitary sewer system to waters of the state occurs. Provisions of the SSS WDRs implement this Water Code requirement.

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~~17. California~~ Water Code section 13263 that requires a water board to, after any necessary hearing, prescribe requirements as to the nature of any proposed discharge, existing discharge, or material change in an existing discharge. ~~The requirements shall~~ Section 13263 requires, among other things, that the water board take into consideration the need to prevent nuisance.

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(d) Health and Safety Code section 5411 that states "No person shall discharge sewage or other waste, or the effluent of treated sewage or other waste, in any

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manner which will result in contamination, pollution or a nuisance." Provisions of the SSS WDRs implement this Health and Safety Code requirement.

- (e) Water Code section 13304 that requires persons who discharge wastes to waters of the state in violation of any waste discharge requirement, other order, or prohibition to cleanup the waste and abate the effects of the waste. Provisions of the SSS WDRs implement this Water Code requirement. Formatted: Bullets and Numbering
- (f) Water Code section 13267(b)(1) that provides the authority for Water Board staff to require technical or monitoring program reports when conducting investigations of any persons, political agency, or entity who have discharged waste. Reports required for these investigations may be in addition to routine reporting requirements specified in the SSS WDRs and associated Monitoring and Reporting Program. Formatted: Bullets and Numbering
- (g) Water Code section 13267(c) that provides the authority for State and Regional Water Board staff to inspect facilities to determine compliance with waste discharge requirements. Routine inspections of Enrollee sanitary sewer systems will be implemented to ensure compliance with the SSS WDRs. Formatted: Bullets and Numbering
- (h) Water Code section 13267(f) that provides that the State Water Board may carry out the authority of the Regional Water Boards. The State Water Board and Regional Water Boards will work together in implementing the SSS WDRs and enforcing its provisions. Formatted: Bullets and Numbering
- (i) Water Code section 13383 (a) that authorizes the State and Regional Water Boards to establish monitoring, inspection, entry, reporting, and record-keeping requirements for any person who discharges, or proposes to discharge, to navigable waters and any person who introduces pollutants into a publicly owned treatment works. Section 13383 (b) authorizes the State and Regional Water Boards to require any person subject to this section to establish and maintain monitoring equipment or methods and provide information as required. Formatted: Bullets and Numbering

~~18. California Water Code section 13050, subdivision (m), defines nuisance as anything which meets all of the following requirements:~~

- ~~(a) Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property.~~ Formatted: Bullets and Numbering
- ~~(b) Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.~~
- ~~(c) Occurs during, or as a result of, the treatment or disposal of wastes.~~

~~19.24. These SSS WDRs are Order is consistent with State Water Board Resolution No. 68-16 (Statement of Policy with Respect to Maintaining High Quality of Waters in California). The SSS WDRs in that the Order imposes conditions to prevent impacts to water quality, does not allow the degradation of water quality, will not unreasonably affect beneficial uses of water, and will not result in water quality less than prescribed in State and Water Board or Regional Water Board plans and policies.~~ Formatted: Bullets and Numbering

~~Statewide General WDR For Wastewater Collection Agencies 5/2/06~~

~~20-25.~~ The action to adopt the ~~SSS WDRs~~ ~~General Order~~ is exempt from the California Environmental Quality Act (CEQA, Public Resources Code §21000 et seq.) because it is an action taken by a regulatory agency to assure the protection of the environment and the regulatory process involves procedures for protection of the environment. (California Code Regulations, Title 14, §15308). In addition, the action to adopt the ~~SSS WDRs~~ ~~Order~~ is exempt from CEQA pursuant to California Code Regulations, Title 14, §15301, to the extent that it applies to existing sanitary sewer ~~collection~~ systems that constitute "existing facilities" as that term is used in ~~Section §~~ 15301, and §15302, to the extent that it results in the repair or replacement of existing systems involving negligible or no expansion of capacity. Formatted: Bullets and Numbering

~~26.~~ The Monitoring and Reporting Program No. 2011-XXXX-DWQ, which is incorporated by reference in the SSS WDRs, specifies the sewer spill notification and reporting requirements of the SSS WDRs. Formatted: Bullets and Numbering

~~21-27.~~ The ~~Fact Sheet~~ ~~Staff Report~~, which is incorporated by reference in the SSS WDRs ~~Order~~, contains supplemental information that was also considered in establishing these requirements. Formatted: Bullets and Numbering

~~22-28.~~ The State Water Board has notified all ~~known~~ affected ~~public agencies~~ ~~sanitary sewer system owners~~ and all known interested persons of the intent to prescribe general WDRs in the form of the SSS WDRs ~~that require Enrollees to develop SSMPs and to report all SSOs~~ for sanitary sewer systems. Formatted: Bullets and Numbering

~~23-29.~~ The State Water Board conducted a public hearing on ~~February XXXX 8X, 2006~~ 2011, to receive oral and written comments on the draft SSS WDRs ~~order~~. ~~The State Water Board received and considered, at its May 2, 2006, meeting, additional public comments on substantial changes made to the proposed general WDRs following the February 8, 2006, public hearing. The State Water Board has considered all comments pertaining to the proposed general WDRs.~~ Formatted: Bullets and Numbering

**IT IS HEREBY ORDERED**, that pursuant to California Water Code section 13263, the Enrollees, their agents, successors, and assigns, in order to meet the provisions contained in Division 7 of the California Water Code and regulations adopted there under, shall comply with the following:

**A. DEFINITIONS**

1. **Combined Sanitary Sewer System** - A system of pipes, pump stations, sewer lines, or other conveyances used to collect and convey wastewater and storm water runoff. Formatted: Bullets and Numbering

2. **Data Submitter** - Any individual authorized by a legally responsible official (LRO) to enter data into the online sanitary sewer overflow (SSO) database on behalf of an enrolled agency. Formatted: Bullets and Numbering

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- 3. **Drainage Channel** - For the purposes of the SSS WDRs, a drainage channel is defined as a man-made or natural channel that conveys runoff as part of a separate storm water collection system. Formatted: Bullets and Numbering
  
- 4. **Enrollee** - A public or private entity that: Formatted: Bullets and Numbering
  - (a) Owns a sanitary sewer system that contains segments of pipe greater than one mile in contiguous length and that collects and conveys, at any time, more than 25,000 gallons per day of untreated or partially treated wastewater to a publicly or privately owned treatment facility or sanitary sewer system in the State of California; and Formatted: Bullets and Numbering
  
  - (b) Submitted a complete and approved application for coverage under the SSS WDRs. Formatted: Bullets and Numbering
  
- 5. **Lateral** – Segment(s) of pipe that connect(s) a home, building, or satellite sewer system to a sewer main. Formatted: Bullets and Numbering
  
- 6. **Legally Responsible Official (LRO)** - Any individual authorized to enter and certify data into the online sanitary sewer overflow (SSO) database on behalf of an enrolled agency. Formatted: Bullets and Numbering
  
- ~~5.7.~~ **7. Nuisance** – California Water Code section 13050, subdivision (m), defines nuisance as anything which that meets all of the following requirements: Formatted: Bullets and Numbering
  - (a) Is injurious to health, or is indecent or offensive to the senses, or an obstruction to the free use of property, so as to interfere with the comfortable enjoyment of life or property.
  
  - (b) Affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.
  
  - (c) Occurs during, or as a result of, the treatment or disposal of wastes.
  
- 8. **Private Lateral** – Privately owned sewer piping that is tributary to an Enrollee’s sanitary sewer system. The responsibility for maintaining private laterals can be solely that of the Enrollee or private property owner; or it can be shared between the two parties. Sewer use agreements dictate lateral responsibility and the basis for a shared arrangement. Formatted: Bullets and Numbering
  
- 9. **Private Lateral Sewage Discharge (PLSD)** - Wastewater discharges caused by blockages or other problems within laterals are the responsibility of the private lateral owner and not the Enrollee. Discharges from sanitary sewer systems which are tributary to the Enrollee’s sanitary sewer system but are not owned by the Enrollee and do not meet the applicability requirements for enrollment under the SSS WDRs are also considered PLSDs. Formatted: Bullets and Numbering
  
- ~~4.10.~~ **Sanitary sewer overflow (SSO)** - Any overflow, spill, release, discharge or diversion of untreated or partially treated wastewater from a sanitary sewer system upstream of a treatment plant head-works. SSOs include: Formatted: Bullets and Numbering

(i)(a) Overflows or releases of untreated or partially treated wastewater that reach surface waters of the ~~United States~~state. This includes all wastewater releases to storm drain pipes that are tributary to waters of the state that are not fully recovered; ← --- Formatted: Bullets and Numbering

(ii)(b) Overflows or releases of untreated or partially treated wastewater that do not reach surface waters of the ~~United States~~state; and ← --- Formatted: Bullets and Numbering

(iii)(c) Wastewater backups into buildings and on private private-properties that are caused by blockages or flow conditions within the publicly-Enrollee owned portion of a sanitary sewer system. ← --- Formatted: Bullets and Numbering

~~2-11. Sanitary sewer system~~ – Any system of publicly or privately owned pipes, pump stations, sewer lines, or other conveyances, upstream of a wastewater treatment plant head-works used to collect and convey wastewater to ~~the publicly owned a~~ treatment facility or downstream sanitary sewer system. Temporary storage and conveyance facilities attached to the sanitary sewer system (such as vaults, temporary piping, ~~construction trenches,~~ wet wells, impoundments, tanks, etc.) are considered ~~to be~~ part of the sanitary sewer system, and discharges into these temporary storage facilities are not considered ~~to be~~ SSOs. The term “collection system” shall have the same definition as a sanitary sewer system for the purposes of the SSS WDRs. ← --- Formatted: Bullets and Numbering

For purposes of ~~the SSS WDRs-Order~~, sanitary sewer systems include only those systems ~~owned by public agencies and that are comprised of more than one mile of pipes or sewer lines~~ meeting both of the following applicability criteria:

(a) The sanitary sewer system has a connected system of pipes greater than one mile in contiguous length, and ← --- Formatted: Bullets and Numbering

(b) The sanitary sewer system collects and conveys, on any single day, more than 25,000 gallons per day of untreated or partially treated wastewater to a publicly or privately owned treatment facility or sanitary sewer system. ← --- Formatted: Bullets and Numbering

~~3. Enrollee~~ – A federal or state agency, municipality, county, district, and other public entity that owns or operates a sanitary sewer system, as defined in the general WDRs, and that has submitted a complete and approved application for coverage under this Order. ← --- Formatted: Bullets and Numbering

~~4. SSO Reporting System~~ – Online spill reporting system that is hosted, controlled, and maintained by the State Water Board. The web address for this site is <http://ciwqs.waterboards.ca.gov>. This online database is maintained on a secure site and is controlled by unique usernames and passwords. ← --- Formatted: Bullets and Numbering

~~5. Untreated or partially treated wastewater~~ – Any volume of waste discharged from the sanitary sewer system upstream of a wastewater treatment plant headworks. ← --- Formatted: Bullets and Numbering

~~6-12. Satellite collection sanitary sewer system~~ – The portion, if any, of a Any system of publicly or privately owned pipes, pump stations, sewer lines, or other conveyances meeting the definition of a “sanitary sewer system” that is tributary to another system of publicly or privately owned pipes, pump stations, sewer lines, or other conveyances meeting the definition of a “sanitary sewer system”. ~~owned or operated by a different~~ ← --- Formatted: Bullets and Numbering

~~public agency than the agency that owns and operates the wastewater treatment facility to which the sanitary sewer system is tributary.~~

- 13. **Spill** - Generic term referring to any discharge or diversion of untreated or partially treated wastewater from a sanitary sewer system upstream of a wastewater treatment plant head-works. ← --- Formatted: Bullets and Numbering
- 14. **Storm Drain** - For the purposes of the SSS WDRs, any pipe that is part of a separate storm water collection system used for collecting and conveying runoff. ← --- Formatted: Bullets and Numbering
- 15. **Untreated or partially treated wastewater** – Wastewater that has not been treated to meet applicable regulatory standards for discharge to waters of the state. ← --- Formatted: Bullets and Numbering
- 16. **Surface waters of the state** - Means any surface water, including saline waters, within the boundaries of the state. "Surface waters of the state" do not include groundwater. ← --- Formatted: Bullets and Numbering

**B. APPLICATION REQUIREMENTS**

- 1. **Applicability Criteria and Deadlines for Application** – All public ~~agencies and private entities~~ that currently own ~~or operate~~ sanitary sewer systems within the State of California meeting both of the following two applicability criteria must apply for coverage under the SSS WDRs ~~general WDRs~~ within six (6) months of ~~the date of their adoption of the general WDRs~~. Additionally, public ~~agencies and private entities~~ that acquire ~~or assume responsibility for operating~~ sanitary sewer systems meeting both of the two applicability criteria noted below or whose sanitary sewer systems are expanded in size such that they will now meet both of the two applicability criteria noted below, after the date of adoption of ~~the SSS WDRs~~ ~~Order~~, must apply for coverage under the SSS ~~WDRs~~ ~~general WDRs~~ at least three (3) months prior to operation of those facilities.

Applicability Criteria:

- (a) The sanitary sewer system has a connected system of pipes greater than one mile in contiguous length, and ← --- Formatted: Bullets and Numbering
- (b) The sanitary sewer system collects and conveys, on any single day, more than 25,000 gallons per day of untreated or partially treated wastewater to a publicly or privately owned treatment facility or sanitary sewer system. ← --- Formatted: Bullets and Numbering

For the purpose of establishing applicability for enrollment on the basis of flows, either the measured peak daily flow rate or calculated peak daily flow rate based on industry accepted peak wastewater generation rates for land uses in the sanitary sewer system service area may be used.

Application is made by mailing a completed Notice of Intent (NOI) form to the State Water Board. Blank NOI forms can be downloaded in PDF format from the State Water Boards SSO Reduction Program web page at [http://www.waterboards.ca.gov/water\\_issues/programs/sso/index.shtml](http://www.waterboards.ca.gov/water_issues/programs/sso/index.shtml). A separate NOI

is required for each sanitary sewer system to be enrolled for coverage under the SSS WDRs.

- 2. Enrollees who own multiple sanitary sewer systems meeting the above applicability criteria and that are not physically connected are required to enroll each distinct sanitary sewer system separately under the SSS WDRs if they are managed as distinct assets in the form of separate sanitation districts, under separate operations and maintenance and/or capital improvement budgets, or are otherwise managed as distinct and separate sanitary sewer systems.

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- 3. Where an Enrollee owns at least one sanitary sewer system meeting the applicability criteria in (1) above in addition to sanitary sewer systems with connected systems of pipes less than one mile in contiguous length that are not physically connected to their enrolled sanitary sewer system, the Enrollee is required to comply with the requirements of the SSS WDRs for those sanitary sewer systems under one mile in contiguous length and manage them under a Sanitary Sewer Management Plan.

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~~2-4.~~ Applications under the ~~SSS WDRs~~ ~~general WDRs~~ – In order to apply for coverage pursuant to the ~~SSS WDRs~~ ~~general WDRs~~, a legally authorized representative for each ~~agency~~-Enrollee must submit a complete application package. Current Enrollees of Order No. 2006-0003-DWQ are required to submit a new application package for coverage under the SSS WDRs. Within sixty (60) days of adoption ~~of the general WDRs~~, State Water Board staff will send specific instructions on how to apply for coverage under the ~~SSS WDRs~~ ~~general WDRs~~ to all current Enrollee's of Order No. 2006-0003-DWQ and all known ~~public agencies~~-potential Enrollees that own sanitary sewer systems. ~~Agencies~~-Potential Enrollees that do not receive notice may obtain applications and instructions online on the Water Board's website at [http://www.waterboards.ca.gov/water\\_issues/programs/ssw/index.shtml](http://www.waterboards.ca.gov/water_issues/programs/ssw/index.shtml).

- ~~3-5.~~ Coverage under the ~~SSS WDRs~~ ~~general WDRs~~ – Permit coverage will be in effect once a complete application package has been submitted and approved by the State Water Board's Division of Water Quality.

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**C. PROHIBITIONS**

- 1. Any SSO that results in a discharge of untreated or partially treated wastewater to ~~waters of the United States~~ surface water of the state is prohibited. This includes:
  - (a) Discharges to storm drains that are not fully captured and returned to the sanitary sewer system or captured and otherwise appropriately disposed of if the storm drain is tributary to a surface water of the state, and
  - (b) Discharges to drainage channels if the drainage channel is a surface water of the state or tributary to a surface water of the state.
- 2. Any SSO that results in a discharge of untreated or partially treated wastewater that creates a nuisance as defined in California Water Code ~~§Section~~ 13050(m) is prohibited.

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- 3. The discharge of chlorine, or any other toxic substance used for disinfection and cleanup of wastewater spills to any surface water body is prohibited. This prohibition applies to the chlorine residual in the potable water used for wash down and clean-up of wastewater spills.

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D. PROVISIONS

- 1. The Enrollee must comply with all conditions of the ~~SSS WDRs~~ *Order*. Any noncompliance with the ~~SSS WDRs~~ *Order* constitutes a violation of the California Water Code and is grounds for enforcement action.
- 2. It is the intent of the State Water Board that sanitary sewer systems be regulated in a manner consistent with the ~~SSS WDRs~~ *general WDRs*. Nothing in the ~~SSS WDRs~~ *general WDRs* shall be:

- (i)(a) -Interpreted or applied in a manner inconsistent with the Federal Clean Water Act, or supersede a more specific or more stringent state or federal requirement in an existing permit, regulation, or administrative/judicial order or Consent Decree, ~~except that the SSS WDRs shall apply to all surface waters of the state as herein defined;~~

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- (ii)(b) -Interpreted or applied to authorize an SSO that is illegal under either the Clean Water Act, an applicable Basin Plan prohibition, or water quality standard, or the California Water Code;

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- (c) -Interpreted or applied to prohibit a Regional Water Board from issuing an individual NPDES permit or WDRs, superseding the ~~SSS WDRs~~ *general WDR*, for a sanitary sewer system, authorized under the Clean Water Act or California Water Code; or

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- (iv)(d) -Interpreted or applied to supersede any more specific or more stringent ~~state or federal requirement in an existing permit, WDR, regulation or enforcement order issued by a Regional Water Board.~~

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- ~~3. The Enrollee shall take all feasible steps to eliminate SSOs. In the event that an SSO does occur, the Enrollee shall take all feasible steps to contain and mitigate the impacts of an SSO.~~

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- 4.3. In the event of an SSO, the Enrollee shall take all feasible steps to prevent untreated or partially treated wastewater from discharging ~~into surface waters of the state by way of storm drains or drainage channels from storm drains into flood control channels or waters of the United States by blocking the storm drainage system and by removing the wastewater, where feasible, from the storm drains or drainage channels at a point upstream of the surface water body~~ *storm drains*.

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- 5.4. The Enrollee shall report ~~A~~ *all* SSOs ~~must be reported~~ in accordance with Section ~~G~~ *G* of the ~~SSS WDRs~~ *general WDRs*. In addition, the Enrollee shall report PLSDs they become aware of in accordance with Section G of the SSS WDRs.

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7.5. When a sanitary sewer overflow occurs, the Enrollee shall take all feasible steps and necessary remedial actions to 1) control or limit the volume of untreated or partially treated wastewater discharged, 2) terminate the discharge, and 3) recover as much of the wastewater discharged as possible for proper disposal, including any wash down water.

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The Enrollee shall implement all remedial actions to the extent they may be applicable to the discharge and not inconsistent with an emergency response plan, including the following:

(i)(a) Interception and rerouting of untreated or partially treated wastewater flows around the wastewater line failure;

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(ii)(b) Vacuum truck recovery of ~~sanitary sewer overflow~~SSOs and wash down water;

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(iii)(c) Cleanup of debris at the overflow site;

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(iv)(d) -System modifications to prevent another SSO at the same location;

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(e) -Adequate sampling to determine the nature and impact of the release;

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~~(e)~~ ~~(vi)~~ Adequate public notification to protect the public from exposure to the SSO; and

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(f)

(g) Other factors as deemed necessary by the Enrollee.

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6. In any enforcement action, the State and/or Regional Water Boards will consider the appropriate factors under the duly adopted State Water Board Enforcement Policy. ~~And,~~ ~~e~~Consistent with the Enforcement Policy, the State and/or Regional Water Boards ~~must~~ ~~shall~~ consider the Enrollee's efforts to contain, control, and mitigate SSOs when considering the California Water Code Section 13327 factors. In assessing these factors, the State and/or Regional Water Boards ~~will~~ ~~may~~ also consider whether:

(i)(a) The Enrollee has complied with the requirements of ~~the~~ ~~is~~ ~~SSS~~ ~~WDRs~~ ~~Order~~, including ~~-~~requirements for reporting and developing and implementing a SSMP;

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(ii)(b) The Enrollee can identify the cause or likely cause of the discharge event;

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(iii)(c) There were no feasible alternatives to the discharge, such as temporary storage or retention of untreated wastewater, reduction of inflow and infiltration, use of adequate backup equipment, collecting and hauling of untreated wastewater to a treatment facility, or an increase in the capacity of the system as necessary to contain the design storm event identified in the SSMP. It is inappropriate to consider the lack of feasible alternatives, if the Enrollee does not implement a periodic or continuing process to identify and correct problems-;

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~~(iv)~~(d) The discharge was exceptional, unintentional, temporary, and caused by factors beyond the reasonable control of the Enrollee; Formatted: Bullets and Numbering

~~(v)~~(e) The discharge could have been prevented by the exercise of reasonable control described in a certified SSMP for:

- Proper ~~fund~~ing, management, operation and maintenance;
- Adequate treatment facilities, sanitary sewer system facilities, and/or components with an appropriate design capacity, to reasonably prevent SSOs (e.g., adequately enlarging treatment or collection facilities to accommodate growth, infiltration and inflow (I/I), etc.);
- Preventive maintenance ~~(including cleaning; root control; and fats, oils, and grease (FOG) control);~~
- Installation of adequate backup equipment; and
- Inflow and infiltration prevention and control to the extent practicable;

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~~(vi)~~(f) The sanitary sewer system design capacity is appropriate to reasonably prevent SSOs; and Formatted: Bullets and Numbering

~~(vii)~~(g) The Enrollee took all reasonable steps to stop and mitigate the impact of the discharge as soon as possible. Formatted: Bullets and Numbering

~~8-7.~~ The Enrollee shall properly fund, manage, operate, and maintain all parts of the sanitary sewer system owned or operated by the Enrollee, and shall ensure that the system operators (including employees, contractors, or other agents) are adequately trained and possess adequate knowledge, skills, and abilities to perform their duties including implementation of adequate emergency response procedures. Formatted: Bullets and Numbering

~~9-8.~~ The Enrollee shall allocate adequate funding and other resources to ensure that for the proper operation, maintenance, operation, management, and eventual replacement, and repair of its sanitary sewer system, are provided for by establishing a proper rate structure, accounting mechanisms, and auditing procedures to ensure an adequate measure of revenues and expenditures. These procedures must shall be in compliance comply with applicable laws, and regulations, and comply with generally acceptable accounting practices. Formatted: Bullets and Numbering

~~10-9.~~ The Enrollee shall provide adequate capacity to convey base flows and peak flows, including flows related to wet weather events. Capacity shall meet or exceed the design criteria as defined in the Enrollee's SSMP, System Evaluation and Capacity Assurance Plan section, for all parts of the sanitary sewer system owned or operated by the Enrollee. Formatted: Bullets and Numbering

~~11-10.~~ The Enrollee shall develop and implement a written Sewer System Management Plan (SSMP) and make it available to the State and/or Regional Water Board upon request. A copy of this document must shall be publicly available at the Enrollee's office and/or available on the Internet. The SSMP Development Plan and Schedule and the final SSMP must both be approved by the Enrollee's governing board at a public meeting. Formatted: Bullets and Numbering

~~12.11.~~ In accordance with the California Business and Professions Code sections 6735, 7835, and 7835.1, all engineering and geologic evaluations and judgments shall be performed by or under the direction of registered professionals competent and proficient in the fields pertinent to the required activities. Specific elements of the SSMP that require professional evaluation and judgments shall be prepared by or under the direction of appropriately qualified professionals, and shall bear the professional(s)' signature and stamp. **For purposes of complying with the SSS WDRs, professional evaluation and judgments shall be provided by a professional engineer registered in California, at a minimum, for the System Evaluation and Capacity Assurance Plan.**

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~~13.12.~~ The mandatory elements of the SSMP are specified below. **However, if the Enrollee believes that any element of this section is not appropriate or applicable to the Enrollee's sanitary sewer system, the SSMP program does not need to address that element is not required until the mandatory element is applicable to the Enrollee's sanitary sewer system.** The Enrollee, however, **must** still address each element listed below in its SSMP and justify why that element is not applicable in the SSMP. The SSMP **must** be developed and approved by the deadlines listed in the SSMP Time Schedule below. **The SSMP and all its components shall be considered living documents that need to be amended as conditions change in the service area or in system operations, management, or funding.**

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**Sewer System Management Plan (SSMP)**

(a) ~~(i)~~ **Goal:** The goal of the SSMP is to provide ~~a~~ the plan and schedule to properly manage, operate, and maintain all parts of the sanitary sewer system **owned by the Enrollee.** This will help reduce and prevent SSOs, as well as mitigate any SSOs that do occur.

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(b) ~~(ii)~~ **Organization:** The SSMP must identify:

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(i) ~~(a)~~ The name(s), email address(es), and telephone number(s) of the responsible or authorized representative(s) as ~~described in Section J of this Order.~~

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(ii) ~~(b)~~ The names, email addresses, and telephone numbers for **current governing board members including the board chair and names, email addresses, and telephone numbers for agency management, administrative, and maintenance positions responsible for implementing specific measures in the SSMP program including Legally Responsible Official(s) and Data Submitter(s) registered with the State Water Board.** The SSMP must identify lines of authority through an organization chart or similar document with a narrative explanation **of each individuals role and responsibility;** and

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(iii) ~~(c)~~ The chain of communication for reporting SSOs, from receipt of a complaint or other information, including the person responsible for reporting SSOs to the State ~~and Regional~~ Water Board and other agencies, if applicable, ~~(such as the County Health Officer, the County Environmental Health Agency, the Regional Water Board, and/or State~~

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~~Office of Emergency Services (OES)~~ the California Emergency Management Agency (Cal EMA)).

- (iv) The website address where the Enrollee's SSMP can be accessed, if applicable. ← --- Formatted: Bullets and Numbering

(c) ~~(iii)~~ **Legal Authority:** Each Enrollee must demonstrate, through sanitary sewer system use ordinances, service agreements, or other legally binding procedures, that it possesses the necessary legal authority to:

- (i) ~~(a)~~ Prevent illicit discharges into its sanitary sewer system (examples may include I/I, ~~stormwater~~storm water, chemical dumping, unauthorized debris and cut roots, etc.); ← --- Formatted: Bullets and Numbering
- (ii) ~~(b)~~ Require that sewers and connections be properly designed, and constructed, and maintained; ← --- Formatted: Bullets and Numbering
- (iii) ~~(c)~~ Ensure access in easements, right of ways, and any other areas sanitary sewer system facilities are installed for maintenance, inspection, or repairs of the sanitary sewer system and for any portions of the service lateral owned or maintained by the ~~Public Agency~~Enrollee; ← --- Formatted: Bullets and Numbering
- (iv) Limit flows to the sanitary sewer system from connected sources including service laterals and satellite collection systems; ← --- Formatted: Bullets and Numbering
- (v) Ban new connections; ← --- Formatted: Bullets and Numbering
- ~~(d)~~(vi) Limit the discharge of roots, fats, oils, and grease and other debris that may cause blockages; and ← --- Formatted: Bullets and Numbering
- ~~(e)~~(vii) Enforce any violation of its sewer ordinances and, if applicable, collect penalties. ← --- Formatted: Bullets and Numbering

In addition, the Enrollee shall specify whether they own and maintain service laterals, and the portion(s) owned and/or maintained including pipe, clean outs, and backflow prevention devices. Any policies and procedures related to requirements for sewer easements shall also be addressed in this section of the SSMP.

(d) ~~(iv)~~ **Operations and Maintenance Program:-** The SSMP ~~must~~shall include those elements listed below that are appropriate and applicable to the Enrollee's system: ← --- Formatted: Bullets and Numbering

- (i) ~~(a)~~ **Map:** Maintain an up-to-date map of the sanitary sewer system, showing, at a minimum, all gravity line segments and manholes, pumping facilities, pressure pipes and valves, siphons, backflow prevention devices, and ~~applicable stormwater~~storm water conveyance ← --- Formatted: Bullets and Numbering

facilities. A map illustrating the current extent of the sewer system shall be included in the SSMP;

- (ii) ~~(b)~~ **O&M:** Describe routine preventive operation and maintenance activities by staff and contractors, including a system for scheduling regular maintenance and cleaning of the sanitary sewer system with more frequent cleaning and maintenance targeted at known problem areas. The Preventative Maintenance (PM) program ~~should~~ shall have a system to document scheduled and conducted activities, such as work orders.

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The SSMP shall identify the name(s) of contractors conducting routine work on the sewer system for implementation of the SSMP and a description of services provided;

- (iii) ~~(c)~~ **Rehabilitation and Replacement:** ~~Develop a~~ Adopt a rehabilitation and replacement plan to identify and prioritize system deficiencies and implement short-term and long-term rehabilitation actions to address each deficiency. The program ~~should~~ shall include regular visual and TV inspections of manholes and sewer pipes, and a system for ranking the condition of sewer pipes and scheduling rehabilitation ~~and/or replacement~~. Rehabilitation and replacement ~~should~~ shall focus on sewer pipes that are at risk of collapse or prone to more frequent blockages due to pipe defects ~~and aging~~. Finally, the rehabilitation and replacement plan ~~should~~ shall include a capital improvement plan that addresses proper management and protection of the infrastructure assets. The plan shall include a time schedule for implementing the short-term ~~and~~ long-term plans plus a schedule for developing the funds needed for the capital improvement plan.

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This section shall also include a description of any private sewer lateral inspection and replacement programs implemented within the sewer system service area;

- ~~(b)(iv)~~ ~~(d)~~ ~~Provide training on a regular basis for staff in sanitary sewer system operations and maintenance, and require contractors to be appropriately trained~~ **Staff Assessment Program:** The Enrollee must develop and implement a Staff Assessment Program (Assessment Program) for its sanitary sewer collection system operations staff, from line staff through supervisors, including contractors, or others performing or overseeing collection system O&M. The Assessment Program shall identify any staff deficiencies in meeting requirements for competently performing collection system O&M activities required by the Enrollee to adequately maintain sanitary sewer system assets. This includes review of current staff job duties, training, skill sets and/or abilities against the requirements needed by the Enrollee to comply with the SSS WDRs. The Assessment Program shall be updated at least every 12 months. All deficiencies identified shall be addressed by the

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Enrollee, including any needed changes including but not limited to adjustments to O&M procedures and staff training activities.

; and

- (v) **Contingency Planning:** Identify the most critical collection system assets and operating procedures including components posing the highest risks and threats for an SSO. Contingency planning shall include a list of the most critical replacement part inventories that should be maintained by the Enrollee.

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~~(ii) Provide equipment and replacement part inventories, including identification of critical replacement parts.~~

- (vi) **O&M and Sewer System Replacement Funding:** The SSMP shall include budgets for routine sewer system operation and maintenance and for the capital improvement plan including proposed replacement of sewer system assets over time due to normal asset aging. Budgets shall include costs, revenues, and revenue sources for funding the work over a sufficient period to demonstrate the agency's ability to properly fund the sewer system in perpetuity.

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- (e) ~~(v)~~ **Design and Performance Provisions:** Each Enrollee shall adopt and implement sewer design, construction, inspection, and testing standards and specifications including:

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- (i) ~~(a)~~ Design and construction standards and specifications for the installation of all aspects of new sanitary sewer systems, including pump stations and other appurtenances; and for the rehabilitation and repair of existing sanitary sewer systems; and
- (ii) ~~(b)~~ Procedures and standards for inspecting and testing all aspects of the installation of new sewers, pumps, and other appurtenances and ~~for sanitary sewer system~~ rehabilitation and repair projects.

- (f) ~~(vi)~~ **Overflow Emergency Response Plan:** Each Enrollee shall ~~develop~~ adopt and implement an ~~SSO overflow~~ emergency response plan that identifies measures to protect public health and the environment. At a minimum, this plan ~~must~~ shall include the following:

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- (i) ~~(a)~~ Proper notification and reporting procedures so that the primary responders and regulatory agencies are informed of all SSOs in a timely manner;
- (ii) ~~(b)~~ A program to ensure appropriate response to all overflows including documentation of steps needed to prepare for natural disasters, hazardous weather events, and other severe circumstances that will affect sewer system operation. Program documentation should include contracts or agreements in place that may be needed in the event of SSOs to help mitigate the discharge;

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(iii) ~~(e)~~ Procedures to ensure prompt notification to appropriate regulatory agencies and other potentially affected entities (e.g. health agencies, Regional Water Boards, water suppliers, etc.) of all SSOs that potentially affect public health or reach ~~the surface~~ waters of the ~~s~~State in accordance with the **Monitoring and Reporting Plan (MRP)**. All SSOs shall be reported in accordance with the MRP, the California Water Code, other State Law, and other applicable Regional Water Board WDRs or NPDES permit requirements. The SSMP should identify the officials who will receive immediate notification;

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(iv) ~~(d)~~ Procedures to ensure that appropriate staff and contractor personnel are aware of and follow the Emergency Response Plan and are appropriately trained **in emergency response**;

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(v) ~~(e)~~ Procedures to address emergency operations, such as traffic and crowd control and other necessary response activities; and

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(vi) ~~(f)~~ A program **and procedures** to ensure that all reasonable steps are taken to contain and prevent the discharge of untreated and partially treated wastewater to **surface waters of the state of the United States that includes a risk and threat analysis of all sanitary sewer system assets. The program shall also specify steps** and to minimize or correct any adverse impact on the environment resulting from ~~the~~ SSOs, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the discharge.

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The risk and threat analyses shall identify the highest risks and threats ranked in order posed by sewer system failures such as but not limited to gravity sewer main lines, laterals, force mains, air relief valves, pumping facilities, and other facilities or equipment the failure of which could be expected to produce an SSO. The analyses shall include the expected consequences of each identified failure. The analyses shall also include system-specific activities, procedures, and strategies employed by the Enrollee to help minimize the risks and threats of SSOs with consideration given to known problem areas identified within the collection system.

(g) ~~(vii)~~ **FOG Control Program:** Each Enrollee shall evaluate its service area to determine whether a **Fats, Oils, & Grease (FOG)** control program is needed. If an Enrollee determines that a FOG program is not needed, the Enrollee **must shall** provide justification for why it is not needed. If FOG control is **found to be a problem needed**, the Enrollee **must shall** prepare and implement a FOG source control program to reduce the amount of these substances discharged to the sanitary sewer system. This plan shall include the following as appropriate:

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~~(a)~~(i) An implementation plan and schedule for a public education outreach program that promotes proper disposal of FOG;

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- ~~(b)~~(ii) A plan and schedule for the disposal of FOG generated within the sanitary sewer system service area. This may include a list of acceptable disposal facilities and/or additional facilities needed to adequately dispose of FOG generated within a sanitary sewer system service area; ← --- Formatted: Bullets and Numbering
  
- ~~(e)~~(iii) The legal authority to prohibit discharges to the system and ~~identify to require FOG dischargers to implement~~ measures to prevent SSOs and blockages caused by FOG; ← --- Formatted: Bullets and Numbering
  
- ~~(d)~~(iv) Requirements to install grease removal devices (such as traps or interceptors), design standards for the removal devices, maintenance requirements, BMP requirements, record keeping and reporting requirements; ← --- Formatted: Bullets and Numbering
  
- ~~(e)~~(v) Authority to inspect grease-producing facilities and, ~~enforcement authorities for violations of the local FOG control requirements.~~ The FOG Control Program shall identify required staffing levels ~~and whether the Enrollee has sufficient staff~~ to inspect and enforce the FOG ordinance; ← --- Formatted: Bullets and Numbering
  
- ~~(f)~~(vi) An identification of sanitary sewer system sections subject to FOG blockages and establishment of a cleaning maintenance schedule for each section; and ← --- Formatted: Bullets and Numbering
  
- ~~(g)~~(vii) Development and implementation of source control measures for all sources of FOG discharged to the sanitary sewer system for each section identified in ~~(vi)~~(f) above. ← --- Formatted: Bullets and Numbering
  
- (h) ~~(viii)~~ **System Evaluation and Capacity Assurance Plan:** The Enrollee shall ~~prepare-adopt~~ and implement a capital improvement plan (CIP) that will provide hydraulic capacity of key sanitary sewer system elements for dry weather peak flow conditions, as well as the appropriate design storm or wet weather event. At a minimum, the plan ~~must-shall~~ include: ← --- Formatted: Bullets and Numbering

  - ~~(a)~~(i) **Evaluation:** Actions needed to evaluate those portions of the sanitary sewer system that are experiencing or contributing to an SSO discharge caused by hydraulic deficiency. The evaluation ~~shall~~**must** provide estimates of peak flows (including flows from SSOs that escape from the system) associated with conditions similar to those causing overflow events, estimates of the capacity of key system components, hydraulic deficiencies (including components of the system with limiting capacity) and the major sources that contribute to the peak flows associated with overflow events.; ← --- Formatted: Bullets and Numbering
  
  - ~~(b)~~(ii) **Design Criteria:** Where design criteria ~~required in section (e) above have not been established~~, do not exist, or are deficient, undertake the evaluation identified in ~~(a)~~(i) above to establish appropriate design criteria.; ~~and~~ ← --- Formatted: Bullets and Numbering

~~(c)~~(iii) **Capacity Enhancement Measures:** The steps needed to establish a short-term and long-term CIP to address identified hydraulic deficiencies, including prioritization, alternatives analysis, and schedules. The CIP may include increases in pipe size, I/I reduction programs, increases and redundancy in pumping capacity, and storage facilities. The CIP shall include an implementation schedule. ~~and shall identify sources of funding.~~ Formatted: Bullets and Numbering

~~(d)~~(iv) **Schedule:** The Enrollee shall develop a schedule of completion dates for all portions of the capital improvement program developed in ~~(ia)-(iie)~~ above. This schedule shall be reviewed and updated consistent with the SSMP review and update requirements as described in ~~s~~Sections D.13 and D.-14. Formatted: Bullets and Numbering

(v) **Funding:** The SSMP shall include budgets for capital improvements to the sewer system that are identified in (iii) above. Budgets shall include costs, revenues, and revenue sources for funding the work over a sufficient period of time to demonstrate the agency's ability to properly fund the sewer system capital improvements. Formatted: Bullets and Numbering

(i) ~~(ix)~~ **Monitoring, Measurement, Performance Targets and Program Modifications:** The Enrollee shall develop performance targets and incorporate necessary program modifications to monitor the Enrollee's progress in reducing SSOs over time. The performance targets and program modifications must be reviewed an annual basis and shall include at a minimum the following steps: Formatted: Bullets and Numbering

~~(a)~~(i) Identify performance targets and illustrate SSO trends, including: SSO frequencies and volumes. Results for performance target attainment and spill trends shall be included and routinely updated in the SSMP; Formatted: Bullets and Numbering

(ii) Collect and ~~M~~maintain appropriate records and information ~~relevant information that can be used to~~ establish and prioritize ~~appropriate SSMP activities~~the performance targets; Formatted: Bullets and Numbering

(iii) Link each performance target with the appropriate SSMP element(s); Formatted: Bullets and Numbering

~~(iii)~~ Monitor the ~~implementation and, where appropriate, measure the effectiveness and success of~~ each SSMP element ~~of the SSMP in meeting each performance target developed;~~ Formatted: Bullets and Numbering

(iv) ~~(v)~~ Assess the success of the preventative maintenance program; Formatted: Bullets and Numbering

~~(vi)~~ Update SSMP ~~program~~ elements, as appropriate, ~~based onto~~ achieve the performance targets; ~~monitoring or performance evaluations; and~~ Formatted: Bullets and Numbering

(v) ~~Identify and illustrate SSO trends, including: frequency, location, and volume and~~ Formatted: Bullets and Numbering

(vi) Maintain an SSMP Change Log that includes a list of all modifications and changes made to the SSMP including date and identification of staff responsible for implementing each change.

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(j) ~~(x)~~ **SSMP Program Audits:** – As part of the SSMP, the Enrollee shall conduct periodic ~~internal~~ audits, appropriate to the size of the system and the number of SSOs. At a minimum, these audits ~~must~~ shall occur every two (2) years and a report of the audit results shall ~~must~~ be prepared and ~~kept on file~~ attached to the SSMP. This audit shall ~~focus on~~ evaluating the effectiveness of ~~the each~~ SSMP element in a narrative fashion including ~~and a~~ discussion of progress in attaining performance targets and a discussion of the Enrollee's compliance with all ~~the~~ SSMP requirements. ~~identified in this subsection (D.13), including identification of a~~ Any identified deficiencies in the SSMP shall be identified in the audit ~~and~~ along with the corrective actions ~~steps~~ taken or planned to be taken to correct them.

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(k) ~~(x)~~ **Communication Program:** – The Enrollee shall communicate, at a minimum, on an annual basis ~~on a regular basis~~ with the public ~~on~~ regarding the development, implementation, and performance of its SSMP. The communication system shall provide the public the opportunity to provide input to the Enrollee as the program is developed, ~~and~~ implemented, and modified.

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The Enrollee shall also communicate, at a minimum, on an annual basis ~~create a plan of communication~~ with any sanitary sewer systems that are tributary and/or satellite to the Enrollee's sanitary sewer system. Correspondence to document the communication activities specified above must be included in the Enrollee's SSMP.

14.13. Both ~~the SSMP and~~ the Enrollee's SSMP Development Plan and Schedule and their initially developed SSMP that is ready for ~~program to~~ implementation ~~the SSMP~~ shall ~~must~~ be certified by the Enrollee to be in compliance with the requirements set forth above and shall ~~must~~ be presented to the Enrollee's governing board for approval at a public meeting. The Enrollee shall certify that the SSMP, and its subparts ~~thereof, are in compliance~~ comply with the ~~SSS WDRs~~ general WDRs within the time frames identified in the time schedule provided in ~~subsection D.145,~~ below.

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~~In order to~~ To complete this certification, the Enrollee's authorized representative must complete the SSMP certification portion in the Online SSO Database ~~Questionnaire~~ by ~~checking~~ entering the completion or revision date in the appropriate SSMP milestone box and selecting the "Certify" button, on the online form. ~~, printing and signing the automated form, and sending the form to:~~

State Water Resources Control Board  
Division of Water Quality  
Attn: SSO Program Manager  
P.O. Box 100  
Sacramento, CA 95812

The current SSMP shall be posted on the Enrollee's internet site and/or made available in paper format to the public at an Enrollee's customer service or other publicly

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accessible location. In addition, Enrollees shall provide the web site address on the CIWQS Collection System Questionnaire where their SSMP is posted or, if the SSMP is not posted to an Enrollee internet site, upload an electronic copy of the current SSMP to the Online SSO Database every time the SSMP is re-certified.

The SSMP shall ~~must~~ be updated and re-certified on the Online SSO Database, at a minimum, every ~~five (5)~~ two (2) years, and shall ~~must~~ include any significant program changes resulting from the SSMP program audits.

Re-certification by the governing board of the ~~Enrollee~~ SSMP is required ~~in accordance with D.14~~ when significant updates to the SSMP are made that significantly change the scope and/or costs associated with implementing the SSMP and, at a minimum of, every four (4) years. To complete the re-certification process, the Enrollee shall include a copy of the governing board approval document in the revised SSMP, enter the data in the Online SSO Database ~~and mail the form to the State Water Board~~, as described above, post the document for public access as described above, and upload a copy of the revised SSMP to the Online SSO Database as described above.

14. ~~15.~~ — The Enrollee shall comply with ~~these~~ following requirements according to the ~~following~~ schedules noted below, as applicable. ~~These~~ time schedules ~~does~~ not supersede existing requirements or time schedules associated with other permits or regulatory requirements.

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(a) New Enrollees – Privately Owned Sanitary Sewer Systems:

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(i) New Enrollees who own private sanitary sewer systems meeting the applicability requirements in section B above are required to meet the schedule specified in the table below for applying for coverage under the SSS WDRs and for SSMP development.

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(ii) New Enrollees who own private sanitary sewer systems that expand in size or who acquire new private sanitary sewer systems after adoption of the SSS WDRs where the applicability requirements in section B above apply, are required to meet the schedule specified in the table below for SSMP development. Enrollees shall apply for coverage under the SSS WDRs at least three (3) months prior to operation of the facilities.

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(b) New Enrollees – Publicly Owned Sanitary Sewer Systems:

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(i) New Enrollees who own public sanitary sewer systems that expand in size or who acquire new public sanitary sewer systems after adoption of the SSS WDRs, where the applicability requirements in section B above apply, are required to meet the schedule specified in the table below for SSMP development. Enrollees shall apply for coverage under the SSS WDRs at least three (3) months prior to operation of the facilities.

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(ii) New Enrollees who own public sanitary sewer systems that met the applicability requirements of Order No. 2006-0003-DWQ but, were never enrolled in Order No. 2006-0003-DWQ and that meet the applicability requirements in section B above are required to apply for

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coverage under the SSS WDRs upon their adoption or as soon thereafter as practicable. The schedule for SSMP development will be determined by Water Board staff upon submission of the application for coverage under the SSS WDRs.

- (iii) New Enrollees who own public sanitary sewer systems that met the applicability requirements of Order No. 2006-0003-DWQ but were subsequently un-enrolled from coverage under Order No. 2006-0003-DWQ and that meet the applicability requirements in section B above are required to meet the schedule specified in the table below for applying for coverage under the SSS WDRs and for SSMP development.

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Task and Associated Section	Completion Date			
	Population > 100,000	Population between 100,000 and 10,000	Population between 10,000 and 2,500	Population < 2,500
Application for Permit Coverage <b>Section C</b>	6 months after WDRs Adoption			
Reporting Program <b>Section G</b>	6 months after WDRs Adoption <sup>1</sup>			
SSMP Development Plan and Schedule <b>No specific Section</b>	9 months after WDRs Adoption <sup>2</sup>	12 months after WDRs Adoption <sup>2</sup>	15 months after WDRs Adoption <sup>2</sup>	18 months after WDRs Adoption <sup>2</sup>
Goals and Organization Structure <b>Section D 13 (i) &amp; (ii)</b>	12 months after WDRs Adoption <sup>2</sup>		18 months after WDRs Adoption <sup>2</sup>	
Overflow Emergency Response Program <b>Section D 13 (vi)</b>	24 months after WDRs Adoption <sup>2</sup>	30 months after WDRs Adoption <sup>2</sup>	36 months after WDRs Adoption <sup>2</sup>	39 months after WDRs Adoption <sup>2</sup>
Legal Authority <b>Section D 13 (iii)</b>				
Operation and Maintenance Program <b>Section D 13 (iv)</b>				
Grease Control Program <b>Section D 13 (vii)</b>				
Design and Performance <b>Section D 13 (v)</b>	36 months after WDRs Adoption	39 months after WDRs Adoption	48 months after WDRs Adoption	51 months after WDRs Adoption
System Evaluation and Capacity Assurance Plan <b>Section D 13 (viii)</b>				
Final SSMP, incorporating all of the SSMP requirements <b>Section D 13</b>				

**E. SSS WDRs AND SSMP AVAILABILITY**

A copy of the SSS WDRs and the most current certified SSMP shall be maintained at appropriate locations for public access (such as the Enrollee's offices, facilities, and/or Internet homepage) and shall be available to sanitary sewer system operating and maintenance personnel at all times.

**F. ENTRY AND INSPECTION**

The Enrollee shall allow the State or Regional Water Boards or their authorized representative, upon presentation of credentials and other documents as may be required by law, to:

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1. Enter upon the Enrollee's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of the SSS WDRs; ← --- **Formatted:** Bullets and Numbering
  
2. Have access to and copy, at reasonable times, any records that shall be kept under the conditions of the SSS WDRs; ← --- **Formatted:** Bullets and Numbering
  
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under the SSS WDRs; and ← --- **Formatted:** Bullets and Numbering
  
4. Sample or monitor at reasonable times, for the purposes of assuring compliance with the SSS WDRs or as otherwise authorized by the California Water Code, any substances or parameters at any location. ← --- **Formatted:** Bullets and Numbering

**Sewer System Management Plan Time Schedule**

Task and Associated Section	Completion Date			
	Population > 100,000 <sup>1</sup>	Population between 100,000 and 10,000 <sup>1</sup>	Population between 10,000 and 2,500 <sup>1</sup>	Population < 2,500 <sup>1</sup>
Application for Permit Coverage <b>Section B</b>	6 months after WDRs Adoption			
Reporting Program <b>Section G</b>	6 months after WDRs Adoption			
SSMP Development Plan and Schedule <b>No specific Section</b>	3 months after enrolling for coverage <sup>2</sup>	6 months after enrolling for coverage <sup>2</sup>	9 months after enrolling for coverage <sup>2</sup>	12 months after enrolling for coverage <sup>2</sup>
Goals and Organization Structure <b>Section D 13 (a) &amp; (b)</b>	6 months after enrolling for coverage <sup>2</sup>		12 months after enrolling for coverage <sup>2</sup>	
Overflow Emergency Response Program <b>Section D 13 (f)</b>	18 months after enrolling for coverage <sup>2</sup>	24 months after enrolling for coverage <sup>2</sup>	30 months after enrolling for coverage <sup>2</sup>	33 months after enrolling for coverage <sup>2</sup>
Legal Authority <b>Section D 13 (c)</b>				
Operation and Maintenance Program <b>Section D 13 (d)</b>				
FOG Control Program <b>Section D 13 (g)</b>				
Design and Performance <b>Section D 13 (e)</b>	30 months after enrolling for coverage <sup>2</sup>	33 months after enrolling for coverage <sup>2</sup>	42 months after enrolling for coverage <sup>2</sup>	45 months after enrolling for coverage <sup>2</sup>
System Evaluation and Capacity Assurance Plan <b>Section D 13 (h)</b>				
Final SSMP, incorporating all of the SSMP requirements <b>Section D 13</b>				

1. To establish population, use peak population served by the sanitary sewer system or calculate population converting peak flow using established values for flow per person or flow per equivalent dwelling unit and average persons per dwelling unit from U.S. Census or other local data.
2. Sanitary sewer systems currently enrolled in Order No. 2006-0006-DWQ are required to follow their bi-annual SSMP audit schedule to address the clarifications and additions to their SSMP required by the SSS WDRs.

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~~1. In the event that by July 1, 2006 the Executive Director is able to execute a memorandum of agreement (MOA) with the California Water Environment Association (CWEA) or discharger~~

<del>Reporting Program Section G</del>	
<del>Regional Boards 4, 8, and 9</del>	<del>8 months after WDRs Adoption</del>
<del>Regional Boards 1, 2, and 3</del>	<del>12 months after WDRs Adoption</del>
<del>Regional Boards 5, 6, and 7</del>	<del>16 months after WDRs Adoption</del>

~~representatives outlining a strategy and time schedule for CWEA or another entity to provide statewide training on the adopted monitoring program, SSO database electronic reporting, and SSMP development, consistent with this Order, then the schedule of Reporting Program Section G shall be replaced with the following schedule:~~

~~— If this MOU is not executed by July 1, 2006, the reporting program time schedule will remain six (6) months for all regions and agency size categories.~~

~~2. In the event that the Executive Director executes the MOA identified in note 1 by July 1, 2006, then the deadline for this task shall be extended by six (6) months. The time schedule identified in the MOA must be consistent with the extended time schedule provided by this note. If the MOA is not executed by July 1, 2006, the six (6) month time extension will not be granted.~~

**E. — WDRs and SSMP AVAILABILITY**

~~— 1. — A copy of the general WDRs and the certified SSMP shall be maintained at appropriate locations (such as the Enrollee's offices, facilities, and/or Internet homepage) and shall be available to sanitary sewer system operating and maintenance personnel at all times.~~

**F. — ENTRY AND INSPECTION**

~~— 1. — The Enrollee shall allow the State or Regional Water Boards or their authorized representative, upon presentation of credentials and other documents as may be required by law, to:~~

~~1. Enter upon the Enrollee's premises where a regulated facility or activity is located or conducted, or where records are kept under the conditions of this Order;~~

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~~2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this Order;~~

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~~3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this Order; and~~

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~~4. Sample or monitor at reasonable times, for the purposes of assuring compliance with this Order or as otherwise authorized by the California Water Code, any substances or parameters at any location.~~

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**G. GENERAL MONITORING AND REPORTING REQUIREMENTS**

1. The Enrollee shall furnish to the State or Regional Water Board, within a reasonable time, any information which the State or Regional Water Board may request to determine whether cause exists for modifying, revoking and reissuing, or terminating ~~theis SSS WDRsOrder~~. The Enrollee shall also furnish to the Executive Director of the State Water Board or Executive Officer of the applicable Regional Water Board, upon request, copies of records required to be kept by ~~theis SSS WDRs-Order~~.

2. The Enrollee shall comply with the attached Monitoring and Reporting Program No. ~~20062011-0003-XXXX-DWQ~~ and future revisions thereto, as specified by the Executive Director. Monitoring results shall be reported at the intervals specified in Monitoring and Reporting Program No. ~~20062011-0003XXXX-DWQ~~. Unless superseded by a specific enforcement Order for a specific Enrollee, these reporting requirements are intended to replace other mandatory routine written reports associated with SSOs.

3. All Enrollees ~~shall~~~~must~~ obtain SSO Database accounts and receive a "Username" and "Password" by registering through the California Integrated Water Quality System (CIWQS). These accounts will allow controlled and secure entry into the SSO Database. Additionally, within 30-days of receiving an account and prior to recording spills into the SSO Database, all Enrollees ~~shall~~~~must~~ complete the "Collection System Questionnaire", which ~~collects-specifies~~ pertinent information regarding a Enrollee's collection system. The "Collection System Questionnaire" ~~shall~~~~must~~ be updated, at ~~least~~ a minimum, every 12 months.

4. Pursuant to Health and Safety Code section 5411.5, any person who, without regard to intent or negligence, causes or permits any untreated wastewater or other waste to be discharged in or on any waters of the ~~s~~State, or discharged in or deposited where it is, or probably will be, discharged in or on any surface ~~-~~waters of the ~~s~~State, as soon as that person has knowledge of the discharge, shall immediately ~~provide notification y the local health officer~~ of the discharge ~~to the local health officer or the local director of environmental health~~. Discharges of untreated or partially treated wastewater to storm drains and drainage channels,; whether man made, ~~or~~ natural or concrete-lined,; ~~that are not fully recovered~~, shall ~~also~~ be reported ~~as required above~~.

5. Pursuant to California Water Code section 13271, ~~A~~any SSOs of reportable quantity, as specified in the California Code of Regulations § 2250, ~~greater than 1,000 gallons~~ discharged in or on any waters of the ~~s~~State, or discharged in or deposited where ~~#~~ ~~isthey are~~, or probably will be, discharged in or on any ~~surface~~-waters of the ~~s~~State shall

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~~also be reported to the Cal EMA Office of Emergency Services pursuant to California Water Code section 13271.~~

**H. CHANGE IN OWNERSHIP**

- 1. ~~Theis SSS WDRs Order isare~~ not transferable to any person or party. ~~except after notice to the Executive Director.~~ The existing Enrollee shall submit a ~~this~~ notice in writing to the State Water Board and applicable Regional Water Board at least ~~30 days~~three (3) months in advance of any proposed transfer of an entire sanitary sewer system enrolled under the SSS WDRs. Where just portions of an Enrollee's sanitary sewer system are to be transferred, refer to section H.2.

~~The~~ notice ~~shall~~must include a written agreement between the existing and new Enrollee containing a specific date for the transfer of ~~responsibility and coverage between the existing Enrollee and the new Enrollee under theis SSS WDRsOrder's responsibility and coverage between the existing Enrollee and the new Enrollee.~~ This agreement shall include an acknowledgement that the existing Enrollee is liable for violations up to the transfer date and that the new Enrollee is liable from the transfer date forward.

The new Enrollee shall apply for coverage of the new facilities under the SSS WDRs at least three (3) months prior to their operation.

- 2. Where portions of an Enrollee's sanitary sewer system are transferred to any person or party, the Enrollee shall submit the notice required in H.1 above with a narrative description of the partial transfer and a map showing portions of the sanitary sewer system that are to be transferred. In addition, historic spills that occurred in the transferred portion(s) of the sanitary sewer system shall be identified in the notice using the California Integrated Water Quality System (CIWQS) spill report Event ID number or by providing reports with known facts about the spill if spills from the facilities were not reported to CIWQS.

**I. —INCOMPLETE REPORTS**

~~1.~~If an Enrollee becomes aware that it failed to submit any relevant facts in any report required under ~~theis SSS WDRsOrder,~~ the Enrollee shall promptly submit such facts or information by formally amending the report in the Online SSO Database.

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**J. —REPORT DECLARATION**

~~1.~~All applications, reports, or information shall be signed and certified as follows:

- 1. (i) —All reports required by ~~theis SSS WDRs-Order~~ and other information required by ~~the~~State or Regional Water Boards shall be signed and certified by a person designated

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as 1), for a municipality, state, federal or other public agency, as either a principal executive officer or ranking elected official, or by a duly authorized representative of that person, as described in ~~paragraph J.2, (ii) of this provision~~ or 2) for a private entity as either the individual(s) who own(s) the sewer system or by a duly authorized representative of those persons or person. {For purposes of electronic reporting, an electronic signature and accompanying certification that, ~~complies which is in compliance~~ with the Online SSO database procedures, meets this certification requirement.}

2. ~~(ii)~~ — An individual is a duly authorized representative only if:

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(a) The authorization is made in writing by a person described in ~~paragraph J.1 (i) of this provision~~; and

—(b) —The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity.

The “duly authorized representative” is referred to as the “Legally Responsible Official” (LRO) for the purposes of reporting for the SSS WDRs. Enrollees may designate multiple LROs for the purposes of complying with the SSS WDRs. Enrollees may also designate one or more “Data Submitters” (DSs) to facilitate reporting for the SSS WDRs. Data Submitters may enter spill report and other reporting data into the CIWQS SSO Module but can not certify entered data.

**K. CIVIL MONETARY REMEDIES FOR DISCHARGE VIOLATIONS**

1. The California Water Code provides various enforcement options, including civil monetary remedies, for violations of ~~the is SSS WDRs Order~~.
2. The California Water Code also provides that any person failing or refusing to furnish technical or monitoring program reports, as required under ~~the is SSS WDRs Order~~, or falsifying any information provided in the technical or monitoring reports is subject to civil monetary penalties.

**L. —SEVERABILITY**

1. The provisions of ~~the is SSS WDRs Order~~ are severable, and if any provision of ~~the is SSS WDRs Order~~, or the application of any provision of ~~the is SSS WDRs Order~~ to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of ~~the is SSS WDRs Order~~, shall not be affected thereby.
2. ~~The is SSS WDRs order~~ does not convey any property rights of any sort or any exclusive privileges. The requirements prescribed herein do not authorize the commission of any act causing injury to persons or property, nor protect the Enrollee from liability under federal, state or local laws, nor create a vested right for the Enrollee to continue the waste discharge.

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**CERTIFICATION**

The undersigned Clerk to the State Water Board does hereby certify that the foregoing is a full, true, and correct copy of ~~the SSS WDRs~~ ~~general WDRs~~ duly and regularly adopted at a meeting of the State Water Resources Control Board held on ~~May 2, 2006XXXX X,~~ 2011.

AYE: ~~Tam M. Dodue~~  
~~Gerald D. Secundy~~

NO: ~~Arthur G. Baggett~~

ABSENT: ~~None~~

ABSTAIN: ~~None~~

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~~Jeanine Townsend~~ ~~Song Her~~  
Clerk to the Board