

**AGENDA**

**BOARD OF DIRECTORS  
ORANGE COUNTY SANITATION DISTRICT**

**DISTRICT'S ADMINISTRATIVE OFFICES  
10844 ELLIS AVENUE  
FOUNTAIN VALLEY, CA 92708**

**REGULAR MEETING**

**May 28, 2008 – 6:30 P.M.**

1. Invocation and Pledge of Allegiance (David Shawver – Stanton)
2. Roll Call
3. Consideration of motion to receive and file minute excerpts of member agencies relating to appointment of Directors, if any.
4. Public Comments
5. The Chair, General Manager and General Counsel may present verbal reports on miscellaneous matters of general interest to the Directors. These reports are for information only and require no action by the Directors.
6. (a) Open nominations for Chair of the Board of Directors (Election to be held at the regular June Board Meeting unless only one candidate is nominated).  
  
(b) Open nominations for Vice Chair of the Board of Directors (Election to be held at the regular June Board Meeting unless only one candidate is nominated).
7. Ratifying payment of claims of the District, by roll call vote, as follows:

<u>ALL DISTRICTS</u>	<u>04/15/08</u>	<u>04/30/08</u>
Totals	\$15,168,924.08	\$20,821,921.90

**DIRECTORS:** Pursuant to Government Code Section 84308, you are required to disclose any campaign contribution greater than \$250 received in the past twelve months from any party to a contract involving OCSD. This requires that you identify the contributor by name. Further, you may not participate in the decision making process to award a contract to such party. For reference, you are directed to the Register of Warrants as to all current contractors/vendors with OCSD. For the specifics of Government Code Section 84308, please see your Director's Handbook or call the office of General Counsel.

**CONSENT CALENDAR**

8. Consideration of motion to approve all agenda items appearing on the Consent Calendar not specifically removed from same, as follows:
  - a. Order the minutes for the regular meeting held on April 23, 2008, and the special meeting held on May 14, 2008, to be filed and deemed approved, as mailed.
  - b. Adopt Resolution No. OCSD 08-07, authorizing the General Manager to Grant Easements at no cost to Utilities serving Orange County Sanitation District facilities.

**END OF CONSENT CALENDAR**

- c. Consideration of items deleted from Consent Calendar, if any.

**COMMITTEE REPORTS AND RECOMMENDED ACTIONS**9. **STEERING COMMITTEE****Consent Calendar**

- a. Order Steering Committee Minutes for the meeting held on April 23, 2008, to be filed.

**Non-Consent Calendar**

- b. Consideration of items deleted from Consent Calendar, if any.

10. **OPERATIONS COMMITTEE****Consent Calendar**

- a. Order Operations Committee Minutes for the meeting held on May 7, 2008, to be filed.
- b. Authorize the General Manager to sell surplus emission reduction credits via negotiated contracts with ICAP United, Inc. and Cantor CO2e, LP, in a form approved by General Counsel.
- c.
  - 1) Approve Change order No. 5 to the contract issued to Hill Brothers Chemical Company for the Purchase of Magnesium Hydroxide, Specification No. C-2005-244, authorizing a unit rate increase of \$0.20 per gallon, for a total unit price of \$1.84 per gallon, plus applicable sales tax for a one-year period effective July 1, 2008 through June 30, 2009, and all other terms of the contract shall remain in effect (P.O. 102362 OB).
  - 2) Authorize a 10% unit cost escalation contingency.

- d. 1) Authorize the General Manager to approve renewal of a contract, with Neutron Products, Inc., for Purchase of Anionic Polymer, Specification No. C-2006-273, authorizing a price increase of \$.15/lb, for a total price of \$3.00/lb, for a one-year period effective September 1, 2008 through August 31, 2009 (P.O. 102634-OB).
- 2) Authorize a 10% cost escalation contingency.
- e. 1) Award a contract to Olin Chlor Alkali Products, for the Purchase of Sodium Hydroxide (Caustic Soda) 25% solution, Specification No. C-2008-371BD, for delivery to the plants for the period July 1, 2008 through June 30, 2009, for a unit price of \$459.90 per dry ton plus freight of \$200.00 per dry ton, plus applicable sales tax for an estimated annual amount of \$431,235.00, with four one-year renewal options; and,
- 2) Authorize a 10% annual cost escalation contingency.
- 3) Award a contract to Basic Chemical Solution, LLC, for the Purchase of Sodium Hydroxide (Caustic Soda) 50% solution, Specification No. C-2008-371BD, for delivery in the collection system, for the period July 1, 2008 through June 30, 2009, for a unit price of \$539.00 per dry ton, subject to the Harriman Chemsult Limited Index, plus freight of \$39.48 per dry ton, plus applicable sales tax for an estimated annual amount of \$235,075.00 with four one-year renewal; and,
- 4) Authorize an 8% quarterly cost escalation contingency.
- f. Approve Amendment No. 1 to Cooperative Projects Grants Program Contract No. 0604 with Midway City Sanitary District, providing for an 11-month time extension.
- g. 1) Approve a budget increase of \$128,100 for Rehabilitation of District Siphons, Contract No. 2-68, for a total budget of \$7,854,100; and,
- 2) Approve a contingency increase of \$136,108 (3%) to the construction contract with Ken Thompson, Inc., for Rehabilitation of District Siphons, Contract No. 2-68, for a total contingency of \$363,008 (8%).
- h. Approve a contingency increase of \$623,114 (17%) to the Professional Design Services Agreement with Earth Tech, Inc., for Sludge Digester Rehabilitation at Plant No. 1, Job No. P1-100, for a total contingency of \$989,652 (27%).
- i. Approve a contingency increase of \$2,003,323 (18%) to the Professional Design Services Agreement with HDR, Inc. for Sludge Dewatering and Odor Control at Plant No. 1, Job No. P1-101, for a total contingency of \$3,116,281 (28%).
- j. Approve Amendment No. 8 to the Professional Services Agreement with Integrated Program Management Consultants, a joint venture of Parsons Water and Infrastructure, Inc., and CH2M Hill, Inc., for Program Management Services for the Capital Improvement Program authorizing:
- 1) Establish an amount not to exceed \$16,987,271 for year seven (Fiscal Year 2008/09) of the ten-year contract; and,

- 2) Increase the total amount of the ten-year contract to an amount not to exceed \$93,077,246.

Non-Consent Calendar

- k. Consideration of items deleted from Consent Calendar, if any.

11. ADMINISTRATION COMMITTEE

Consent Calendar

*The following item from the April 9, 2008 meeting was delayed one month for additional information:*

- a.
  - 1) Approve a sole source purchase order to ShoreTel Inc. for the purchase of hardware and software to replace OCSD's telephone system, for a total amount of \$375,460; and,
  - 2) Approve a 5% contingency (\$18,775).
- b. Order Administration Committee Minutes for the meeting held on May 14, 2008, to be filed.
- c. Adopt Resolution No. OCSD 08-06, Adopting the Updated Records Management Program Policies and Procedures, Retention Schedule and Record Series Definitions for the District's Records Management Program, Authorizing Destruction of Obsolete Records, and Repealing Resolution No. OCSD 07-08.

Non-Consent Calendar

- d. Consideration of items deleted from Consent Calendar, if any.

12. GWR SYSTEM STEERING COMMITTEE (GWRSSC)

GWRSSC Consent Calendar

- a. Order Joint Groundwater Replenishment System Steering Committee Minutes for the meeting held on April 14, 2008, to be filed.
- b.
  - 1) Approve Amendment No. 15 to the Professional Services Agreement with Camp Dresser & McKee Inc. for the Groundwater Replenishment System, Job No. J-36, providing for an annual cost-of-living adjustment, additional permitting services, and additional work associated with the extension of the construction contract for an additional amount of \$86,267, increasing the total amount not to exceed \$35,052,728 to be cost-shared equally with the Orange County Water District (\$43,133.50); and,

2) Approve Amendment No. 9 to the Professional Services Agreement with Montgomery Watson Harza for the Groundwater Replenishment System, Job No. J-36, providing for an annual cost-of-living adjustment and additional construction management services for an additional amount of \$170,799, increasing the total amount not to exceed \$15,307,661 to be cost-shared equally with the Orange County Water District (\$85,399.50).

GWRSSC Non-Consent Calendar

c. Consideration of items deleted from GWRSSC Consent Calendar, if any.

**NON-CONSENT CALENDAR**

13. Ordinance No. OCSD-36, An Ordinance of the Board of Directors of Orange County Sanitation District, Establishing Capital Facilities Capacity Charges; Adopting Miscellaneous Charges and Fees Relating to Industrial Charges, Source Control Permittees and Wastehaulers; and Repealing Article I, III, IV and V of Ordinance No. OCSD-32:

Adopting Revised Table A Re Capital Facilities Capacity Charges (Formerly Table C), Revised Table C Re Supplemental Capital Facilities Capacity Charges (Formerly Table E), Revised Table D Re Administrative Fees And Charges Relating To Permittees (Formerly Table F), Redesignated Table E (Formerly Table G), Revised Table F Re Class I And Class II Permittees and Special Purpose Discharge Permittees Charges For Use (Formerly Table H), Revised Table G Re Wastehauler Charges For Use (Formerly Table I), And Reaffirming All Other Charges.

- a. Open public hearing
1. Receive and file written comments, if any
  2. Verbal reports of staff
  3. Directors' questions
  4. Public comments
- b. Close public hearing
- c. Discussion by Board of Directors
- d. Recommended actions:
1. Motion to read Ordinance No. OCSD-36 by title only and waive reading of said entire ordinance.
  2. Motion to adopt Ordinance No. OCSD-36 (***must be approved by a 2/3 vote of the entire Board of Directors***).

14. Ordinance No. OCSD-37, An Ordinance of the Board of Directors of Orange County Sanitation District, Establishing Wastewater Discharge Regulations and Repealing Ordinance No. OCSD-31:

Adopting Revised Article 1, Section 102; Article 3, Sections 302.6, Section 303, and 303.6; and, Reaffirming All Other Charges.

- a. Open public hearing
    1. Receive and file written comments, if any
    2. Verbal reports of staff
    3. Directors' questions
    4. Public comments
  - b. Close public hearing
  - c. Discussion by Board of Directors
  - d. Recommended actions:
    1. Motion to read Ordinance No. OCSD-37 by title only and waive reading of said entire ordinance.
    2. Motion to adopt Ordinance No. OCSD-37 (***must be approved by a 2/3 vote of the entire Board of Directors***).
15. Ordinance No. OCSD-38, An Ordinance of the Board of Directors of Orange County Sanitation District, Establishing Local Sanitary Sewer Service Charges:
- a. Motion to read Ordinance No. OCSD-38 by title only and waive reading of said entire ordinance.
  - b. Motion to introduce Ordinance No. OCSD-38, and pass to second reading and public hearing on June 25, 2008.
16. Closed Session

CLOSED SESSION: During the course of conducting the business set forth on this agenda as a regular meeting of the Board, the Chair may convene the Board in closed session to consider matters of pending real estate negotiations, pending or potential litigation, or personnel matters, pursuant to Government Code Sections 54956.8, 54956.9, 54957 or 54957.6, as noted.

Reports relating to (a) purchase and sale of real property; (b) matters of pending or potential litigation; (c) employment actions or negotiations with employee representatives; or which are exempt from public disclosure under the California Public Records Act, may be reviewed by the Board during a permitted closed session and are not available for public inspection. At such time as the Board takes final action on any of these subjects, the minutes will reflect all required disclosures of information.

- a. Convene in closed session, if necessary

CONFERENCE WITH LEGAL COUNSEL RE. INITIATION OF LITIGATION  
(Government Code Section 54956.9(c))

Number of Potential Cases: 1 -- claim against Level 3 Communications re  
Gisler-Redhill Trunk Sewer Improvement Project, Contract No. 7-41.

- b. Reconvene in regular session
  - c. Consideration of action, if any, on matters considered in closed session
17. Other business and communications or supplemental agenda items, if any.
18. Adjournment - The next Board of Directors regular meeting is scheduled for June 25, 2008, at 6:30 p.m.

**Agenda Posting:** In accordance with the requirements of California Government Code Section 54954.2, this agenda has been posted in the main lobby of the District's Administrative offices not less than 72 hours prior to the meeting date and time above. All written materials relating to each agenda item are available for public inspection in the office of the Clerk of the Board.

**Items Not Posted:** In the event any matter not listed on this agenda is proposed to be submitted to the Board for discussion and/or action, it will be done in compliance with Section 54954.2(b) as an emergency item or because there is a need to take immediate action, which need came to the attention of the Board subsequent to the posting of agenda, or as set forth on a supplemental agenda posted in the manner as above, not less than 72 hours prior to the meeting date.

**Public Comments:** Any member of the public may address the Board of Directors on specific agenda items or matters of general interest. As determined by the Chair, speakers may be deferred until the specific item is taken for discussion and remarks may be limited to three minutes.

Matters of interest addressed by a member of the public and not listed on this agenda cannot have action taken by the Board of Directors except as authorized by Section 54954.2(b). If you wish to speak, please complete a Speaker's Form (located at the table outside of the Board Room) and give it to the Clerk of the Board.

**Consent Calendar:** All matters placed on the Consent Calendar are considered as not requiring discussion or further explanation and unless any particular item is requested to be removed from the Consent Calendar by a Director, staff member or member of the public in attendance, there will be no separate discussion of these items. All items on the Consent Calendar will be enacted by one action approving all motions, and casting a unanimous ballot for resolutions included on the consent calendar. All items removed from the Consent Calendar shall be considered in the regular order of business.

Members of the public who wish to remove an item from the Consent Calendar shall, upon recognition by the Chair, state their name, address and designate by number the item to be removed from the Consent Calendar.

The Chair will determine if any items are to be deleted from the Consent Calendar.

**Items Continued:** Items may be continued from this meeting without further notice to a Committee or Board meeting held within five (5) days of this meeting per Government Code Section 54954.2(b)(3).

**Meeting Adjournment:** This meeting may be adjourned to a later time and items of business from this agenda may be considered at the later meeting by Order of Adjournment and Notice in accordance with Government Code Section 54955 (posted within 24 hours).

**Accommodations for the Disabled:** The Board of Directors Meeting Room is wheelchair accessible. If you require any special disability related accommodations, please contact the Orange County Sanitation District Clerk of the Board's office at (714) 593-7130 at least 72 hours prior to the scheduled meeting. Requests must specify the nature of the disability and the type of accommodation requested.

**NOTICE TO DIRECTORS:** To place items on the agenda for the Regular Meeting of the Board of Directors, items shall be submitted to the Clerk of the Board no later than the close of business 14 days preceding the Board meeting. The Clerk of the Board shall include on the agenda all items submitted by Directors, the General Manager and General Counsel and all formal communications.

General Manager	James D. Ruth	(714) 593-7110	<a href="mailto:jruth@ocsd.com">jruth@ocsd.com</a>
Assistant General Manager	Bob Ghirelli	(714) 593-7400	<a href="mailto:rghirelli@ocsd.com">rghirelli@ocsd.com</a>
Clerk of the Board	Penny Kyle	(714) 593-7130	<a href="mailto:pkyle@ocsd.com">pkyle@ocsd.com</a>
Director of Engineering	Jim Herberg	(714) 593-7020	<a href="mailto:jherberg@ocsd.com">jherberg@ocsd.com</a>
Director of Fin. & Admin Services	Lorenzo Tyner	(714) 593-7550	<a href="mailto:ltynr@ocsd.com">ltynr@ocsd.com</a>
Director of Operations & Maintenance	Nick Arhontes	(714) 593-7210	<a href="mailto:narhontes@ocsd.com">narhontes@ocsd.com</a>
Director of Technical Services	Ed Torres	(714) 593-7080	<a href="mailto:etorres@ocsd.com">etorres@ocsd.com</a>
General Counsel	Brad Hogin	(714) 415-1006	<a href="mailto:bhogin@wss-law.com">bhogin@wss-law.com</a>



**BOARD OF DIRECTORS**

**AGENDA REPORT**

Meeting Date	To Bd. of Dir. 05/28/08
Item Number	Item Number 6

Orange County Sanitation District

**FROM:** James D. Ruth, General Manager  
Originator: Penny Kyle, Clerk of the Board

**SUBJECT:** NOMINATIONS FOR CHAIR AND VICE CHAIR OF BOARD OF DIRECTORS

**GENERAL MANAGER'S RECOMMENDATION**

Open nominations for Chair and Vice Chair of Board of Directors (Election to be held at regular June Board Meeting).

**SUMMARY**

As provided in the Board's Rules of Procedures, nominations for the Chair and Vice Chair are made at the regular May meeting, and the election will take place at the June meeting.

The following is an excerpt from the current Rules of Procedures relative to the election of the Chair and Vice Chair for the Board of Directors of Orange County Sanitation District:

“G. Chairperson and Vice Chairperson of the Board. A Chairperson and Vice Chairperson of the Board shall be elected by a majority vote of Directors at the regular meeting in June of each year, and will assume office July 1st. The nominations for Chairperson and Vice Chairperson shall be made at the regular Board meeting in May of each year. Any person nominated for Chairperson shall be deemed to be nominated for Vice Chairperson in the event the person is not elected as Chairperson. Thereafter, the nominees shall prepare a statement setting forth their qualifications for the office sought. The statements shall be mailed to members of the Board of Directors with the Agenda and other meeting material for the June regular meeting. If only one individual is nominated for Chairperson at the regular Board meeting in May, that individual shall be deemed elected as Chairperson, no election shall be held in June, and the individual shall assume office July 1<sup>st</sup>. If only one individual is nominated for Vice Chairperson at the regular Board meeting in May, that individual shall be deemed elected as Vice Chairperson, no election shall be held in June, and the individual shall assume office July 1<sup>st</sup>.

The Chairperson and Vice Chairperson shall serve at the pleasure of a majority of the Directors. In the event the office of Chairperson becomes vacant due to resignation or retirement of the incumbent prior to the expiration of the regular term, the Vice Chairperson shall automatically succeed to the office of the Chairperson and shall

continue to serve through the remainder of the regular term unless sooner removed by action of a majority of the Directors. In the event the office of Vice Chairperson becomes vacant prior to the expiration of the regular term, nominations and the election of a Director to serve in that capacity shall be conducted at the next regular Board meeting. The person so elected shall serve the balance of the regularly-scheduled term unless sooner removed as a result of action by a majority of the Directors.

The Chairperson shall not serve more than two consecutive one-year terms for which he/she has been elected to the office of Chairperson. The Vice Chairperson shall not serve more than two consecutive one-year terms for which he/she has been elected to the office of Vice Chairperson.

**PRIOR COMMITTEE/BOARD ACTIONS**

N/A

**ADDITIONAL INFORMATION**

N/A

**ATTACHMENTS**

N/A

# BOARD OF DIRECTORS

## AGENDA REPORT

Meeting Date	To Bd. of Dir. 05/28/08
Item Number	Item Number 7

Orange County Sanitation District

**FROM:** James D. Ruth, General Manager  
Originator: Lorenzo Tyner, Director of Finance and Administrative Services

**SUBJECT:** PAYMENT OF CLAIMS OF THE ORANGE COUNTY SANITATION DISTRICT

### GENERAL MANAGER'S RECOMMENDATION

Ratify Payment of Claims of the District by Roll Call Vote.

### CONFLICT OF INTEREST NOTIFICATION

Pursuant to Government Code Section 84308, you are required to disclose any campaign contribution greater than \$250 received in the past twelve months from any party to a contract involving the Orange County Sanitation District. Further, you may not participate in the decision making process to award a contract to such party.

For reference, you are directed to the Register of Warrants as to all current contractors/vendors with the District.

In general, you must disclose the basis of the conflict by identifying the name of the firm or individual who was the contributor.

For the specifics of Government Code Section 84308, please see your Director's Handbook or call the office of General Counsel.

### PRIOR COMMITTEE/BOARD ACTIONS

N/A

### ADDITIONAL INFORMATION

See attached listing.

### ATTACHMENTS

1. Copies of Claims Paid reports from 04/01/08 - 04/15/08 and 04/16/08 – 04/30/08

Claims Paid From 04/01/08 to 04/15/08

Warrant No.	Vendor	Amount	Description
<b>Accounts Payable - Warrants</b>			
99669	Brown & Caldwell	\$ 202,705.19	Professional Services P2-90 & P2-91
99670	Corporate Image Maintenance, Inc.	34,590.00	Custodial Services Spec. No. 9899-09
99671	CS-AMSCO	259,024.30	(11) Eccentric Plug Valves
99672	Du Pont	104,935.00	Painting Maint. Services MO 4-22-98
99673	Earth Tech, Inc.	83,656.80	Professional Services I-2-4
99674	HDR Engineering, Inc.	187,657.57	Professional Services P1-101
99675	JCI Jones Chemicals, Inc.	67,385.28	Sodium Hypochlorite
99676	Kemiron Water Solutions	79,719.03	Ferric Chloride
99677	Malcolm Pirnie, Inc.	114,909.09	Professional Services I-2-4, I-10, P2-80
99678	MetLife Life Insurance Company	40,947.70	Group Life, Manager Add'l. Life, Short & Long-Term Disability & Optional Term Life Ins.
99679	Polydyne, Inc.	52,755.00	Cationic Polymer MO 3-11-92
99680	Southern California Edison	70,924.54	Power
99681	Synagro West, Inc.	573,580.59	Residuals Removal MO 3-29-95
99682	Tule Ranch/Magan Farms	227,255.39	Residuals Removal MO 3-29-95
99683	Woodruff Spradlin & Smart	41,822.37	Legal Services MO 7-26-95
99684	Adams/Mallory Construction Co., Inc.	80,608.50	Construction P1-106
99685	J F Shea Construction, Inc.	3,099,840.36	Construction P2-66
99686	J R Filanc Construction	62,681.71	Construction P1-82
99687	Kiewit Pacific Co.	2,406,685.50	Construction P1-102
99688	Miron Electric Construction Corp.	291,936.60	Construction P1-97
99689	Shimmick Construction Co., Inc.	424,668.21	Construction P2-80 & P2-91
99690	Union Bank of California	136,527.40	Construction P1-97, Retention
99691	Union Bank of America	163,149.49	Construction P2-66, Retention
99692	J F Shea Construction, Inc.	934,363.75	Construction I-10B
99693	A W Chesterton	1,101.59	Mechanical Parts & Supplies
99694	ABB, Inc.	10,160.89	Repair & Maintenance Service - VFD Industrial Drives
99695	Agreeya Solutions, Inc.	17,016.00	Professional Services - Records Management Study
99696	Airgas Safety, Inc.	1,264.16	Safety Supplies
99697	American Fidelity Assurance Company	529.04	Employee Voluntary Cancer Insurance
99698	American Training Resources, Inc.	489.83	Safety Videos
99699	Applied Industrial Technology	33.95	Mechanical Parts & Supplies
99700	AT & T California/MCI	3,055.10	Telephone Service
99701	AT & T Mobility II, L.L.C.	194.97	Telephone Equipment & Activation
99702	AT & T Mobility II, L.L.C.	7,264.97	Wireless Telephone Services
99703	ATCC: American Type Culture Collection	93.20	Lab Parts & Supplies
99704	AWSI	133.00	Department of Transportation Program Management & Testing
99705	Basic Chemical Solutions, L.L.C.	18,552.13	Sodium Bisulfite & Sodium Hydroxide
99706	BC Wire Rope & Rigging	2,235.82	Mechanical Parts & Supplies
99707	Black & Veatch Corporation	12,782.28	Professional Services P1-76
99708	Boyle Engineering Corporation	6,103.14	Professional Services I-2-4
99709	Bush & Associates, Inc.	982.00	Surveying Services - Various Locations
99710	California Recreation Company	3,768.27	Boat Slip Rental Fees for Ocean Monitoring Vessel Nerissa
99711	California State University Sacramento	395.00	Meeting Registration - Division 153
99712	Cameron Compression Systems	878.93	Mechanical Parts & Supplies For LSVB Cooper Engines
99713	Cameron Welding Supply	2,681.53	Welding Parts & Supplies
99714	Carollo Engineers	1,355.93	Professional Services P2-60
99715	CASA	212.50	Meeting Registration - Division 710 (Calif. Association of Sanitation Agencies)
99716	Casual Gourmet	133.88	Meeting Expenses
99717	Clean Harbors Environmental Services	1,685.40	Hazardous Waste Management Services
99718	CMAA	90.00	Training Registration (Construction Management Assoc. of America)
99719	CMAA	80.00	Meeting Registration - Division 760

Claims Paid From 04/01/08 to 04/15/08

Warrant No.	Vendor	Amount	Description
99720	Coast Plumbing	3,180.00	Sewerline Cleaning - Various
99721	Consumers Pipe & Supply Co.	149.13	Plumbing Parts & Supplies
99722	Controlled Motion Solutions	538.90	Electrical Parts & Supplies
99723	Council on Education in Management	3,340.00	Meeting & Training Registration - Division 153
99724	County of Ventura (Contract Host)	18,520.00	Software Research & Advisory Services & Program Consulting - Gartner Group
99725	Culligan of Orange County	51.60	Maint. Agreement - Cen Gen Water Softener System
99726	CWEA Membership	412.00	Membership (Calif. Water Environment Assoc.)
99727	CXTEC	171.47	Computer Hardware/Software
99728	Dapper Tire Co.	2,488.97	Truck Tires
99729	David's Tree Service	5,860.00	Tree Maint. Service
99730	Desert Pumps & Parts, Inc.	1,122.39	Pump Parts & Supplies
99731	Dezurik Water Controls	5,917.49	Mechanical Parts & Supplies
99732	Dr. Harvey Goldstone	900.00	Safety Glasses
99733	Dudek & Associates, Inc.	20,536.11	Professional Services FE05-45
99734	Dunn Edwards Corporation	468.93	Paint Supplies
99735	Electra Bond, Inc.	2,666.81	Repair & Maintenance Services - Heat Exchanger
99736	Emergency Management Network, Inc.	5,080.00	On-Site Fire Extinguisher Training
99737	EMSL Analytical, Inc.	148.85	Instrument Parts & Supplies
99738	En Pointe Technologies	15,221.86	Computer Software/Hardware
99739	Enchanter, Inc.	2,250.00	Ocean Monitoring & Outfall Inspection & Maintenance
99740	Environmental Express	4,264.55	Lab Parts & Supplies
99741	Environmental Water Solutions, Inc.	4,183.27	Pump
99742	Fisher Scientific Company, L.L.C.	3,481.62	Lab Parts & Supplies
99743	Franklin Covey	25.78	Office Supplies
99744	City of Fullerton	39.68	Water Use
99745	Galco Industrial Electronics	476.82	Electrical Parts & Supplies
99746	Garratt Callahan Company	4,764.71	Chemicals
99747	George T. Hall	98.13	Electrical Parts & Supplies
99748	George Yardley Co.	1,779.17	Electrical Parts & Supplies
99749	Goldenwest Corp.	5,370.00	Various Maintenance & Repair Services; Groundskeeping
99750	Grainger, Inc.	670.38	Electrical Parts & Supplies
99751	Grating Pacific, Inc.	3,996.45	Fiberglass Grating
99752	Graybar Electric Company	2,315.59	Electrical Parts & Supplies
99753	Grimstad, Inc.	3,396.45	Mechanical Parts & Supplies
99754	Hach c/o Ponton Industries	24,577.18	Instrument Parts & Supplies
99755	Harold Primrose Ice	100.00	Ice For Samples
99756	Harrington Industrial Plastics, Inc.	7,100.21	Mechanical Parts & Supplies
99757	Hill Brothers	5,080.41	Chemicals - Odor & Corrosion Control - Newport Trunkline
99758	Home Depot	735.56	Misc. Repair & Maintenance Material
99759	Hub Auto Supply	290.32	Vehicle Parts & Supplies
99760	City of Huntington Beach	13,271.14	Water Use
99761	Industrial Distribution Group	259.86	Mechanical Supplies & Tools
99762	Industrial Metal Supply	472.79	Metal
99763	Irvine Ranch Water District	7.50	Water Use
99764	Johnstone Supply	226.38	Electrical Parts & Supplies
99765	Jumbo Dollar Enterprise, Inc.	250.00	Plumbing Parts, Supplies & Repairs
99766	Kings County Tax Collector	12,861.38	Property Taxes
99767	LA CAD Corporation	1,200.00	Training Registration
99768	Lee & Ro, Inc.	3,757.96	Professional Services FE06-04 & FE07-01
99769	Lincoln Financial Group	47.81	Deferred Compensation Plan Contributions
99770	Luparellos Pizza	68.62	Meeting Expenses - VFD Replacement at P1, Gate 5
99771	Marinus Scientific	79.30	Lab Parts & Supplies

Claims Paid From 04/01/08 to 04/15/08

Warrant No.	Vendor	Amount	Description
99772	Max MRI Imaging, Inc.	2,050.00	Fit For Duty Examination
99773	Mc Fadden-Dale Hardware Co.	44.50	Maintenance Supplies & Tools
99774	MCI/Verizon	1,518.37	Wireless Telephone Services
99775	McJunkin Red Man Corporation	71.27	Mechanical Parts & Supplies
99776	McMaster Carr Supply Co.	5,822.33	Mechanical & Electrical Parts & Supplies
99777	Midway Mfg. & Machining Co.	662.50	Repair & Maintenance Services - Impeller
99778	MWH Americas, Inc.	3,856.38	Professional Services P2-74
99779	NACE International	7,440.00	Training Registration
99780	Neal Supply Co.	276.54	Plumbing Supplies
99781	Neutron Products, Inc.	2,961.55	Anionic Polymer
99782	Nickell Metal Spray	3,175.00	Repair & Maintenance Services - Various
99783	Norco Delivery	406.08	Mail Delivery Service
99784	NRG Engine Services, L.L.C.	2,834.51	Mechanical Parts & Supplies
99785	OCB Reprographics	7,189.98	Printing Service - MO 1/26/00
99786	Office Depot Business Services Division	930.79	Office Supplies
99787	Onesource Distributors, Inc.	2,999.09	Electrical Parts & Supplies
99788	Oxygen Service Company	521.30	Rebuild Shop Gases & Lab Parts & Supplies
99789	Pacific Mechanical Supply	1,622.68	Plumbing Supplies
99790	Patten Systems, Inc.	3,564.90	Electrical Parts & Supplies
99791	PCS Express, Inc.	88.79	Courier Service
99792	PERMASEAL	310.32	Lube Compound
99793	PL Hawn Company, Inc.	40.34	Electrical Parts & Supplies
99794	Primary Source Office Furnishings, Inc.	3,379.04	Office Furniture & Misc. Equipment
99795	Procare Work Injury Center	836.08	Medical Screenings
99796	Process Equipment Company	3,505.05	Pump Supplies
99797	Garrison Strategic Risk Management	2,025.00	Training Registration
99798	Raven Biological Laboratories	145.67	Lab Parts & Supplies
99799	RBF Consulting	2,708.00	Surveying Services - Various Locations
99800	Red Wing Shoes	326.02	Safety Shoes
99801	Restek Corp.	1,583.37	Lab Parts & Supplies
99802	Retrofit Parts & Components, Inc.	816.78	Mechanical Parts & Supplies
99803	Roto Rooter NOC#11	622.50	Plumbing Services - Drain Clearing
99804	Rotork Controls, Inc.	402.74	Instrument Parts & Supplies
99805	Rutland Tool & Supply	45.23	Mechanical Parts & Tools
99806	S & J Chevrolet Allison Transmissions	4,961.55	Truck Repairs - Vactor Flush Truck Transmission - V0395
99807	Safety-Kleen	131.00	Parts, Washer Lease, & Service
99808	Sancon Engineering, Inc.	6,865.00	Repair & Maintenance Services - Fold & Reformed PVC Pipe Rehab. Program
99809	SARBS-CWEA	60.00	Training Registration
99810	Separation Processes, Inc.	713.12	Engineering Services J-36
99811	Shureluck Sales & Engineering	1,653.59	Mechanical Parts & Supplies
99812	Skalar, Inc.	22.63	Lab Parts & Supplies
99813	Softchoice Corp.	1,505.80	Software Upgrade - Acrobat8
99814	Southern California Trane Service	377.78	Mechanical Parts & Supplies
99815	Southern Counties Lubricants	2,556.12	Oil
99816	Stryper Technologies	9,683.49	Computer Software/Hardware - VAX Server
99817	Summit Steel	2,980.79	Metal
99818	Super Chem Corporation	711.15	Cleaner/Degreaser
99819	Systems Solution Company	1,655.00	Repairs & Maintenance Services - Access Control/CCTV Security System
99820	Voided Check	-	-
99821	Testamerica Ontario	13,768.00	Analysis of Biosolids
99822	Thompson Industrial Supply, Inc.	2,926.59	Mechanical Parts & Supplies
99823	Time Warner Communication	51.07	Cable Services

**Claims Paid From 04/01/08 to 04/15/08**

<b>Warrant No.</b>	<b>Vendor</b>	<b>Amount</b>	<b>Description</b>
99824	Tony's Lock & Safe Service & Sales	24.24	Locks & Keys
99825	Toshiba International Corp	2,558.29	Instrument Supplies
99826	The Training Clinic	3,333.00	On-Site Training - Interpersonal Communications
99827	Tremco Incorporated	2,550.00	Professional Services - Analysis of Plant 2 Maintenance Bldg. Roof
99828	Tri-County Fire	595.93	Maint. Agree. for Annual Inspection/Serviceing Fire Extinguishers at Plts. 1 & 2, Pump Sta. & Fleet Vehicles
99829	Truck & Auto Supply, Inc.	87.28	Automotive Parts & Supplies
99830	Ultra Scientific	218.56	Lab Parts & Supplies
99831	Unisource Worldwide, Inc.	906.39	Office Supplies
99832	United Pacific Services, Inc.	4,650.00	Groundskeeping
99833	United Parcel Service	154.10	Parcel Services
99834	Valley Detroit Diesel Allison	1,392.37	Mechanical Parts & Supplies
99835	Varian, Inc.	2,049.94	Lab Parts & Supplies
99836	Verizon California	331.10	Telephone Services
99837	Village Nurseries	179.54	Landscaping Supplies
99838	Vision Communications Co.	7,402.44	Motorola Radios & Misc. Accessories
99839	Vossler & Company	2,105.85	Mechanical Parts & Supplies
99840	VWR Scientific Products	1,351.28	Lab Parts & Supplies
99841	The Wakenhut Corporation	18,093.28	Security Services
99842	Waxie Sanitary Supply	1,278.87	Janitorial Supplies
99843	Wells Supply Co.	698.22	Mechanical Parts & Supplies
99844	XEROX Corporation	334.03	Print Shop Copier Lease, Maintenance, Managed Services & (2) Phaser Printer
99845	Pacific Mercantile Bank	8,956.50	Construction P1-106, Retention
99846	Layne T. Baroldi	839.75	Meeting/Training Expense Reimbursement
99847	Brandt, Angela	257.00	Meeting/Training Expense Reimbursement
99848	Pongsakdi Cady	405.00	Meeting/Training Expense Reimbursement
99849	James E. Colston	938.62	Meeting/Training Expense Reimbursement
99850	Santiago A. Escobar	1,033.78	Meeting/Training Expense Reimbursement
99851	Vladimir A. Kogan	137.50	Meeting/Training Expense Reimbursement
99852	Philip Peterson	154.00	Meeting/Training Expense Reimbursement
99853	Matthew P. Smith	1,026.71	Meeting/Training Expense Reimbursement
99854	J F Shea Construction, Inc.	2,455.75	Construction J-77
99855	UC Regents	100.00	Booth Application Fee - UCI Earth Day Booth on 4/19/08
99856	Ashbrook Corporation	34,593.98	Mechanical Parts & Supplies
99857	Black & Veatch Corporation	100,130.52	Professional Services J-33-3, 5-58, J-77; Assessment of Digesters A & B; and Misc. Repairs & Maint.
99858	Blue Cross of California	473,788.15	Medical Insurance Premium
99859	Carollo Engineers	47,939.67	Professional Services - User Rate Study for FY 2008-09 & Research Strategic Plan
99860	City of La Habra	225,635.40	Cooperative Projects - Sanitary Sewer Master Plan
99861	Delta Dental	64,949.73	Dental Insurance Plan
99862	Du Pont Company	35,616.00	Painting Maint. Services MO 4-22-98
99863	Dudek & Associates, Inc.	78,793.08	Professional Services P2-68
99864	JCI Jones Chemicals, Inc.	134,800.24	Sodium Hypochlorite
99865	Kaiser Foundation Health Plan	83,070.55	Medical Insurance Premium
99866	Occidental Energy Marketing, Inc.	73,396.12	Natural Gas for CenGen/CoGen
99867	So Cal Gas Company	27,159.26	Natural Gas
99868	Walker Centrifuge Services, L.L.C.	309,785.07	Repair & Maintenance Services - Cleaning of (4) Digesters at Plants 1 & 2
99869	Waters Corporation	26,909.49	Lab Parts & Supplies
99870	Orange County Sanitation District	152,345.77	Worker's Comp. Reimb.
99871	American Telephone & Telegraph Corp.	198.37	Long Distance Telephone Service
99872	A W Chesterton	5,470.34	Mechanical Parts & Supplies
99873	Absolute Standards, Inc.	930.00	Lab Parts & Supplies
99874	Accounting Options, Inc.	6,578.50	Temporary Employment Services
99875	Aerotek	6,326.40	Temporary Employment Services

Claims Paid From 04/01/08 to 04/15/08

Warrant No.	Vendor	Amount	Description
99876	Agilent Technologies, Inc.	4,101.43	Lab Parts & Supplies
99877	Airgas Safety, Inc.	1,495.83	Safety Supplies
99878	Alan Plummer Associates	22,948.00	Professional Services - Superoxygenation Process Feasibility Study
99879	Alhambra Foundry Co., Ltd.	1,189.56	Manhole Frames & Covers
99880	Alta-Robbins, Inc.	74.29	Instrument Supplies
99881	American Airlines	2,118.50	Travel Services
99882	Ametek TCI	27.56	Repair & Maintenance Services - JOFRA Temperature Calibrator
99883	Applied Industrial Technology	680.15	Mechanical Parts & Supplies
99884	ASTD American Society for Training & Dev	850.00	Training Registration
99885	AT & T	2,561.06	Telephone Service
99886	AT & T Mobility II, L.L.C.	64.99	Telephone Equipment & Activation
99887	Awards & Trophies Company	364.43	Awards & Plaques
99888	Basic Chemical Solutions, L.L.C.	13,926.67	Sodium Bisulfite & Sodium Hydroxide
99889	Battery Specialties	179.99	Batteries
99890	Benjamin Media, Inc.	1,125.00	Meeting Registration - Division 760
99891	Berendsen Fluid Power	662.56	Repair & Maintenance Services - Cleaning & Testing Ignition Coils
99892	Berge's Governor Service	1,365.00	Mechanical Repair & Maintenance Services - Governor
99893	BioMerieux Vitek, Inc.	2,085.41	Lab Parts & Supplies
99894	Biospherical Instruments, Inc.	807.71	Instrument Repairs & Maintenance
99895	Blue Diamond Car Wash, Inc.	1,530.96	OCSO Vehicle Washing/Waxing Services
99896	California Dept. of Child Support	1,263.35	Wage Garnishment
99897	Caltrol, Inc.	3,324.36	Mechanical Parts & Supplies
99898	Circle, Inc.	5,225.39	Office Supplies - Toner Cartridges
99899	CMAA	60.00	Training Registration (Construction Management Assoc. of America)
99900	Coast Plumbing	50.00	Plumbing Services
99901	Cole Parmer Instrument Co.	365.41	Tubing
99902	Consiliant Technologies	18,138.25	Software Support & Maintenance - Overload Storage Neo 8000
99903	Consumers Pipe & Supply Co.	369.71	Plumbing Parts & Supplies
99904	Controlled Motion Solutions	474.14	Mechanical Parts & Supplies
99905	Cotton Point Design, Inc. DBA Power Design	123.91	Electrical Parts & Supplies
99906	County Wholesale Electric Co.	1,727.59	Electrical Parts & Supplies
99907	Crane Veyor Corp.	17,762.00	Maintenance Agreement - Qtrly. & Annual Inspections, Certification & Quadrennial Testing
99908	Curley Wholesale Electric, Inc.	674.32	Electrical Parts & Supplies
99909	CWEA Membership	110.00	Membership (Calif. Water Environment Assoc.)
99910	CXTEC	2,295.15	Computer Hardware/Software
99911	David's Tree Service	10,250.00	Tree Maint. Service
99912	DLT&V Systems Engineering, Inc.	1,118.44	SCADA Software Maintenance
99913	DSZQUP	1,600.00	Professional Services - Software/Hardware Upgrade - Exchange 2007
99914	Dynamic Fabrication, Inc.	7,537.11	Fabrication of Sight Glass Frame
99915	Employee Benefits Specialists, Inc.	12,100.29	Reimbursed Prepaid Employee Medical & Dependent Care
99916	En Pointe Technologies	12,321.22	Computer Software/Hardware
99917	Engineered Parking Systems	210.93	Traffic Controller Parts
99918	Environmental Resource Associates	1,548.85	Lab Parts & Supplies
99919	Full Spectrum Analytics	875.00	Pump Refurbishment
99920	FEDEX Corporation	110.92	Freight Services
99921	Ferguson Enterprises, Inc.	266.68	Mechanical Parts & Supplies
99922	Filter Belts, Inc.	10,869.82	Filter Press Belts
99923	Fisher Scientific Company, L.L.C.	1,475.11	Lab Parts & Supplies
99924	Fountain Valley Paints, Inc.	646.50	Paint Supplies
99925	Franchise Tax Board	50.00	Wage Garnishment
99926	Frost Engineering Service Co.	634.88	Valves
99927	Garland Manufacturing Co.	1,521.40	Mechanical Parts & Supplies



Claims Paid From 04/01/08 to 04/15/08

Warrant No.	Vendor	Amount	Description
99928	Garratt Callahan Company	1,419.56	Chemicals
99929	Geomatrix Consultants, Inc.	3,887.50	Professional Services P2-80 & P2-90
99930	George T. Hall	1,229.74	Electrical Parts & Supplies
99931	Gierlich Mitchell, Inc.	7,564.49	Mechanical Parts & Supplies
99932	Goldenwest Corp.	3,169.28	Various Repair and/or Landscape Maintenance Services
99933	Grainger, Inc.	330.15	Mechanical Parts, Supplies & Tools
99934	Graybar Electric Company	605.17	Electrical Parts & Supplies
99935	Grimstad, Inc.	189.11	Miscellaneous Maintenance Supplies
99936	GTE.NET, L.L.C. (Verizon Online)	99.99	Wireless Telephone Services
99937	Hach c/o Ponton Industries	373.08	Lab Parts & Supplies
99938	Harrington Industrial Plastics, Inc.	6,990.16	Mechanical Parts & Supplies
99939	Hasler, Inc.	89.43	Meter Rental Charges & Misc. Supplies - Intellitouch System Complete Mail System
99940	Hill Brothers	13,364.58	Chemicals - Odor & Corrosion Control - Newport Trunkline
99941	Hills Brothers Lock & Safe	285.00	Electrical Maintenance on (9) Electric Gates
99942	Hilti, Inc.	2,349.35	Mechanical Parts & Supplies
99943	Idexx Laboratories, Inc.	2,025.70	Lab Parts & Supplies
99944	Indiana Child Support Bureau	290.00	Wage Garnishment
99945	Industrial Distribution Group	1,763.60	Mechanical Parts & Supplies
99946	Industrial Metal Supply	1,635.58	Metal
99947	Industrial Threaded Products, Inc.	5,313.04	Inventory Fasteners
99948	Internal Revenue Service	175.00	Wage Garnishment
99949	Interstate Batteries of Cal Coast	1,434.42	Batteries for Vehicles & Carts
99950	Intl. Union of Oper. Eng. AFL CIO Local 501	4,703.32	Dues Deduction
99951	Jumbo Dollar Enterprise, Inc.	2,879.00	Professional Services - Concrete Removal/Replacement to Allow Vehicle Access to Manholes
99952	Kelly Paper	1,080.27	Lab Parts & Supplies
99953	Kforce	5,220.00	Temporary Employment Services
99954	Kings County Tax Collector	3,106.77	Property Taxes
99955	Lance Soll and Lunghard	4,832.62	Professional Services - Internal Auditors
99956	LECO Corporation	408.30	Lab Parts & Supplies
99957	Court Order	150.00	Wage Garnishment
99958	M. J. Schiff and Associates, Inc.	16,473.66	Temporary Employment Services
99959	MT Motor Repair	561.19	Motor Repairs
99960	McMaster Carr Supply Co.	1,064.10	Mechanical Parts & Supplies
99961	Medlin Controls Co.	3,202.55	Instrument Parts & Supplies
99962	Mid West Associates	7,862.34	Pump Parts & Supplies
99963	RMB Engineering & Sales, Inc.	8,190.00	Instrument Supplies
99964	Mission Abrasive & Janitorial Supplies	657.16	Janitorial Supplies
99965	Mitchell Instrument Co.	5,552.13	Instrument Parts & Supplies
99966	Court Order	225.00	Wage Garnishment
99967	Mountain View Tire & Service	2,943.23	Tires
99968	Municipal Information Syst. Assoc.	240.00	Membership
99969	National Bond & Trust	1,828.41	U.S. Savings Bonds Payroll Deductions
99970	Neutron Products, Inc.	2,943.13	Anionic Polymer
99971	Nickell Metal Spray	1,500.00	Repair & Maintenance Services - Shaft
99972	OCB Reprographics	676.72	Printing Service - MO 1/26/00
99973	OCEA	534.94	Dues Deduction
99974	Onesource Distributors, Inc.	6,518.03	Electrical Parts & Supplies
99975	Orange County Sheriff	782.95	Wage Garnishment
99976	United Way	50.00	Employee Contributions
99977	Orange Fluid System Technologies, Inc.	791.16	Plumbing Parts & Supplies
99978	Oxygen Service Company	762.40	Lab Parts & Supplies
99979	PBS & J	2,116.76	Professional Services 3-52

Claims Paid From 04/01/08 to 04/15/08

Warrant No.	Vendor	Amount	Description
99980	PCG Industries	1,075.00	Repair & Maintenance Services - Shaft
99981	Peace Officers Council of CA	2,025.81	Dues Deduction, Supervisors & Professionals
99982	PFE International, Inc.	393.00	Folder-Inserset Equipment Maintenance Agreement
99983	PL Hawn Company, Inc.	497.08	Electrical Parts & Supplies
99984	Praxair, Inc.	57.42	Lab Parts & Supplies
99985	Procare Work Injury Center	883.00	Medical Screenings
99986	Propipe Professional Pipe Services	6,159.23	Sewerline Cleaning for City of Tustin & Unincorporated County Property
99987	Prudential Overall Supply	3,330.96	Uniforms & Related Articles
99988	Q Air Calif. - Div. of Pump Engineering	3,084.27	Air Compressor Parts
99989	Quinn Power System Assoc.	744.97	Electrical Parts & Supplies
99990	Rainbow Disposal Co.	3,195.99	Trash Removal
99991	RM Automation c/o RM Controls	45.56	Instrument Supplies
99992	Rockwell Engineering & Equipment Co.	11,913.92	Mechanical Parts & Supplies
99993	SP Kinney Engineers, Inc.	275.99	Mechanical Parts & Supplies
99994	Schwing Bioset	12,044.88	Pump Parts & Supplies
99995	Shamrock Supply Co., Inc.	316.79	Small Tools
99996	Shureluck Sales & Engineering	546.78	Mechanical Parts & Supplies
99997	Siemens Building Technologies	1,745.00	Training Registration
99998	Siemens Water Technologies Corp.	255.00	Service Agreement - DI Water systems at Plants 1 & 2
99999	Skalar, Inc.	1,100.00	Lab Parts & Supplies
100000	Smith-Emery Company	5,276.00	Soils, Concrete & Other Materials Testing
100001	Smith Pipe & Supply, Inc.	154.65	Landscape Irrigation Supplies
100002	Square D Company	772.57	Repair & Maintenance Services - Power Logic Systems
100003	Steven Enterprises, Inc.	223.55	Office Supplies
100004	Sunset Industrial Parts	1,282.65	Mechanical Parts & Supplies
100005	SYMCAS TSG	1,598.08	SCADA System VAX Service Agreement
100006	T & C Industrial Controls, Inc.	1,818.67	Electrical Parts & Supplies
100007	TekSystems	2,888.00	Temporary Employment Services
100008	Terminix International	895.00	Pest Control
100009	Testamerica Ontario	5,275.00	Analysis of Biosolids
100010	THELCO Corporation	3,770.00	Pump
100011	Thompson Industrial Supply, Inc.	14.74	Mechanical Parts & Supplies
100012	T-Mobile	106.52	Wireless Air Time
100013	Todd Painting, Inc.	3,428.00	Painting Services
100014	Tortuga Pool Services	310.00	Weekly Cleaning of Atrium Pond
100015	Toshiba International Corp	2,201.89	Instrument Supplies
100016	Tri-County Fire	424.04	Fire Extinguishers
100017	Truck & Auto Supply, Inc.	102.43	Automotive Parts & Supplies
100018	ULine	566.97	Office Supplies
100019	United Pacific Services, Inc.	17,067.51	Landscape Maintenance at Plants 1 & 2 and Pump Stations
100020	United Parcel Service	57.66	Parcel Services
100021	UNIVAR USA	1,055.95	Salt
100022	US Peroxide, L.L.C.	24,300.76	Odor & Corrosion Control Treatment for Coll. Sys.; Hydrogen Peroxide & Ferrous Chloride
100023	USA Mobility Wireless, Inc.	678.30	Wireless Services
100024	Valley Detroit Diesel Allison	763.48	Mechanical Parts & Supplies
100025	Verizon California	430.19	Telephone Services
100026	Verizon California	3,241.94	Wireless Services
100027	Vision Service Plan CA	9,428.70	Vision Service Premium
100028	VWR Scientific Products	6,852.73	Lab Parts & Supplies
100029	WEF	538.00	Membership - Water Environment Federation
100030	WEFTEC	375.00	Training Registration
100031	West Coast Safety Supply Co.	2,705.60	Safety Supplies

**Claims Paid From 04/01/08 to 04/15/08**

<u>Warrant No.</u>	<u>Vendor</u>	<u>Amount</u>	<u>Description</u>
100032	Westmark Paint Co.	350.49	Painting Supplies
100033	Wilson Supply, Inc.	3,525.58	Plumbing Parts & Supplies
100034	Xerox Corporation	1,428.72	Gas Sensors
100035	Xyon Business Solutions, Inc.	1,800.00	Temporary Employment Services
100036	Yale/Chase Materials Handling, Inc.	525.90	Electric Cart Parts
100037	Court Order	597.50	Wage Garnishment
100038	Layne T. Baroldi	250.95	Meeting/Training Expense Reimbursement
100039	Rebecca A. Brooks	150.00	Meeting/Training Expense Reimbursement
100040	James Cabral	150.00	Meeting/Training Expense Reimbursement
100041	Ernesto Castro	201.64	Meeting/Training Expense Reimbursement
100042	James E. Colston	358.77	Meeting/Training Expense Reimbursement
100043	Keith W. Criscuolo	476.30	Meeting/Training Expense Reimbursement
100044	Donald R. Ferl	1,203.22	Meeting/Training Expense Reimbursement
100045	Victoria L. Francis	66.00	Meeting/Training Expense Reimbursement
100046	James D. Herberg	333.37	Meeting/Training Expense Reimbursement
100047	Lina Hsiao	768.93	Meeting/Training Expense Reimbursement
100048	Eric S. Hsieh	121.60	Meeting/Training Expense Reimbursement
100049	Kimberly R. Forman	723.59	Meeting/Training Expense Reimbursement
100050	Igor Kim	433.09	Meeting/Training Expense Reimbursement
100051	Lilia Kovac	398.90	Meeting/Training Expense Reimbursement
100052	Dustin Le	105.00	Meeting/Training Expense Reimbursement
100053	William S. Malik	51.41	Meeting/Training Expense Reimbursement
100054	Debbie F. Marchegiano	121.37	Meeting/Training Expense Reimbursement
100055	Dawn K. Myers	56.00	Meeting/Training Expense Reimbursement
100056	Kelly L. Ross	1,050.67	Meeting/Training Expense Reimbursement
100057	Duane T. Smith	255.67	Meeting/Training Expense Reimbursement
100058	Orange County Sanitation District	1,093.27	Petty Cash Reimb.
	<b>Total Accounts Payable - Warrants</b>	<u><u>\$ 12,580,890.82</u></u>	
<b><u>Payroll Disbursements</u></b>			
38931 - 39042	Employee Paychecks	\$ 18,897.56	Interim Payroll - ARBA Payments (04/01/08)*
39047 - 39048	Employee Paychecks	4,742.06	Interim Payroll - Termination (04/03/08)
39049 - 39120	Employee Paychecks	116,211.41	Biweekly Payroll (04/09/08)
39121 - 39123	Employee Paychecks	4,281.73	Interim Payroll - Merit Lump Sum Payment & Termination (04/08/08-04/10/08)
153677 - 54253	Direct Deposit Statements	1,270,152.44	Biweekly Payroll (04/09/08)
	<b>Total Payroll Disbursements</b>	<u><u>\$ 1,414,285.20</u></u>	
*These checks were printed out of sequence at an earlier date for release on 04/01/08			
<b><u>Wire Transfer Payments</u></b>			
	OCSD Payroll Taxes & Contributions	\$ 858,423.24	Biweekly Payroll (04/09/08)
	Deutsche Bank	213,104.82	Series 2006 Certificates of Participation April Interest Payment
	Bank of New York	102,220.00	Series 1993 Refunding Certificates of Participation April Interest Payment
	<b>Total Wire Transfer Payments</b>	<u><u>\$ 1,173,748.06</u></u>	
	<b>Total Claims Paid 04/01/08 - 04/15/08</b>	<u><u>\$ 15,168,924.08</u></u>	

Claims Paid From 04/16/08 to 04/30/08

Warrant No.	Vendor	Amount	Description
<b>Accounts Payable - Warrants</b>			
10059	Air Products & Chemicals	\$ 41,362.01	O & M Agreement Oxy. Gen. Sys. MO 8-9-89
10060	American Express	29,564.71	Purchasing Card Program, Misc. Supplies & Services
10061	Black & Veatch Corporation	158,401.71	Professional Services J-77, J-79-1 & 5-58
10062	Carollo Engineers	192,651.10	Professional Services P2-66 & Research Strategic Plan
10063	Earth Tech, Inc.	190,654.51	Professional Services 3-58 & P1-100
10064	HDR Engineering, Inc.	37,833.32	Professional Services P1-82
10065	JCI Jones Chemicals, Inc.	118,643.07	Sodium Hypochlorite
10066	Kemira Water Solutions	155,671.87	Ferric Chloride
10067	Mladen Buntich Construction Company	281,340.00	Professional Services FE07-06
10068	Voided Check	-	-
10069	Orange County Water District	557,527.06	Joint GWRS Project J-36
10070	Polydyne, Inc.	39,158.12	Cationic Polymer MO 3-11-92
10071	Tule Ranch/Magan Farms	289,113.77	Residuals Removal MO 3-29-95
10072	Union Bank of California	182,209.60	Construction P2-90, Retention
10073	Barnard Soletanche Joint Venture	482,696.08	Construction I-10A
10074	J. F. Shea Construction, Inc.	1,639,886.34	Construction P2-90
10075	Mike Bubalo Construction Co., Inc.	46,887.30	Construction FE05-35
10076	US Bank National Ass. Escrow	25,405.06	Construction I-10-A, Retention
10077	Union Bank of California	1,818,019.12	Construction P2-90
10078	A W Chesterton	3,908.47	Mechanical Parts & Supplies
10079	Adamson Industries	107.04	Lab Parts & Supplies
10080	Scott Specialty Gases, Inc.	82.75	Cylinder Rentals & Demurrage
10081	Airgas Safety, Inc.	1,246.71	Safety Supplies
10082	AKM Consulting Engineers	10,500.00	Professional Services - Part-Time Dig Alert Technician
10083	Alta-Robbins, Inc.	1,360.53	Instrument Supplies
10084	American Machinery & Blade, Inc.	498.31	Mechanical Parts & Supplies
10085	Amtech Elevator Services	1,400.00	Monthly Elevator Maintenance at Plts. 1 & 2
10086	Aquatic Biosystems, Inc.	300.50	Lab Parts & Supplies
10087	Arnold Ontes Design, Inc.	5,000.00	Professional Services - 2005-06 Annual Report
10088	Aspen Publishers, Inc.	309.93	Publication
10089	Associated Vacuum Tech., Inc.	149.55	Filter
10090	AT & T	737.20	Telephone Service
10091	AT & T Mobility II, L.L.C.	194.97	Telephone Equipment & Activation
10092	Basic Chemical Solutions, L.L.C.	24,008.06	Sodium Bisulfite & Sodium Hydroxide
10093	BEC-Building Electronic Controls, Inc	435.48	Fire Alarm System Maintenance, Repair & Quarterly Inspection
10094	Berge's Governor Service	360.00	Mechanical Repair & Maintenance Services - Governor
10095	Blue Marlin Group	59.26	Maintenance Supplies - Ocean Monitoring Vessel Nerissa
10096	Bondlogistix L.L.C.	3,050.00	Prof. Serv. - Preparation of Interim Arbitrage Rebate Report Re 2006 Series COPs
10097	Brown & Caldwell	17,888.97	Professional Services P2-91
10098	Bucknam & Associates, Inc.	1,390.40	Professional Services - Pavement Management
10099	California Auto Collision	1,907.70	Vehicle Repairs - V0549
10100	California Water Environment Assoc.	95.00	Training Registration
10101	CALPELRA	399.00	Training Registration
10102	Caltrol, Inc.	4,822.00	Mechanical Parts & Supplies
10103	CEPA Company	1,935.00	Lab Equipment Maint. Service
10104	Charles P. Crowley Co.	2,620.86	Pump Parts & Supplies
10105	Circle, Inc.	1,468.63	Office Supplies - Toner Cartridges
10106	Clean Harbors Environmental Services	6,408.15	Hazardous Waste Management Services

Claims Paid From 04/16/08 to 04/30/08

Warrant No.	Vendor	Amount	Description
10107	Columbia Analytical Services, Inc.	870.00	Analysis of Wastewater, Industrial Wastewater & Biosolids
10108	Commercial Transportation Services	1,149.70	Training Registration
10109	Consolidated Electrical Distributors, Inc.	74.33	Electrical Parts & Supplies
10110	Consumers Pipe & Supply Co.	2,192.50	Plumbing Parts & Supplies
10111	Controlled Motion Solutions	287.74	Mechanical Parts & Supplies
10112	Corporate Express	420.34	Office Supplies
10113	Cortech Engineering	5,174.47	Pump Supplies
10114	Council on Education in Management	1,045.00	Training Registration
10115	County Wholesale Electric Co.	191.27	Electrical Parts & Supplies
10116	CR&R, Inc.	1,890.00	Container Rentals & Waste Disposal Service
10117	Culligan of Orange County	51.60	Maint. Agreement - Cen Gen Water Softener System
10118	CWEA Membership	220.00	Membership (Calif. Water Environment Assoc.)
10119	David's Tree Service	2,900.00	Tree Maint. Service
10120	DDB Engineering, Inc.	3,538.28	Professional Services - Grant Management
10121	Deutsche Bank Trust Company America	750.00	Annual Administration Fee 2006 COPs
10122	DWG Associates	5,947.75	Professional Services - Oxygen Plant Rehabilitation
10123	E. Sam Jones Distributors, Inc.	1,303.51	Electrical Parts & Supplies
10124	Environmental & Occupational Risk Mgmt.	3,200.00	Professional Services - Exposure Monitoring in Construction Area P2-90
10125	Environmental Compliance Inspection Svce.	1,200.00	Professional Services - Fats, Oil Grease (FOG Program) Inspections
10126	ESRI, Inc.	24,412.15	Software Maintenance & Support ArcGIS
10127	Ewing Irrigation Industrial	390.28	Landscape Irrigation Parts & Supplies
10128	FEDEX Corporation	133.94	Freight Services
10129	Fisher Scientific Company, L.L.C.	739.29	Lab Parts & Supplies
10130	Fountain Valley Paints, Inc.	96.98	Paint Supplies
10131	Frys Electronics	361.04	Computer Supplies
10132	Gerard Daniel Worldwide	105.76	Mechanical Parts & Supplies
10133	Getinge Castle	1,278.00	Lab Equipment Maintenance Agreement
10134	Goldenwest Corp.	4,373.00	Various Repair and/or Landscape Maintenance Services
10135	Graham Corporation	2,299.62	Motor
10136	Grainger, Inc.	1,446.68	Mechanical Parts, Supplies & Tools
10137	Graybar Electric Company	1,168.66	Electrical Parts & Supplies
10138	Great Western Sanitary Supplies	120.38	Janitorial Supplies
10139	Guarantee Records Management	293.63	Off-Site Records Storage
10140	Hach c/o Ponton Industries	780.60	Lab Parts & Supplies
10141	Harrington Industrial Plastics, Inc.	4,956.50	Repair & Maintenance Services - Caustic Soda Storage Tank
10142	Healthpointe Medical Group, Inc.	450.00	Fitness For Duty Evaluation
10143	Hewlett Packard Company	7,230.03	Computer Hardware/Software - (15) Printers
10144	Hills Brothers Lock & Safe	433.88	Gate Repairs
10145	Home Depot	330.25	Misc. Repair & Maintenance Material
10146	Hub Auto Supply	1,032.04	Vehicle Parts & Supplies
10147	Industrial Filter Manufacturers, Inc.	550.04	Filters
10148	Industrial Threaded Products, Inc.	408.26	Mechanical Parts & Supplies
10149	IBM	5,860.41	Maintenance Agreement AS-400
10150	Kewaunee Scientific Corporation - Remit	538.15	Freight Charges on P.O. 64623-OP
10151	Lab Safety Supply, Inc.	90.53	Lab Parts & Supplies
10152	M. T. Motor Repair	2,008.13	Motor Repairs
10153	McMaster Carr Supply Co.	1,470.14	Mechanical Parts, Supplies & Key Stock
10154	Midway Mfg. & Machining Co.	4,283.06	Mechanical Parts, Supplies & Repairs
10155	MSA Instrument Division	462.37	Electrical Repairs

Claims Paid From 04/16/08 to 04/30/08

Warrant No.	Vendor	Amount	Description
10156	Moodys Investors Service	5,500.00	COP Rating Maintenance Fees - Series 2006 COPs
10157	Municipal Water District of O.C.	165.00	Meeting Registration - Division 152
10158	Neal Supply Co.	345.01	Plumbing Supplies
10159	Nextel Communications	1,046.24	Air Time
10160	OMRON IDM Controls, Inc.	2,215.00	Instrument Repair & Maintenance Services
10161	Onesource Distributors, Inc.	3,159.75	Electrical Parts & Supplies
10162	Operation Technology, Inc.	23,344.19	Computer Software Licenses, Upgrades, Maintenance & Support - LAN ETAP
10163	Orange Fluid System Technologies, Inc.	1,723.00	Plumbing Parts & Supplies
10164	Oxygen Service Company	1,808.28	Rebuild Shop Gases & Lab Parts & Supplies
10165	Pazzulla Plastics, Inc.	1,377.14	Replacement of Counter Top - Plt. 1 Lab Upstairs Men's Restroom
10166	PL Hawn Company, Inc.	514.03	Electrical Parts & Supplies
10167	Planet Associates	9,431.00	Software Maintenance & Support
10168	Process Equipment Company	1,495.99	Pump Parts & Supplies
10169	R L Abbott & Associates	2,000.00	Kern County Biosolids Consulting Services
10170	Roto Rooter NOC#11	2,600.00	Plumbing Services
10171	SARBS-CWEA	50.00	Training Registration
10172	South Coast Environmental Co.	2,296.61	Air Quality Monitoring
10173	Schwing Bioset	4,042.25	Pump Parts & Supplies
10174	Science Applications International Corp.	11,664.00	Ocean Monitoring MO 6-8-94
10175	Scottel Voice & Data, Inc.	2,284.79	Telephone System Maintenance
10176	Shamrock Supply Co., Inc.	569.31	Mechanical & Electrical Parts & Supplies
10177	Siemens Energy & Automation, Inc.	2,812.28	Instrument Parts & Supplies
10178	Siemens Water Technologies Corp.	1,295.94	Service Agreement - DI Water Systems at Plants 1 & 2
10179	Skalar, Inc.	83.38	Lab Parts & Supplies
10180	So Cal Gas Company	13,244.59	Natural Gas
10181	Softchoice Corp.	1,939.50	Software License & Maintenance - Solarwinds Orion SL250 Monitoring Module
10182	Source Graphics	808.13	Maintenance Agreement - Copiers, Printers, Parts & Supplies
10183	Southern California Edison	274.16	Power
10184	Southern California Setac	450.00	Meeting Registration (Divisions 631, 633, & 635); Training; and Membership
10185	Trane Company	3,396.28	Mechanical/Electrical Parts & Supplies
10186	Southern Counties Lubricants	3,930.59	Oil
10187	Sparkletts	2,023.34	Drinking Water/Cooler Rentals
10188	Specialized Ceramic & Powder Coating, Inc.	780.00	Truck Maintenance Service - V4015
10189	Stemar Equipment & Supply Co., Inc.	6,971.30	90" Joint Tester
10190	Summit Steel	9,048.36	Metal
10191	Sunset Ford	417.98	Vehicle Parts & Service
10192	Sunset Industrial Parts	3,874.18	Mechanical Parts & Supplies
10193	Testamerica Ontario	320.00	Analysis of Biosolids
10194	The Walking Man, Inc.	400.00	Printing and Distribution of Notifications of Various Construction Projects
10195	Thompson Industrial Supply, Inc.	2,288.66	Mechanical Parts & Supplies
10196	Daily Pilot	106.25	Notices & Ads
10197	Townsend Public Affairs	7,500.00	Legislative & Executive Advocate for Grant Funding
10198	Truck & Auto Supply, Inc.	368.72	Automotive Parts & Supplies
10199	Tuff Skin	200.00	Truck Repairs - Tool Box Upper Lids
10200	Ultra Scientific	791.72	Lab Parts & Supplies
10201	United Parcel Service	314.44	Parcel Services
10202	UNIVAR USA	179.69	Salt
10203	University of Wisconsin Madison	995.00	Training Registration
10204	Valcom Div. of Tooling Research, Inc.	934.70	Mechanical Parts & Supplies

Claims Paid From 04/16/08 to 04/30/08

Warrant No.	Vendor	Amount	Description
10205	Valin Corporation	308.04	Electrical Parts & Supplies
10206	Verizon Wireless	555.06	Wireless Telephone Services
10207	Verne's Plumbing	350.00	Service Contract - Testing, Repair & Cert. Backflow Devices at Plts. 1 & 2 & Pump Sta.
10208	Visual Systems Sign Supply	275.96	Laminating Supplies
10209	Vortex Industries, Inc.	9,998.64	Door Repairs/Replacements - Various Locations
10210	VWR Scientific Products	1,307.43	Lab Parts & Supplies
10211	The Wakenhut Corporation	16,081.92	Security Services
10212	Wallingford Software, Inc.	7,133.00	Software License Renewal, Maintenance & Support - Info Works CS
10213	Waxie Sanitary Supply	1,630.63	Janitorial Supplies
10214	WEF	1,116.00	Membership - Water Environment Federation
10215	West Lite Supply Company, Inc.	316.54	Electrical Parts & Supplies
10216	Xerox Corporation	14,211.94	Copier Services - Equipment Leases, Managed Services, & Metered Copy Usage & Charges
10217	Yale/Chase Materials Handling, Inc.	216.73	Electric Cart Parts
10218	1-800-Conference(R)	173.33	Telephone Conference Calls
10219	Deirdre E. Bingman	345.00	Meeting/Training Expense Reimbursement
10220	James Cabral	128.06	Meeting/Training Expense Reimbursement
10221	Victoria L. Francis	118.87	Meeting/Training Expense Reimbursement
10222	John G. Gonzalez	212.41	Meeting/Training Expense Reimbursement
10223	Tim H. Hopkins	330.13	Meeting/Training Expense Reimbursement
10224	Laurie J. Klinger	98.85	Meeting/Training Expense Reimbursement
10225	Michael D. Moore	174.00	Meeting/Training Expense Reimbursement
10226	Sonja Wassgren Morgan	593.70	Meeting/Training Expense Reimbursement
10227	George L. Robertson	329.87	Meeting/Training Expense Reimbursement
10228	Phillip J. Sullivan	723.32	Meeting/Training Expense Reimbursement
10229	Michael D. White	259.07	Meeting/Training Expense Reimbursement
10230	CM Legion	313.73	Reconciliation User Fee Refund Program
10231	CM Theatre	298.83	Reconciliation User Fee Refund Program
10232	Employee Activity Committee	1,299.00	IDEA Award Expense
10233	Guardian Capital Management, L.L.C.	4,409.63	Reconciliation User Fee Refund Program
10234	Local Agency Formation Commission	519.74	Annexation Fees - Orange Park Acres
10235	Spurgeon Ventures, Ltd.	3,685.14	Reconciliation User Fee Refund Program
10236	Daniel R. Miranda	1,528.11	Meeting/Training Expense Reimbursement
10237	Air Products & Chemicals	26,972.63	O & M Agreement Oxy. Gen. Sys. MO 8-9-89
10238	Camp Dresser & McKee, Inc.	57,960.33	Professional Services J-47
10239	CORRPRO Companies, Inc.	31,331.50	Temporary Employment Services
10240	Dudek & Associates, Inc.	29,468.01	Professional Services P2-68 & SP-15
10241	IPMC c/o Parsons	1,095,304.00	Engineering Services - Integrated Program/Project Management, Temporary Staffing, Mat'l. & Supplies
10242	Jamison Engineering Contractors, Inc.	72,371.05	Repair & Maintenance Services - Leak at Primary Effluent, #2 Barscreens, and Concrete Grates
10243	JCI Jones Chemicals, Inc.	37,865.11	Sodium Hypochlorite
10244	Kemira Companies, Inc.	30,709.08	Ferric Chloride
10245	Malcolm Pirnie, Inc.	151,370.59	Professional Services 5-50
10246	Moore & Taber	176,541.60	Repair & Maintenance Service on 120" Ocean Outfall Pipeline Leak
10247	Pacific Investment Management	171,694.80	Investment Management Service Res. 95-97
10248	Southern California Edison	133,823.49	Power
10249	Villa Ford	25,738.52	(1) 2008 Ford Explorer XLT Truck
10250	A W Chesterton	4,283.06	Mechanical Parts & Supplies
10251	Abel Pumps, Inc.	43.86	Mechanical Parts & Supplies
10252	Aerotek	4,425.06	Temporary Employment Services
10253	Agilent Technologies, Inc.	537.13	Lab Parts & Supplies

Claims Paid From 04/16/08 to 04/30/08

Warrant No.	Vendor	Amount	Description
10254	Airgas Safety	5,927.31	Safety Supplies
10255	Airgas - West	10.54	Laboratory Supplies
10256	Alhambra Foundry Co., Ltd.	15,316.66	Manhole Frames & Covers
10257	American Fibertek, Inc.	3,814.41	Computer Hardware/Software
10258	Applied Industrial Technology	838.35	Mechanical Parts & Supplies
10259	ARB/PERP - Air Resources Board	575.00	Permit Fee - Portable Equipment & Registration Program - Portable Diesel Engine
10260	Ashbrook Corporation	19,029.35	Mechanical Parts & Supplies
10261	AT & T	951.31	Telephone Service
10262	AT & T Long Distance.	1,417.69	Telephone Service
10263	AT & T Mobility II, L.L.C.	149.97	Telephone Equipment & Activation
10264	The Austin Company	2,264.73	Professional Services J-97
10265	Baker Tanks	2,189.00	Tank Rentals
10266	Bar Tech Telecom, Incorporated	123.91	Telephone Equipment
10267	Basic Chemical Solutions, L.L.C.	12,964.39	Sodium Bisulfite & Sodium Hydroxide
10268	Beckman Coulter, Inc.	1,456.03	Instrument Repairs & Maintenance Services
10269	BioMerieux Vitek, Inc.	184.65	Freight Charges on P.O. 64483-OP
10270	Biorem Technologies, Inc.	383.72	Instrument Parts & Supplies
10271	Brown & Caldwell	11,874.22	Professional Services P1-37
10272	Cal Glass, Inc.	545.19	Lab Parts & Supplies
10273	California Auto Collision	800.33	Truck Body Repair - V0453
10274	California Dept. of Child Support Services	1,263.35	Wage Garnishment
10275	California Filtration Sales and Service	627.39	Filter Element
10276	Caltrol, Inc.	9,705.61	Mechanical Parts & Supplies - Actuator
10277	Cambridge Integrated Services Group, Inc.	2,875.00	Professional Services - Workers' Compensation Claims
10278	Cardlock Fuel Systems, Inc.	22,080.07	Fuel Card Program - District Vehicles & Monitoring Vessel
10279	CASA	425.00	Meeting Registration - Division 425 (Calif. Association of Sanitation Agencies)
10280	Charles P. Crowley Co.	7,038.75	Pump, Pump Parts & Supplies
10281	Circle, Inc.	7,537.25	Office Supplies - Toner Cartridges
10282	Clean Harbors Environmental Services	3,017.82	Hazardous Waste Management Services
10283	Consumers Pipe & Supply Co.	405.20	Plumbing Parts & Supplies
10284	Controlled Motion Solutions	186.43	Mechanical Parts & Supplies
10285	Cortech Engineering	5,062.24	Pump Supplies
10286	County Wholesale Electric Co.	2,613.88	Electrical Parts & Supplies
10287	Crane Control Systems, L.L.C.	9,989.68	Crane Repairs
10288	CS-AMSCO	6,043.76	Mechanical Parts, Supplies & Repairs
10289	CSAC Excess Insurance Authority	3,396.33	Employee Assistance Program
10290	Cummins Cal Pacific, L.L.C.	765.50	Tank Heater
10291	Curley Wholesale Electric, Inc.	219.54	Electrical Parts & Supplies
10292	CWEA Membership	330.00	Membership (Calif. Water Environment Assoc.)
10293	Cybertek Training Centers	750.00	Training Registration
10294	David's Tree Service	4,950.00	Tree Maint. Service
10295	Dawson Company	4,670.97	Pump
10296	Dezurik Water Controls	96.98	Mechanical Parts & Supplies
10297	DLT&V Systems Engineering, Inc.	9,993.50	Professional Services FE07-11
10298	Domnick Hunter, Inc.	156.23	Lab Parts & Supplies
10299	Earth Tech, Inc.	912.29	Professional Services P1-106
10300	Electra Bond, Inc.	3,157.08	Repair & Maintenance Services - Goulds Hi Rate Mixer Pump
10301	EMED	848.13	Badges & Log Sheets
10302	Employee Benefits Specialists, Inc.	12,516.95	Reimbursed Prepaid Employee Medical & Dependent Care



Claims Paid From 04/16/08 to 04/30/08

Warrant No.	Vendor	Amount	Description
10303	En Pointe Technologies	776.58	Computer Supplies
10304	Enchanter, Inc.	4,780.00	Ocean Monitoring & Outfall Inspection & Maintenance
10305	ENS Resources, Inc.	10,000.00	Professional Services - Legislative Advocate
10306	ESRI, Inc.	11,025.00	On-Site Training - 3-Day ArcGIS Refresher Training
10307	Ewing Irrigation Industrial	425.09	Landscape Irrigation Parts & Supplies
10308	Full Spectrum Analytics	799.13	Lab Instrument Repairs
10309	FEDEX	199.99	Freight Services
10310	Ferguson Enterprises, Inc.	231.65	Mechanical Parts & Supplies
10311	Fisher Scientific Company, L.L.C.	3,473.30	Lab Parts & Supplies
10312	Fleming Environmental, Inc.	12,159.98	Annual Monitor Certification
10313	Flo Systems, Inc.	493.12	Electrical Parts & Supplies
10314	Fluid Tech. Sales	336.18	Instrument Supplies
10315	Fountain Valley Paints, Inc.	127.58	Paint Supplies
10316	Franchise Tax Board	50.00	Wage Garnishment
10317	Franklin Covey	59.36	Office Supplies
10318	FTS Lighting Services	778.86	Electrical Parts & Supplies
10319	GBC (General Binding Corp)	111.58	Office Supplies
10320	Golden Bell Products	7,111.50	Contractual Services - Insecticide Coating of Manholes
10321	Goldenwest Corp.	2,090.00	Various Repair and/or Landscape Maintenance Services
10322	Grainger, Inc.	1,770.56	Electrical Parts & Supplies
10323	Grimstad, Inc.	397.05	Mechanical Parts & Supplies
10324	Harold Primrose Ice	100.00	Ice For Samples
10325	Hill Brothers	11,381.89	Chemicals - Odor & Corrosion Control - Newport Trunkline
10326	Hilti, Inc.	1,056.71	Mechanical Parts & Supplies
10327	Horizon Technology	76.20	Lab Parts & Supplies
10328	Indiana Child Support Bureau	290.00	Wage Garnishment
10329	Industrial Distribution Group	1,602.37	Mechanical Parts & Supplies
10330	Internal Revenue Service	175.00	Wage Garnishment
10331	Intl. Union of Oper. Eng. AFL CIO Local 501	4,703.32	Dues Deduction
10332	Irvine Ranch Water District	51.83	Water Use
10333	Jobs Available, Inc.	175.00	Notices & Ads
10334	Jobster, Inc.	395.00	Notices & Ads
10335	Johnstone Supply	170.15	Electrical Parts & Supplies
10336	Kforce	4,248.00	Temporary Employment Services
10337	Kiesel Environmental Lab	50.00	Outside Laboratory Services
10338	Court Order	150.00	Wage Garnishment
10339	Lorman Education Services	538.00	Training Registration
10340	Los Angeles Federal Executive Board	240.00	Meeting Registration - Division 110
10341	MassMutual Michel Financial Group	79.04	Executive Disability Plan Premium
10342	Mc Fadden-Dale Hardware Co.	234.64	Hardware
10343	MCI/Verizon	1,523.75	Wireless Telephone Services
10344	McJunkin Red Man Corporation	1,693.99	Mechanical Parts & Supplies
10345	McMaster Carr Supply Co.	1,667.11	Pump
10346	Medlin Controls Co.	396.55	Instrument Parts & Supplies
10347	Midway Mfg. & Machining Co.	662.50	Repairs & Maintenance Services - Impeller
10348	Miele, Inc.	889.90	Liquid Cleaner
10349	RMB Engineering & Sales, Inc.	1,485.56	Instrument Supplies
10350	Court Order	225.00	Wage Garnishment
10351	N. Glantz & Son, Inc.	1,025.56	Reflective Tape

Claims Paid From 04/16/08 to 04/30/08

Warrant No.	Vendor	Amount	Description
10352	National Bond & Trust	1,828.41	U.S. Savings Bonds Payroll Deductions
10353	National Plant Services, Inc.	1,440.00	Repair & Maintenance Services - Sludge Line Cleaning at Plt. 2, "S" Digester
10354	National Water Research Institute	10,000.00	Membership Dues
10355	Neal Supply Co.	463.33	Plumbing Supplies
10356	Neutron Products, Inc.	2,952.95	Anionic Polymer
10357	Nickell Metal Spray	375.00	Repair & Maintenance Services - Various
10358	O C Tanner Recognition Company	499.65	Employee Service Awards Program
10359	OCB Reprographics	8,656.57	Printing Service - MO 1/26/00
10360	OCEA	534.94	Dues Deduction
10361	Onesource Distributors, Inc.	1,931.60	Electrical Parts & Supplies
10362	Orange County Industrial Plastics	4,525.50	Plastic Sheets
10363	Orange County Sheriff	782.95	Wage Garnishment
10364	United Way	50.00	Employee Contributions
10365	Orange Fluid System Technologies, Inc.	815.63	Plumbing Parts & Supplies
10366	Oxygen Service Company	1,197.33	Lab Parts & Supplies
10367	Pacific Coast Tools	200.61	Tools
10368	Pacific Mechanical Supply	1,917.92	Plumbing Supplies
10369	Peace Officers Council of CA	2,025.81	Dues Deduction, Supervisors & Professionals
10370	Polydyne, Inc.	17,887.13	Cationic Polymer MO 3-11-92
10371	Pre-Paid Legal Services, Inc.	1,191.40	Employee Voluntary Legal Service Insurance Premium
10372	Project Success, Inc. DBA YCA	1,200.00	Training Registration
10373	Public Resources Advisory Group	900.00	Financial Advisory Services
10374	Putzmeister America, Inc.	2,920.34	Pump Supplies
10375	RM Automation c/o RM Controls	115.93	Instrument Supplies
10376	RMS Engineering & Design, Inc.	5,760.00	Engineering Services FE07-08
10377	Rockwell Engineering & Equipment Co.	459.86	Freight Charges on P.O. #65021-OP
10378	S & J Chevrolet Allison Transmissions	2,938.59	Transmission Service/Rebuild - V0374
10379	SCAMIT	15.00	Membership
10380	Schwing Bioset	1,560.21	Pump Parts & Supplies
10381	Separation Processes, Inc.	780.00	Engineering Services J-36
10382	SGS Testcom, Inc.	14.52	Telephone Line - District Vehicle SMOG Station
10383	Shamrock Supply Co., Inc.	2,937.69	Mechanical & Electrical Parts, Supplies, & Paint
10384	Shureluck Sales & Engineering	1,174.04	Mechanical Parts & Supplies
10385	Aldrich Chemical Company	243.44	Lab Parts & Supplies
10386	Smith-Emery Company	110.50	Soils, Concrete & Other Materials Testing
10387	Snyder Technical Services, L.L.C.	6,846.58	Air Blower
10388	Southern California Material Handling	2,209.27	Forklift Tires
10389	Southern Counties Lubricants	5,769.72	Oil
10390	Sparling Instruments, Inc.	2,431.40	Instrument Parts & Supplies
10391	Spicer America Corp.	3,150.00	Software, Maintenance & Support - "Imagenation View"
10392	Square D Company	1,032.29	Electrical Parts & Supplies
10393	State Board of Equalization	114.83	Underground Petroleum Storage Tank Maintenance Fee
10394	Steven Enterprises, Inc.	770.57	Office Supplies
10395	Sunset Industrial Parts	2,429.85	Mechanical Parts & Supplies
10396	TekSystems	4,560.00	Temporary Employment Services
10397	Terminix International Pest Control	1,312.80	Pest Control
10398	The Orange County Register	2,321.12	Notices & Ads
10399	The Standard Insurance Company	2,695.29	Executive Disability Insurance
10400	Thompson Industrial Supply, Inc.	3,201.98	Mechanical Parts & Supplies

Claims Paid From 04/16/08 to 04/30/08

Warrant No.	Vendor	Amount	Description
10401	Tom Woods	2,145.00	Meeting/Training Expense Reimbursement
10402	Transcat	515.30	Instrument Parts & Supplies
10403	Tremco Incorporated	3,455.00	Repairs & Maintenance Services - Test Two Leak Areas at Plt. 2 - Power Bldg. C & Operations Center
10404	Tri-County Fire	282.69	Fire Extinguishers
10405	Union Bank of California	1,567.65	Banking Services
10406	United Parcel Service	1,924.47	Parcel Services
10407	United States Postal Service	5,000.00	Postage
10408	US Equipment Co., Inc.	3,801.78	Repair & Maintenance Services - Air Compressor
10409	US Peroxide, L.L.C.	23,699.98	Odor & Corrosion Control Treatment for Coll. Sys.; Hydrogen Peroxide & Ferrous Chloride
10410	Verne's Plumbing	385.00	Service Contract - Testing, Repair & Cert. Backflow Devices at Plts. 1 & 2 & Pump Sta.
10411	VWR Scientific Products	5,829.05	Lab Parts & Supplies
10412	The Wakenhut Corporation	6,646.52	Security Services
10413	Watereuse Foundation	325.00	Meeting Registration - Division 631
10414	WEF	192.00	Membership - Water Environment Federation
10415	WEFTEC	550.00	Meeting Registration - Division 620
10416	Western Switches & Controls, Inc.	144.79	Electrical/Instrument Parts & Supplies
10417	Xerox Corporation	19,090.57	Copier Services - Equipment Leases, Managed Services, & Metered Copy Usage & Charges
10418	Court Order	597.50	Wage Garnishment
10419	Patrick B. Carnahan	279.16	Meeting/Training Expense Reimbursement
10420	David M. Chafe	1,567.25	Meeting/Training Expense Reimbursement
10421	Santiago A. Escobar	1,758.73	Meeting/Training Expense Reimbursement
10422	Jagadish C. Oruganti	1,057.64	Meeting/Training Expense Reimbursement
10423	L. Ellen Ray	279.16	Meeting/Training Expense Reimbursement
10424	Lisa A. Rothbart	494.00	Meeting/Training Expense Reimbursement
10425	Janet Gray	1,447.35	Employee Computer Loan Program
10426	State Board of Equalization	1,500.00	Annexation Fee
10427	State Board of Equalization	2,000.00	Annexation Fee
10428	State Board of Equalization	2,000.00	Annexation Fee
10429	Ark Construction Company	25,000.00	Tunnel Cleaning Services at Plant 1 - (9) Tunnels
10430	Carollo Engineers	26,789.84	Professional Services - Research Strategic Plan
10431	CDCE, Inc.	25,536.75	Computer Hardware/Software - (12) Touchbook Computers & Protection Plans
10432	Earth Tech, Inc.	160,971.25	Professional Services P1-100
10433	General Petroleum	25,772.92	Engine Oil
10434	Hewlett Packard Company	57,158.81	Computer Hardware/Software - (1) Chassis, (1) Printer & (10) Notebooks
10435	IPMC c/o Parsons	1,470,896.00	Engineering Services - Integrated Program/Project Management, Temporary Staffing, Mat'l. & Supplies
10436	Jamison Engineering Contractors, Inc.	60,450.72	Repair & Maintenance Svcs. - Primary Influent Splitter Box or Pipe Leak & West Flow Meter @ Seal Beach PS
10437	JCI Jones Chemicals, Inc.	78,215.86	Sodium Hypochlorite
10438	Kemira Water Solutions	117,776.98	Ferric Chloride
10439	Labware, Inc.	29,697.20	Software Licenses & Maintenance - LabWare LIMS
10440	MetLife Life Insurance Company	41,114.29	Group Life, Manager Add'l. Life, Short & Long-Term Disability & Optional Term Life Ins.
10441	MWH Americas, Inc.	35,337.05	Professional Services P2-74
10442	Occidental Energy Marketing, Inc.	73,008.84	Natural Gas for CenGen/CoGen
10443	RBF Consulting	39,516.09	Engineering Services 2-24-1
10444	Sancon Engineering, Inc.	48,650.00	Repair & Maintenance Services - Manhole Rehab. Program & Fold & Reformed PVC Pipe Rehab. Program
10445	Southern California Edison	70,546.96	Power
10446	Tule Ranch/Magan Farms	243,393.05	Residuals Removal MO 3-29-95
10447	US Peroxide, L.L.C.	378,543.81	Odor & Corrosion Control Treatment for Coll. Sys.; Hydrogen Peroxide & Ferrous Chloride
10448	Woodruff Spradlin & Smart	42,548.59	Legal Services MO 7-26-95
10449	Adams/Mallory Construction Co., Inc.	43,398.00	Construction P1-106

Claims Paid From 04/16/08 to 04/30/08

Warrant No.	Vendor	Amount	Description
10450	First Regional Bank of CA	918,898.54	Construction P2-80 & P2-91, Retention
10451	J F Shea Construction, Inc.	2,263,982.29	Construction P2-66
10452	Ken Thompson, Inc.	463,969.80	Construction P2-68
10453	Miron Electric Construction Corp.	183,375.00	Construction P1-97
10454	Shimmick Construction Co., Inc.	797,337.64	Construction P2-80 & P2-91
10455	Union Bank of America Escrow	119,156.96	Construction P2-66, Retention
10456	J F Shea Construction, Inc.	883,950.26	Construction I-10B
10457	A W Chesterton	3,767.43	Mechanical Parts & Supplies
10458	ABB Logistics Center	1,173.16	Electrical Parts & Supplies
10459	AccuStandard, Inc.	310.70	Lab Parts & Supplies
10460	Advanced Engine Technologies Corp.	1,362.50	Air Quality Monitoring
10461	Agilent Technologies, Inc.	560.30	Lab Parts & Supplies
10462	Ago IndustriesDBA So-Cal Sweeping	860.00	Street Sweeping Services
10463	Agreeya Solutions, Inc.	2,795.00	Professional Services - Records Management Study
10464	Airgas Safety, Inc.	686.69	Safety Supplies
10465	AKM Consulting Engineers	12,000.00	Professional Services - Part-Time Dig Alert Technician
10466	Alan Plummer Associates	14,640.82	Professional Services - Superoxygenation Process Feasibility Study
10467	Alhambra Foundry Co., Ltd.	9,512.17	Manhole Frames & Covers
10468	Allied Electronics, Inc.	997.09	Electrical Parts & Supplies
10469	Allied Packing & Rubber, Inc.	1,031.92	Mechanical Parts & Supplies
10470	American Fidelity Assurance Company	563.14	Employee Voluntary Cancer Insurance
10471	American Seals West	318.94	Mechanical Parts & Supplies
10472	Applied Industrial Technology	126.33	Mechanical Parts & Supplies
10473	Archie Ivy, Inc.	4,976.00	Asphalt Paving
10474	AT & T California/MCI	3,312.75	Telephone Service
10475	Auto Shop Equipment Co., Inc.	435.00	Repair & Maintenance Services - Auto Shop Equipment
10476	Awards & Trophies Company, Inc.	39.04	Awards & Plaques
10477	Basic Chemical Solutions, L.L.C.	23,516.45	Sodium Bisulfite & Sodium Hydroxide
10478	Battery Specialties	107.57	Batteries
10479	Bee Man Pest Control, Inc.	175.00	Pest Control
10480	Black & Veatch Corporation	22,464.87	Professional Services J-33-3 & P1-76
10481	Black Box Corporation	147.90	Computer Software/Hardware
10482	Brainstorm	1,800.00	Professional Services - OCS&D Annual Report 2006-07
10483	Bush & Associates, Inc.	1,720.00	Surveying Services - Various Locations
10484	California Filtration Sales and Service	2,419.97	Mechanical Parts & Supplies
10485	California Relocation Services, Inc.	2,322.50	Office Files Moving/Relocation Services
10486	Carl Warren & Co.	589.74	Insurance Claims Administrator
10487	Carrier Corporation	2,272.94	High Efficiency Heat Pump
10488	Circle, Inc.	2,952.45	Office Supplies - Toner Cartridges
10489	Clean Air Systems, Inc.	859.34	Water Filter
10490	Clean Harbors Environmental Services	20,539.60	Hazardous Waste Management Services
10491	CMAA	660.00	Meeting Registration - Division 760 (Construction Management Assoc. of America)
10492	Coast Plumbing	50.00	Plumbing Services
10493	Columbia Analytical Services, Inc.	870.00	Analysis of Wastewater, Industrial Wastewater & Biosolids
10494	Consolidated Electrical Distributors, Inc.	262.96	Electrical Parts & Supplies
10495	Consumers Pipe & Supply Co.	80.33	Plumbing Parts & Supplies
10496	Control Factors Seattle, Inc.	1,560.00	Filter
10497	Controlled Motion Solutions	759.47	Mechanical Parts & Supplies
10498	Corporate Express	158.08	Office Supplies

Claims Paid From 04/16/08 to 04/30/08

Warrant No.	Vendor	Amount	Description
10499	Cortech Engineering	10,107.66	Pump Supplies
10500	Counterpart Enterprises, Inc.	175.40	Mechanical Parts & Supplies
10501	County Of Orange Auditor Controller	233.00	Encroachment Permit - Santa Ana River Channel
10502	County Wholesale Electric Co.	678.60	Electrical Parts & Supplies
10503	Cummins Allison Corp.	386.49	Accounting Equipment Maint. Agreement
10504	Custom Cabinets, Inc.	3,800.00	Board Room Podium/Lectern
10505	CXTEC	811.21	Computer Hardware/Software
10506	De Guelle & Sons Glass Co.	510.00	Window Glass Repairs/Replacement
10507	Desert Pumps & Parts, Inc.	738.78	Pump Parts & Supplies
10508	DME INC.	471.27	Hose Assemblies
10509	Dudek & Associates, Inc.	19,072.18	Professional Services FE05-11, FE05-41, & FE05-45,
10510	Dunn Edwards Corporation	32.07	Paint Supplies
10511	Eagle Protection of California	275.00	Bldg. Security Alarm Services - No. County Yard
10512	Enchanter, Inc.	4,200.00	Ocean Monitoring & Outfall Inspection & Maintenance
10513	Entech Design, Inc. c/o MAG sytems	2,173.48	Instrument Supplies
10514	FEDEX Corporation	103.88	Freight Services
10515	Filterline Corporation	333.59	Filters
10516	Fine Science Tools, Inc	1,040.94	Lab Parts & Supplies
10517	First American Real Estate Solutions	960.50	On-Line Orange County Property Information
10518	Fisher Scientific Company, L.L.C.	3,358.07	Lab Parts & Supplies
10519	Flo Systems, Inc.	14,726.28	Pump Parts & Supplies
10520	FLW, Inc.	197.11	Mechanical Parts & Supplies
10521	Fountain Valley Paints, Inc.	365.70	Paint Supplies
10522	Frys Electronics	244.49	Computer Supplies
10523	FTS Lighting Services	280.29	Electrical Parts & Supplies
10524	George Yardley Co.	411.61	Electrical Parts & Supplies
10525	GHD, L.L.C.	19,257.50	Professional Services - Asset Management Program
10526	Goodwin Pumps of America, Inc.	11,109.94	Repair & Maintenance Services - Pump & Pump Parts & Supplies
10527	Golden State Water Company	104.80	Water Use
10528	Goldenwest Corp.	3,775.00	Various Repair and/or Landscape Maintenance Services
10529	Grainger, Inc.	1,902.55	Electrical Parts & Supplies
10530	Great Western Sanitary Supplies	166.54	Janitorial Supplies
10531	The Grimstad Company	385.72	Hose/Mechanical Parts & Supplies
10532	Hach c/o Ponton Industries	488.39	Lab Parts & Supplies
10533	Henry Pratt c/o Southwest Valve & Equip.	4,834.23	Valves
10534	Hill Brothers	12,125.84	Chemicals - Odor & Corrosion Control - Newport Trunkline
10535	Home Depot	1,064.32	Misc. Repair & Maintenance Material
10536	City of Huntington Beach	718.83	Water Use
10537	Idexx Laboratories, Inc.	4,008.30	Lab Parts & Supplies
10538	Industrial Distribution Group	4.52	Tools
10539	Industrial Metal Supply	836.31	Metal
10540	Industrial Threaded Products, Inc.	2,757.05	Inventory Fasteners
10541	Infrastructure Engineering Corp.	4,549.84	Professional Services FE07-06
10542	Innovative Engineering	218.73	Instrument Parts & Supplies
10543	Inorganic Ventures, Inc.	283.22	Lab Parts & Supplies
10544	JG Tucker And Son, Inc.	1,740.16	Road Cones
10545	Jays Catering	1,789.33	Meeting Expenses
10546	Johnstone Supply	3,215.87	Electrical Parts & Supplies
10547	Kelly Pipe Co., L.L.C.	449.32	Plumbing Parts & Supplies

Claims Paid From 04/16/08 to 04/30/08

Warrant No.	Vendor	Amount	Description
10548	Kiesel Environmental Lab	100.00	Outside Laboratory Services
10549	Marinus Scientific	79.30	Lab Parts & Supplies
10550	Market Lab	99.44	Lab Parts & Supplies
10551	Mayer Hoffman McCann, PC	475.00	Training Registration
10552	McGraw Hill Companies, DBA ENR	82.00	Publication
10553	McJunkin Red Man Corporation	456.17	Mechanical Parts & Supplies
10554	McMaster Carr Supply Co.	1,405.68	Mechanical Parts & Supplies
10555	Medlin Controls Co.	4,377.02	Instrument Parts & Supplies
10556	Mitchell Instrument Co.	394.10	Instrument Parts & Supplies
10557	Municipal Water District of O.C.	110.00	Water Use Efficiency Program MO 9-22-99
10558	Neal Supply Co.	1,856.76	Plumbing Supplies
10559	Neutron Products, Inc.	11,943.25	Anionic Polymer
10560	Newark Electronics	62.33	Instrument Supplies
10561	Nickell Metal Spray	3,250.00	Repair & Maintenance Services - Bearing Journals
10562	Norco Delivery	413.60	Mail Delivery Service
10563	NRG Engine Services, L.L.C.	13,349.17	Mechanical Parts & Supplies - LSVB Engine
10564	Office Depot	2,851.63	Office Supplies
10565	OMNI Western, Inc.	41.66	Tools
10566	Onesource Distributors, Inc.	2,520.50	Electrical Parts & Supplies
10567	Oracle Corporation	762.72	Software License and Maintenance Agreement Renewal - Oracle 8 Enterprise
10568	Orange County Hose Company	70.38	Hydraulic Hose Supplies & Parts
10569	Orange County Pubic Affairs Association	40.00	Meeting Registration - Division 152
10570	Orange County Vector Control District	72.36	Pest Control
10571	Orange Courier	12.86	Courier Services
10572	Orange Fluid System Technologies, Inc.	1,385.88	Plumbing Parts & Supplies
10573	ORE Offshore/Div. of Edgeone, L.L.C.	3,368.45	Lab Parts & Supplies
10574	Oxygen Service Company	545.64	Rebuild Shop Gases
10575	Pacific Mechanical Supply	299.32	Plumbing Supplies
10576	Passport Health	7,425.00	Employee Immunization Program - Hepatitis A Vaccine
10577	PCS Express, Inc.	177.58	Courier Service
10578	Performance Pipeline Technologies	6,474.65	Sewerline Video Inspections - Various
10579	PL Hawn Company, Inc.	352.21	Electrical Parts & Supplies
10580	Polydyne, Inc.	8,661.56	Cationic Polymer MO 3-11-92
10581	Powerflo Products, Inc.	2,586.00	Repair & Maintenance Services - Rotor
10582	Pre-Paid Legal Services, Inc.	1,139.60	Employee Voluntary Legal Service Insurance Premium
10583	Propipe Professional Pipe Services	21,027.06	Sewerline Video Inspections or Sewerline Cleaning for City of Tustin & Unincorporated County Property
10584	Putzmeister America, Inc.	688.61	Pump Supplies
10585	Quickstart Intelligence	2,495.00	Training Registration
10586	Garrison Strategic Risk Management	900.00	Training Registration
10587	Restek Corporation	1,553.61	Lab Parts & Supplies
10588	Red Wing Shoes	535.31	Safety Shoes
10589	Reilly & Associates	10,755.80	Labor/Employee Relations & Investigative Services
10590	Reliastar	8,912.25	Employee Voluntary Life, Cancer & Supplemental Short-Term Disability Insurance
10591	Resource Environmental, Inc.	4,925.00	Removal of Asbestos/Bird Debris
10592	Restek Corp.	525.27	Lab Parts & Supplies
10593	Retrofit Parts & Components, Inc.	101.56	Air Filter
10594	Royale Cleaners	16.00	Dry Cleaning Services
10595	RPM Electric Motors	6,000.05	Repair & Maintenance Services - Transformer
10596	Saddleback Materials Co., Inc.	451.30	Sand

Claims Paid From 04/16/08 to 04/30/08

Warrant No.	Vendor	Amount	Description
10597	SCAMIT	90.00	Membership
10598	Schwing Bioset	2,697.70	Pump Parts & Supplies
10599	Sewer Equipment Company of America	391.56	Hose Leaders
10600	Shamrock Supply Co., Inc.	4,879.48	Mechanical & Paint Parts & Supplies
10601	Shureluck Sales & Engineering	2,379.12	Mechanical Parts & Supplies
10602	Skalar, Inc.	489.42	Lab Parts & Supplies
10603	Southern Counties Lubricants	1,535.66	Oil
10604	Specialized Ceramic & Powder Coating, Inc.	416.00	Repair & Maintenance Services - Ladder Rack V0581
10605	Stanley Steamer International, Inc.	767.00	Carpet Cleaning Services
10606	Summit Steel	4,489.99	Metal
10607	Sunset Ford	127.41	Vehicle Parts & Service
10608	Sunset Industrial Parts	208.33	Mechanical Parts & Supplies
10609	Super Chem Corporation	398.68	Chemicals
10610	Systems Solution Company	8,965.85	Repairs & Maintenance Services - Access Control/CCTV Security System
10611	Terminix International Pest Control	495.00	Pest Control
10612	The Orange County Register	119.47	Notices & Ads
10613	The Walking Man, Inc.	575.00	Printing and Distribution of Notifications of Various Construction Projects
10614	Thermo LabSystems	1,600.00	Lab Parts & Supplies
10615	Osprey Marine Management	5,500.00	Lab Analyses
10616	Thompson Industrial Supply, Inc.	2,976.02	Mechanical Parts, Supplies & Tools
10617	Time Warner Communication	51.07	Cable Services
10618	Tony's Lock & Safe Service & Sales	43.37	Locks & Keys
10619	Traffic Control Service, Inc.	26.40	Traffic Safety Supplies/Rentals
10620	Transcat	76.69	Instrument Parts & Supplies
10621	Ultra Scientific	268.55	Lab Parts & Supplies
10622	Underground Service Alert of So. Calif	1,386.00	Underground Utility Identification/Dig Alert Notification Service
10623	Unisource Worldwide, Inc.	528.73	Office Supplies
10624	United Parcel Service	163.72	Parcel Services
10625	Verizon California	94.45	Telephone Services
10626	Village Nurseries	244.75	Landscaping Supplies
10627	Vision Communications Co.	365.53	Radio Accessories
10628	Volvo Construction Equipment and Service	1,893.08	Hardware
10629	Vortex Industries, Inc.	4,422.26	Door Repairs/Replacements - Various Locations
10630	VWR Scientific Products	67.24	Lab Parts & Supplies
10631	Waters Corporation	7,382.74	Lab Parts & Supplies
10632	WEF	308.00	Membership - Water Environment Federation
10633	Wells Supply Co.	91.59	Mechanical Parts & Supplies
10634	West Lite Supply Company, Inc.	916.05	Electrical Parts & Supplies
10635	Workplace Resource	348.25	Task Light
10636	Zimmerman Yacht Maintenance	100.00	Repair & Maintenance Service - Ocean Monitoring Vessel Nerissa
10637	Union Bank of California	20,375.00	Construction P1-97, Retention
10638	Layne T. Baroldi	1,205.44	Meeting/Training Expense Reimbursement
10639	Robert M. Bell	301.15	Meeting/Training Expense Reimbursement
10640	Dindo A. Carrillo	992.63	Meeting/Training Expense Reimbursement
10641	Carla D. Dillon	986.13	Meeting/Training Expense Reimbursement
10642	Eric S. Hsieh	116.24	Meeting/Training Expense Reimbursement
10643	Vladimir A. Kogan	1,919.16	Meeting/Training Expense Reimbursement
10644	Linda Losurdo	743.78	Meeting/Training Expense Reimbursement
10645	Jamiann M. Questa	135.74	Meeting/Training Expense Reimbursement

**Claims Paid From 04/16/08 to 04/30/08**

<u>Warrant No.</u>	<u>Vendor</u>	<u>Amount</u>	<u>Description</u>
10646	Roy J. Reynolds	489.66	Meeting/Training Expense Reimbursement
10647	Mandrick S. Taylor	757.73	Meeting/Training Expense Reimbursement
10648	Gary J. Tuiasosopo-Kemper	549.49	Meeting/Training Expense Reimbursement
10649	Rachel J. Van Exel	266.39	Meeting/Training Expense Reimbursement
10650	Michael Vuong	543.49	Meeting/Training Expense Reimbursement
10651	Ronald L. Wade	597.11	Meeting/Training Expense Reimbursement
10652	Paul Ward	170.00	Meeting/Training Expense Reimbursement
10653	Simon L. Watson	1,102.95	Meeting/Training Expense Reimbursement
10654	Paula A. Zeller	965.76	Meeting/Training Expense Reimbursement
10655	United Parcel Service	101.91	Parcel Services
	<b>Total Accounts Payable - Warrants</b>	<u><u>\$ 18,484,320.32</u></u>	
<b><u>Payroll Disbursements</u></b>			
39124 - 39178	Employee Paychecks	\$ 111,227.15	Biweekly Payroll (04/23/08)
37179 - 39189	Employee Paychecks	10,454.66	Interim Payroll - Retro & IDEA Payroll Checks
154254 - 154823	Direct Deposit Statements	1,280,501.91	Biweekly Payroll (04/23/08)
	<b>Total Payroll Disbursements</b>	<u><u>\$ 1,402,183.72</u></u>	
<b><u>Wire Transfer Payments</u></b>			
	OCSD Payroll Taxes & Contributions	\$ 732,307.57	Biweekly Payroll - (04/23/08)
	US Bank	203,110.29	Series 2000 A & B Refunding Certificates of Participations April 2008 Interest Payment
	<b>Total Wire Transfer Payments</b>	<u><u>\$ 935,417.86</u></u>	
	<b>Total Claims Paid 04/16/08 - 04/30/08</b>	<u><u>\$ 20,821,921.90</u></u>	



# BOARD OF DIRECTORS

## AGENDA REPORT

Meeting Date	To Bd. of Dir. 05/28/08
Item Number	Item Number 8(b)

Orange County Sanitation District

**FROM:** James D. Ruth, General Manager  
Originator: Jim Herberg, Director of Engineering

**SUBJECT:** RESOLUTION AUTHORIZING THE GENERAL MANAGER TO GRANT UTILITY EASEMENTS

### GENERAL MANAGER'S RECOMMENDATION

Adopt Resolution No. OCSD 08-07, authorizing the General Manager to Grant Easements at no cost to Utilities serving Orange County Sanitation District facilities.

### SUMMARY

- Orange County Sanitation District (OCSD) staff frequently requests that the Board of Directors grant no-cost easements to utility companies where the utility company provides services to OCSD's properties and installations.
- These requests can take up to two months to process through the Board of Directors, depending on the Board schedule, and the time that the request was made by the utility company.
- To better facilitate the construction of OCSD's projects requiring new utility services (e.g., power, telephone, and water), staff is requesting that the General Manager be authorized to grant easements to utility companies where the utility company will serve OCSD's properties and installations.

### PRIOR COMMITTEE/BOARD ACTIONS

Resolution No. OCSD 98-44, authorizing the General Manager to purchase rights-of-way and easements costing \$100,000.00 or less for Capital Projects approved by the Board of Directors.

### ADDITIONAL INFORMATION

Currently, staff submits an Agenda Report to authorize granting easements to utilities when the utility provides service to an OCSD facility. Historically, the easements have been at no cost to the utility, which is standard practice. However, on many occasions the utility company did not inform our staff of their need for an easement until the OCSD project was ready for start-up. When this happens, the project is delayed due to the time it takes to process the easement.

The proposed action is in line with similar authority, which the General Manager has.

### ATTACHMENT

Resolution No. OCSD 08-07

AN:sa:gc

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**RESOLUTION NO. OCSD 08-07**

**AUTHORIZING THE GENERAL MANAGER  
TO GRANT UTILITY EASEMENTS**

A RESOLUTION OF THE BOARD OF DIRECTORS OF ORANGE COUNTY SANITATION DISTRICT, AUTHORIZING THE GENERAL MANAGER TO GRANT EASEMENTS, AT NO COST, TO UTILITIES SERVING ORANGE COUNTY SANITATION DISTRICT FACILITIES

WHEREAS, the District has heretofore authorized the General Manager to purchase, without approval by the Board, supplies, services and equipment to carry out the policies adopted by the Board; and,

WHEREAS, it is frequently necessary to grant easements required by utilities in order for the utility to serve District Facilities; and,

WHEREAS, since these easements are granted to serve District facilities, they are granted at no cost to the Utility;

NOW, THEREFORE, the Board of Directors of Orange County Sanitation District,

DOES HEREBY RESOLVE, DETERMINE AND ORDER:

Section 1. That the General Manager, or his designee, is hereby authorized and directed to grant to utility providing companies utility easements that are intended to serve OCSD facilities, at no cost, in a form approved by General Counsel.

PASSED AND ADOPTED at a regular meeting held May 28, 2008.

\_\_\_\_\_  
Chair

ATTEST:

\_\_\_\_\_  
Clerk of the Board

**OPERATIONS COMMITTEE**  
**AGENDA REPORT**

Meeting Date 05/07/08	To Bd. of Dir. 05/21/08
Item Number OP08-17	Item Number 10(b)

Orange County Sanitation District

**FROM:** James D. Ruth, General Manager  
Originator: Edward M. Torres, Director of Technical Services

**SUBJECT:** Sale of Surplus Emission Reduction Credits

**GENERAL MANAGER'S RECOMMENDATION**

- Authorize the General Manager to sell surplus emission reduction credits via negotiated contracts with ICAP United Inc., and Cantor CO2e, LP, in a form approved by General Counsel.

**SUMMARY**

- The District currently owns over 700 lb/day of VOC ERCs; South Coast Air Quality Management District (SCAQMD) emission reduction credits (ERC) for Reactive Organic Gases (commonly referred to as VOC's).
- District staff has determined that 300 lbs/day VOC ERC's are required for our own Capital Improvement Projects in order to get permits for construction and operation. Therefore, we have a surplus of up to 400 lbs/day of VOC ERCs.
- Market prices for one pound of VOC ERCs in April 2006, were \$2,000 and recently reached an all time high of \$18,000. The current average market price of one pound per day of VOC ECRs is approximately \$16,000. For 400 lbs of VOC ERCs this equates to \$6.4 million dollars.
- Staff recommends we sell the 400 lbs of VOC ERC's due to high market value and because the SCAQMD is considering devaluating old ERCs that have not been used in years.
- Staff recommends contracting with two experienced ERC brokerage firms, *ICAP United Inc.*, and *Cantor CO2e, LP*, rather than pursuing an RFP process in order to take advantage of the current high market value and avoid a possible devaluation of the market price due to public perception of "flooding the market" with our ERCs.
- ICAP is the *only* existing broker to have previously structured ERCs transactions for OCSD and CantorCO2e is the world's longest standing environmental brokerage created to serve companies in the carbon constrained economy and is active in the South Coast AQMD VOC ERC market. .

## **PRIOR COMMITTEE/BOARD ACTIONS**

None

## **ADDITIONAL INFORMATION**

- An ERC is a credit earned by a company when it reduces air emissions beyond what is required by existing permits and rules. It is an asset that can be used by its owner or sold or traded to companies that need emission offsets for project development.
- ERCs are measured in weight over time units (i.e. pounds per day). This allows a facility to emit air emissions up to the amount of the ERC indefinitely. For example, if a business that emits 100 lbs/day of VOC's, 365 days/year goes out of business and leaves the area, they can obtain a VOC ERC credit of 100 lbs/day from the SCAQMD and then turn around and sell these ERC's to a new business at the market rate. This new business can now emit up to 100 lbs/day of VOCs each and every year, indefinitely.
- The vast majority of the District's ERCs came from the retirement of 23 diesel engines when the Central Power Generation system came on line in 1992.

# OPERATIONS COMMITTEE

## AGENDA REPORT

Meeting Date 05/07/08	To Bd. of Dir. 05/28/08
Item Number OP08-18	Item Number 10(c)

Orange County Sanitation District

**FROM:** James D. Ruth, General Manager  
Originator: Nick Arhontes, Director of Operations and Maintenance

**SUBJECT:** CONTRACT FOR MAGNESIUM HYDROXIDE, SPECIFICATION NO. C-2005-244, FOR ODOR AND CORROSION CONTROL IN THE COLLECTION SYSTEM

### GENERAL MANAGER'S RECOMMENDATION

- 1) Approve Change order No. 5 to the contract issued to Hill Brothers Chemical Company for the Purchase of Magnesium Hydroxide, Specification No. C-2005-244, authorizing a unit rate increase of \$0.20 per gallon, for a total unit price of \$1.84 per gallon, plus applicable sales tax for a one-year period effective July 1, 2008 through June 30, 2009, and all other terms of the contract shall remain in effect (P.O. 102362 OB).
- 2) Authorize a 10% unit cost escalation contingency.

### SUMMARY

The proposed Change Order No. 5 for the unit price increase of \$0.20 per gallon will provide additional services to supply, operate, monitor, and maintain chemical dosing systems to cost effectively control hydrogen sulfide to specified target limits. This includes installation, upgraded chemical storage and dosing equipment, advanced wireless remote monitoring system, and additional labor for field sampling.

### PRIOR COMMITTEE/BOARD ACTIONS

Approved contract award for Hill Brothers Chemical Company on November 16, 2005, Agenda Report OMTS05-54.

### ADDITIONAL INFORMATION

- Magnesium hydroxide is a non hazardous chemical and has been used successfully in our collection system odor and corrosion treatment program since September 2002.

- Continuous treatment with magnesium hydroxide provides odor control odor by slightly raising the pH of the sewage to reduce the formation of hydrogen sulfide. Hydrogen sulfide combines with moisture in the sewer and forms sulfuric acid which then corrodes unprotected concrete and certain metals.
- OCSD staff will be conducting random sampling and lab analysis of the delivered chemical to assure quality and contract compliance.

This authorization complies with authority levels of the Sanitation District's Delegation of Authority. This item has been budgeted in Divisions 420, 830, and 840, line item 55.

Award Date: November 2005  
May 2008

Contract Amount: \$1.64 /gal. + tax  
Contract Amount: \$1.84/gal. + tax

Contingency: 6%  
Contingency: 10%

# OPERATIONS COMMITTEE

## AGENDA REPORT

Meeting Date 05/07/08	To Bd. of Dir. 05/28/08
Item Number OP08-19	Item Number 10(d)

Orange County Sanitation District

**FROM:** James D. Ruth, General Manager  
Originator: Nick Arhontes, Director of Operations and Maintenance

**SUBJECT:** CONTRACT FOR ANIONIC POLYMER, SPECIFICATION NO.  
C-2006-273

### GENERAL MANAGER'S RECOMMENDATION

- 1) Authorize the General Manager to approve renewal of a contract, with Neutron Products, Inc., for Purchase of Anionic Polymer, Specification No. C-2006-273, authorizing a price increase of \$.15/lb, for a total price of \$3.00/lb, for a one-year period effective September 1, 2008 through August 31, 2009 (P.O. 102634-OB).
- 2) Authorize a 10% cost escalation contingency

### SUMMARY

- Neutron, our current supplier, has provided data to purchasing/contracts staff to substantiate their request for increase. This is due to the recent increase in the cost of the raw materials used to manufacture anionic polymer coupled with higher fuel prices. It is staff's opinion, the request is reasonable.
- Staff has determined that the remaining contract renewals will not be exercised, and this contract will be rebid in 2009.

### PRIOR COMMITTEE/BOARD ACTIONS

None

### ADDITIONAL INFORMATION

Anionic polymer and ferric chloride are added to the primary influent at both plants to enhance the removal of BOD and improve the settling of suspended solids during primary treatment. We call this our chemically enhanced primary treatment (CEPT) process.

This item has been budgeted for divisions 830 and 840 in Operating Budget line items 48.

Award Date: June 2006 Contract Amount: \$2.85/lb + tax Contingency: 0%  
May 2008 Contract Amount: \$3.00/lb + tax Contingency: 10%

# OPERATIONS COMMITTEE

## AGENDA REPORT

Meeting Date 05/07/08	To Bd. of Dir. 05/28/08
Item Number OP08-20	Item Number 10(e)

Orange County Sanitation District

**FROM:** James D. Ruth, General Manager  
Originator: Nick Arhontes, Director of Operations & Maintenance

**SUBJECT:** CONTRACTS FOR THE PURCHASE OF SODIUM HYDROXIDE, SPECIFICATION NO. C 2008-371BD FOR ODOR CONTROL IN THE COLLECTION SYSTEM AND PLANTS.

### GENERAL MANAGER'S RECOMMENDATION

1. A. Award a contract to Olin Chlor Alkali Products, for the Purchase of Sodium Hydroxide (Caustic Soda) 25% solution, Specification No. C-2008-371BD, for delivery to the plants for the period July 1, 2008 through June 30, 2009, for a unit price of \$459.90 per dry ton plus freight of \$200.00 per dry ton, plus applicable sales tax for an estimated annual amount of \$431,235.00, with four one-year renewal options; and,
  - B. Authorize a 10% annual cost escalation contingency.
2. A. Award a contract to Basic Chemical Solution, LLC, for the Purchase of Sodium Hydroxide (Caustic Soda) 50% solution, Specification No. C-2008-371BD, for delivery in the collection system, for the period July 1, 2008 through June 30, 2009, for a unit price of \$539.00 per dry ton, subject to the Harriman Chemsult Limited Index, plus freight of \$39.48 per dry ton, plus applicable sales tax for an estimated annual amount of \$235,075.00 with four one-year renewal; and,
  - B. Authorize an 8% quarterly cost escalation contingency.

### SUMMARY

- A formal bid package was mailed to 15 vendors. Thirteen vendors did not respond, and two responded. The bids were opened on April 15, 2008.
- The cost escalation factor is based on the Harriman Chemsult Limited Index and the prices continue to increase in the West Coast regional markets. Caustic soda supply on the West Coast is very tight and the expectation is that unit prices will continue to increase. As a result, Basic Chemical Solution, LLC, price is firm for 90 days of the bid acceptance period and then with quarterly price protection thereafter. Conditionally, the unit price for the 50% solution caustic soda would be adjusted based on the Harriman Chemsult Limited Index.



## PRIOR COMMITTEE/BOARD ACTIONS

Specification No. C-2005-220BD approved on May 25, 2005, Agenda Report OMTS05-26.

## ADDITIONAL INFORMATION

- OCSD has an established odor control program that consists of adding several chemicals in both the collection system and treatment plants to control hydrogen sulfide formation. This is a common by-product of the wastewater collection and treatment process that causes nuisance odors and also leads to the formation of sulfuric acid which corrodes unprotected concrete and metal structures.
- Sodium hydroxide (also called lye, or caustic soda), in conjunction with bleach or hydrogen peroxide is also added to the chemical scrubbers at the treatment plants to remove hydrogen sulfide from the odorous air from the sewers and also treatment processes.
- The goal of adding sodium hydroxide in the collection system is to dose specific trunklines that are not treated by the four continuous-chemical feed stations in the region. For these sewers, sodium hydroxide is batch dumped from the supplier's tank truck. This helps maintain hydrogen sulfide levels in the sewage at target levels determined thru sampling and monitoring by staff.

This complies with authority levels of the Sanitation District's Delegation of Authority. This item has been budgeted in Division 420, 830, and 840, line item 51.

Award Date: June 2008    Contract Amount: \$659.90/dry ton + tax (25%) Contingency: 10% annual

Award Date: June 2008    Contract Amount: \$578.48/dry ton + tax (50%) Contingency: 8% quarterly

# OPERATIONS COMMITTEE

## AGENDA REPORT

Meeting Date 05/07/08	To Bd. of Dir. 05/28/08
Item Number OP08-21	Item Number 10(f)

Orange County Sanitation District

**FROM:** James D. Ruth, General Manager  
Jim Herberg, Director of Engineering

**SUBJECT:** COOPERATIVE PROJECTS GRANTS PROGRAM

### GENERAL MANAGER'S RECOMMENDATION

Approve Amendment No. 1 to Cooperative Projects Grants Program Contract No. 0604 with Midway City Sanitary District, providing for an 11-month time extension.

### SUMMARY

- The Cooperative Projects Grants Program (Program) provides funds to local agencies for projects that reduce or eliminate inflow and infiltration (I/I) to the sewer collection system.
- The Midway City Sanitary District (MCSD) requests Amendment No. 1 to Cooperative Projects Grants Program Contract No. 0604, to provide for an 11-month time extension to complete the project.
- In FY 05/06, the Orange County Sanitation District's (OCSD) Program budget was reduced to fulfill its obligation to only outstanding grants; MCSD has two outstanding grants. Funding will be moved to accommodate the time extension.

### PRIOR COMMITTEE/BOARD ACTIONS

In July 2006, the Board of Directors approved Contract No. 0604 for \$519,750 in grant funds to MCSD.

### ADDITIONAL INFORMATION

Cooperative Projects Grants are paid to local agencies on a reimbursement basis after project completion. The total amount of grant reimbursements provided to member agencies since 1999 through the Program is approximately \$23.1 million.

The MCSD has been identified as having a localized inflow problem by the OCSD long-term flow monitoring efforts.

Under Cooperative Project No. 604 (CP-604), the MCSD is to replace and upsize approximately 3,780 linear feet (lf) of sewer to provide sufficient capacity for development and redevelopment projects. The new sewer and manhole rehabilitation are to reduce I/I in specific areas of MCSD Basin 22.

The Project completion date was projected for May 31, 2008. The Contractor was awarded the project in December 2007. The Contractor was to begin work in January 2008, but has experienced a major setback in his current project that has caused this project to be delayed. The MCSD would like to retain this Contractor, since he has performed work for the MCSD in the past, and his bid is approximately 75% of the anticipated construction cost. The funds necessary to complete the upsizing of the sewer will be contributed by both the Garden Grove Sanitary District (GGSD) and the MCSD on a proportional basis. The total project cost is \$2,310,000; GGSD will provide \$1,270,500, MCSD will provide \$519,750, and OCSD is to provide \$519,750. No additional funds are being requested by the agencies.

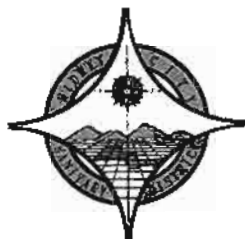
In reviewing the overall benefits to OCSD, staff is recommending that an 11-month time extension to CP-604 be considered for approval. The new pipeline will reduce local I/I in specific areas and increase capacity, thereby reducing the risk of sewer spills in MCSD and GGSD.

## **ATTACHMENT**

1. Letter from Midway City Sanitary District
2. Revised Exhibit C – Schedule

AA:sa

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**Board of Directors**

Truong Diep  
Grace P. Epperson  
Al P. Krippner  
Joy L. Neugebauer  
Margie L. Rice

**Acting General Manager**  
Ken Robbins

March 24, 2008

Orange County Sanitation District  
Mr. John Linder, Engineering Manager  
P.O. Box 8127  
Fountain Valley, CA 92728-8127

**Subject: Cooperative Projects Contract No. 0604 Replace Approximately 3,780  
Lineal Feet of Sanitary Sewer Line Request for Contract Revision.**

Dear Mr. Linder:

The Midway City Sanitary District (MCS&D) has entered into Cooperative Projects Contract No. 604 with the Orange County Sanitation District (OCSD) for replacement of 3,780 feet of sewer pipe to reduce inflow and infiltration within MCS&D Basin. The Project completion date was projected for May 31, 2008. However the MCS&D work effort for the subject project has been delayed. The Contractor was awarded the project in December 2007. The Contractor had intended to start work in January 2008 but ran into major problems on his current project, thus affecting this project schedule. The MCS&D would like to continue to retain this Contractor, since he has done work for our District in the past and his bid is approximately 75% of our anticipated construction cost.

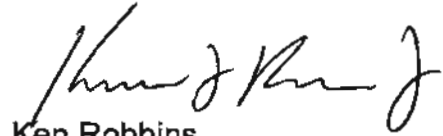
However, the MCS&D will require additional time to complete the Project. The Midway City Sanitary District respectfully requests that OCSD consider a time extension to CP-604. Our estimated completion date is November 30, 2008, with final report and invoices submitted to OCSD by April 30, 2009, as illustrated in the enclosed updated schedule, Revised Exhibit C.

Thank you very much for your assistance and allowing our District to participate in the Cooperative Projects Program.

If any additional data is required, please contact our District Consultant Engineer, Don Greek, at (714) 568-0200, ext. 207.

Letter to J. Linder  
3/24/08  
Page 2

Very truly yours,

A handwritten signature in black ink, appearing to read "Ken Robbins". The signature is fluid and cursive, with a large initial "K" and "R".

Ken Robbins  
Acting General Manager  
Midway City Sanitary District

Attachment – Revised Exhibit C

3/24/08

**REVISED EXHIBIT C  
PROJECT MILESTONE SCHEDULE  
PIPELINE REPLACEMENT**

<b>MILESTONE</b>	<b>COMPLETION DATE</b>	<b>REQUESTED REVISION</b>
TASK 1: Contract Executed by OCSD	October 2006	
TASK 2: Begin Project Design	November 2006	
TASK 3: Permitting Process	February 2007	
TASK 4: Solicit Bids Award Construction Contract	March 2007	December 2007
TASK 5: Construction Phase	March 2008	November 30, 2008
TASK 6: Final Report and Invoice Submittal	May 2008	April 30, 2009

**OPERATIONS COMMITTEE**  
**AGENDA REPORT**

Meeting Date 05/07/08	To Bd. of Dir. 05/28/08
Item Number OP08-22	Item Number 10(g)

Orange County Sanitation District



**FROM:** James D. Ruth, General Manager  
Originator: Jim Herberg, Director of Engineering  
Project Manager: Alberto Acevedo

**SUBJECT:** REHABILITATION OF DISTRICT SIPHONS, CONTRACT NO. 2-68

**GENERAL MANAGER'S RECOMMENDATION**

1. Approve a budget increase of \$128,100 for Rehabilitation of District Siphons, Contract No. 2-68, for a total budget of \$7,854,100.
2. Approve a contingency increase of \$136,108 (3%) to the construction contract with Ken Thompson, Inc., for Rehabilitation of District Siphons, Contract No. 2-68, for a total contingency of \$363,008 (8%).

**SUMMARY**

- This project rehabilitates 16 of the 87 siphons owned by the Orange County Sanitation District (Sanitation District) within the service areas. The rehabilitation includes all work necessary to install foul air by-pass lines at each of the 16 siphons to minimize odor impacts.
- The contractor is near 40% completion for the project. However, as the project progresses, multiple inaccuracies of record drawings provided to the consultant and undisclosed utilities have created a substantial amount of field modifications to the original construction recommendations. In addition, several cities have requested additional changes to the original drawings creating additional cost to the project. These include mostly additional paving requirements.

**PRIOR COMMITTEE/BOARD ACTIONS**

- August 2007 – Approval of contract with Ken Thompson for a total amount not to exceed \$4,537,600 and a 5 % contingency.
- July 2007 – Approval of Amendment No. 2 to the PSA with Dudek & Associates, Inc. for \$310,088, increasing the total amount to not to exceed \$1,461,244.

- February 2007 – Approval of Amendment No. 1 to the PSA with Dudek & Associates, Inc. for \$164,000, increasing the total amount not to exceed \$1,151,156.
- November 2006 – Approval of a Budget increase of \$2,200,000 to the construction contract budget, for a total construction budget of \$ 4,700,000.
- October 2004 – Approval of PSA with Dudek & Associates, Inc. for an amount not to exceed \$987,156.

**ADDITIONAL INFORMATION**

This request for increase in the project contingency complies with authority levels of the Sanitation District’s Delegation of Authority. This item has been budgeted (Page A–6, Item No. 9).

<b>Award Date:</b> 8/22/07	<b>Contract Amount:</b> \$4,537,600	<b>Contingency:</b> \$226,900 (5%)
5/28/08		<u>\$136,108 (3%)</u>
		<u>\$363,008 (8%)</u>

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# OPERATIONS COMMITTEE

## AGENDA REPORT

Meeting Date 05/07/08	To Bd. of Dir. 05/28/08
Item Number OP08-23	Item Number 10(h)

Orange County Sanitation District



**FROM:** James D. Ruth, General Manager  
Originator: Jim Herberg, Director of Engineering  
Project Manager: Gino Rapagna

**SUBJECT:** SLUDGE DIGESTER REHABILITATION AT PLANT NO. 1,  
JOB NO. P1-100

### GENERAL MANAGER'S RECOMMENDATION

Approve a contingency increase of \$623,114 (17%) to the Professional Design Services Agreement with Earth Tech, Inc., for Sludge Digester Rehabilitation at Plant No. 1, Job No. P1-100, for a total contingency of \$989,652 (27%).

### SUMMARY

- This project rehabilitates and upgrades ten anaerobic sludge digesters, two digested sludge holding tanks, and appurtenant systems at the Orange County Sanitation District's (Sanitation District) Plant No. 1.
- The Consultant is approximately 70% complete with preliminary and final design services. The first element of the Preliminary Design Phase was to prepare an Engineering Study Report to better define the project for preliminary and final design. In contracting for design services, it was understood that contract amendments would be considered as appropriate to complete the design based on the findings of the Engineering Study Report. Approved Amendment No. 1 addressed required additional work performed during the preliminary design.
- To address required additional work to be performed during final design and to enable consideration of the Consultant's pending request for Amendment No. 2, additional PDSA contingency authorization is requested. The Consultant's request for Amendment No. 2 is based on additional effort to be expended for preparation of more design drawings than were anticipated during preparation of their proposal for engineering services. These additional drawings relate to improvements to digester heating systems, structural renovation, power and control modifications, chemical feed system modifications, communication system upgrades, and miscellaneous other items. Escalation for labor associated with the project taking longer than anticipated for preliminary and final design is also included.

- Based on the findings of the Engineering Study and Preliminary Design Reports, and reconsideration of project resource requirements, revised staff, engineering, and construction cost estimates have been developed. These estimates indicate that reallocation of budget is necessary to complete components of the project. The requested budget reallocation does not impact the overall project budget.

### **PRIOR COMMITTEE/BOARD ACTIONS**

- February 2005 – Approval of PSA with Earth Tech, Inc. for an amount not to exceed \$3,665,377 and establish a 10% contingency for design amendments.

### **ADDITIONAL INFORMATION**

This request for increase in the project contingency complies with authority levels of the Sanitation District's Delegation of Authority. This item has been budgeted (Page A–8, Item No. 51).

<b>Award Date:</b> 2/23/05	<b>Contract Amount:</b> \$3,665,377	<b>Contingency:</b> \$366,538 (10%)
5/28/08		<u>\$623,114 (17%)</u>
		<u>\$989,652 (27%).</u>

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# OPERATIONS COMMITTEE

Meeting Date 05/07/08	To Bd. of Dir. 05/28/08
Item Number OP08-24	Item Number 10(i)

## AGENDA REPORT

Orange County Sanitation District



**FROM:** James D. Ruth, General Manager  
 Originator: Jim Herberg, Director of Engineering  
 Project Manager: Gino Rapagna

**SUBJECT:** SLUDGE DEWATERING AND ODOR CONTROL AT PLANT NO. 1,  
 JOB NO. P1-101

### GENERAL MANAGER'S RECOMMENDATION

Approve a contingency increase of \$2,003,323 (18%) to the Professional Design Services Agreement with HDR, Inc. for Sludge Dewatering and Odor Control at Plant No. 1, Job No. P1-101, for a total contingency of \$3,116,281 (28%).

### SUMMARY

- This project replaces existing sludge dewatering and solids area odor control systems and installs primary sludge and waste activated sludge (WAS) thickening systems at the Orange County Sanitation District's (Sanitation District) Plant No. 1.
- The Consultant is approximately 25% complete with preliminary and final design services. The first element of the Preliminary Design Phase was to prepare an Engineering Study Report to better define the project for preliminary and final design. In contracting for design services, it was understood that contract amendments would be considered as appropriate to complete the design based on the findings of the Engineering Study Report.
- To address required additional work to be performed during preliminary and final design, and to enable consideration of the Consultant's anticipated request for Amendment No. 1, additional PDSA contingency authorization is requested. The Consultant's request for amendment will be based on additional effort to be expended for preparation of the Preliminary Design Report and more design drawings than were anticipated during preparation of their proposal for engineering services. The additional effort relates to the need for a larger than anticipated thickening and dewatering building, existing biosolids storage and load out system modifications, construction of a new tunnel for major pipe routing through the project site, demolition of facilities to enable optimal siting of proposed odor control systems, power building modifications, site piping and electrical modifications and miscellaneous other items. Escalation for labor associated with the project taking longer than anticipated for preliminary and final design will also be included.

- Based on reconsideration of project resource requirements, revised staff and engineering cost estimates have been developed. These estimates indicate that slight reallocation of budget is necessary to complete components of the project. The requested budget reallocation does not impact the overall project budget.

**PRIOR COMMITTEE/BOARD ACTIONS**

- May 2005 – Approval of Professional Design Services Agreement with HDR Engineering, Inc. for an amount not to exceed \$11,129,575.

**ADDITIONAL INFORMATION**

This request for increase in the project contingency complies with authority levels of the Sanitation District’s Delegation of Authority. This item has been budgeted (Page A–8, Item No. 52).

<b>Award Date:</b> 5/25/05	<b>Contract Amount:</b> \$11,129,575	<b>Contingency:</b> \$1,112,958 (10%)
5/28/08		<u>\$2,003,323 (18%)</u>
		<u>\$3,116,281 (28%)</u>

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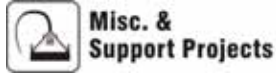
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# OPERATIONS COMMITTEE

## AGENDA REPORT

Meeting Date 05/07/07	To Bd. of Dir. 05/28/08
Item Number OP08-25	Item Number 10(j)

Orange County Sanitation District



**FROM:** James D. Ruth, General Manager  
Originator: Jim Herberg, Director of Engineering  
Project Manager: Matt Smith

**SUBJECT:** INTEGRATED PROGRAM MANAGEMENT CONSULTANTS

### GENERAL MANAGER'S RECOMMENDATION

Approve Amendment No. 8 to the Professional Services Agreement with Integrated Program Management Consultants, a joint venture of Parsons Water and Infrastructure, Inc., and CH2M Hill, Inc., authorizing:

- 1) Establish an amount not to exceed \$16,987,271 for year seven (Fiscal Year 2008/09) of the ten-year contract; and
- 2) Increase the total amount of the ten-year contract to an amount not to exceed \$93,077,246.

### SUMMARY

- We are currently in the sixth year of a ten-year contract with Integrated Program Management Consultants (IPMC). It is anticipated that the current Capital Improvement Program (CIP) will require the use of IPMC at least through Fiscal Year (FY) 2011-12 to coincide with the completion of the secondary treatment projects.
- Staff will be working on 73 active projects during FY 2008-09 with a total projected CIP expenditure in excess of \$360,000,000. FY 008-09 represents the peak annual cash expenditure in the 20-year CIP.
- A detailed planning effort, along with resource forecasting, has identified the need for 70 IPMC staff to augment the Orange County Sanitation District (Sanitation District) staff to complete next fiscal year's work. Most of the identified staff are currently working on Sanitation District projects. New hires, and/or replacement staff will be phased in over the fiscal year as required. IPMC will augment Sanitation District staff in Division 740 (Planning), Division 750 (Project Management), Division 760 (Engineering and Construction), and Division 770 (Facilities Engineering). The functions that these staff will perform are described in more detail below, along with the recommended budget for FY 2008-09.

- The benefits provided by IPMC include the rapid mobilization of highly skilled/technical staff, flexibility to change the mix of staff positions on an immediate, and as-needed basis, the ability to quickly reduce staff as workloads decrease, project controls expertise, and many years of experience working on similar programs throughout the United States and the world. Staff believes that using a Program Management Consultant approach is a practical, cost-effective, and efficient way to augment Sanitation District staff to deliver the CIP during the next four years of significant work.

## **PRIOR COMMITTEE/BOARD ACTIONS**

- Operations Committee – May 2007 – Approval of Amendment No. 7 to the Professional Services Agreement with Integrated Program Management Consultants for \$15,997,936, increasing the total amount not to exceed \$76,089,975, and extending the PDSA for an additional five-year period through FY 2011-12.
- PDC – May 2006 – Approval of Amendment No. 6 to the Professional Services Agreement with Integrated Program Management Consultants for \$14,999,656, increasing the total amount not to exceed \$60,092,039.
- PDC – June 2005 – Approval of Amendment No. 5 to the Professional Services Agreement with Integrated Program Management Consultants for \$15,585,558, increasing the total amount not to exceed \$45,092,383.
- PDC – June 2004 – Approval of Amendment No. 4 to the Professional Services Agreement with Integrated Program Management Consultants for \$12,836,801, increasing the total amount not to exceed \$29,506,825.
- Board – June 2003 – Approval of Amendment No. 3 to the Professional Services Agreement with Integrated Program Management Consultants for \$150,000, and an additional \$12,484,750 for year two of the contract, FY 2003-04, increasing the total amount not to exceed \$16,670,024.
- PDC – June 2003 – Approval of Amendment No. 2 to the Professional Services Agreement with Integrated Program Management Consultants for \$50,000, increasing the total amount not to exceed \$4,035,274.
- PDC – June 2003 – Approval of Amendment No. 1 to the Professional Services Agreement with Integrated Program Management Consultants for \$50,000, increasing the total amount not to exceed \$3,985,274.
- PDC – August 2002 – Approval of Professional Services Agreement with Integrated Program Management Consultants for an amount not to exceed \$3,935,274.

## **ADDITIONAL INFORMATION**

Based on the current schedule and project workload, staff has estimated the level of effort that will be required from IPMC through FY 2011-2012.

It is currently anticipated that no IPMC Staff will be required after FY 2011-2012; however, staff will continually estimate the need for staff, both permanent and temporary, to support the CIP.

The Sanitation District is continually evaluating whether to hire permanent staff and reduce the number of IPMC staff. The estimate of IPMC staff required for each fiscal year does not include the addition of more permanent Sanitation District staff which would reduce the IPMC staff needs currently projected. For the anticipated ten-year duration of the IPMC contract, the overall staff cost associated with the CIP is approximately \$428,000,000 (currently estimated at \$301,000,000 for Sanitation District staff, and \$127,000,000 for IPMC staff). During this period of time, the Sanitation District will be expending approximately \$2,200,000,000 for engineering, design, and construction of capital facilities. The \$127,000,000 planned to be expended for IPMC support equates to 5.8% of the total planned CIP expenditures.

The average hourly billing rate for IPMC staff during FY 2007-08 was approximately \$124/hr. IPMC billing rates include salaries, benefits, fixed costs which are sometimes referred to as overhead (Buildings, Administration, Utilities, Insurance, etc.), and a 5% profit. The "overhead" rate which is applied to an employee's raw salary is approximately 145% for IPMC. As a comparison, the engineering consultants who conduct studies and develop designs for the Sanitation District typically have an overhead rate range of about 190 to 200%. IPMC overhead rate is 145% because the Sanitation District is providing office space and equipment to their field staff.

The costs for IPMC will be charged to the individual CIP projects. Funding for IPMC costs are included in individual project budgets. Each fiscal year, as projects are planned, scheduled, budgeted, and resource needs identified, a projected cost will be presented to the Operations Committee for approval. Semi-annual updates for the entire program will also be provided.

### **Planning (Division 740)**

IPMC is providing personnel to augment the Sanitation District's Planning staff. General assignments and duties are as follows:

- IPMC will provide one Project Engineer (Gordon) to support planning efforts related to preparation of the Strategic Plan Update.
- Two Electrical and Instrumentation & Control (I&C) Engineers (Woods, Lai) and one Civil Designer/Computer Assisted Design & Drafting (CADD) Technician (Beltran) to provide technical support for facility records and database management.

## **Project Management Office (PMO) (Division 750):**

The PMO is home to the project management and project controls staff.

### **Project Management Staff:**

In FY 2008-09, the PMO will be managing 73 active projects with a total budget of \$2,413,000,000. The project budget ranges in size from \$1,000,000 to over \$200,000,000. The Sanitation District has completed a staffing analysis, and believes a workload of three to six projects per Project Manager (PM) (based on size, and complexity) is appropriate. IPMC will provide personnel to augment the Sanitation District's Project Management Personnel in the PMO. The positions are described below:

- One Program Manager (Rapagna) to provide general management and supervision of all IPMC staff. The Program Manager will work with the Director of Engineering, the PMO Manager, and the Engineering and Construction Manager to ensure compliance with contracts, policies, and procedures. The Program Manager will provide technical oversight and direction in all aspects of the program and help ensure successful delivery of the CIP. The Program Manager manages technical work executed by the home office staff.
- Four Project Managers (Acevedo, MacDonald, MacLeod, Schock) to supplement seven Sanitation District Project Managers. The PMs provide day-to-day management and technical knowledge to deliver the assigned projects.
- One Business Manager (Billhardt) to provide assistance in the areas of time keeping, resources, accounting, and contracts management.
- One Administrative Assistant (Chamberlain) to provide clerical and general administrative support, e.g., preparing agenda reports, general correspondence.

### **Project Controls Staff:**

Currently there are 196 projects being tracked by the Project Controls Group. Of these, 73 are active engineering projects, 33 are in the future, and 84 are cancelled or completed. These projects require a variety of monthly updates including cost reporting, development of performance measures, reports, and other presentation materials. Each staff function is described below:

- One Project Controls Manager/Project Scheduler (Michael) to provide scheduling and cost reporting support, QA/QC, technical oversight, and direction to controls staff.



- One Project Scheduler (GrosJean) to prepare project cost, and schedule updates and milestone tracking in support of PMO Project Managers. Other duties performed by the schedulers include assisting in the CIP budgeting process, cash flow updates, preparation and updating of resource and workload planning information, providing input to the preparation of the Engineering CIP Semi Annual Report, and provide training and support to Sanitation District staff on the use of the various computer software tools including P6, Access, and Business Object.
- One Project Scheduler (Gaus) to maintain and process the baseline cost and schedule databases. Other duties include providing technical support to PMs in preparing monthly and fiscal year cash flow analysis and report development, preparation of PMO meeting presentation materials, and assisting in the preparation of annual CIP updates and other programmatic cost and schedule reports.
- One Project Controls Analyst (Reichenbach) assigned to assist in time reporting, charge numbers, and general quality assurance of data used in the system. Other duties include preparation of the semi-annual reports, updating the PM Manual, and maintaining portions of the automated weekly timesheet in PCS for Sanitation District staff. She will also serve as part-time scheduler on a number of Engineering CIP projects.
- Five Construction Cost Estimators (Brown, Collett, Davison, Villanueva, Zimmerman) assigned to prepare estimates for change orders, help negotiate changes during construction, review design consultant estimates, and provide cost estimate input during the annual CIP validation process.
- One Construction Scheduling Lead (Alexander) to provide oversight on all matters related to the construction field scheduling. Other duties include review and guidance in the preparation of monthly construction schedule analysis reports prepared by IPMC and the Sanitation District field scheduling personnel. Will also participate in the preparation of time impact analysis and review of contractor submitted claims.
- Five Construction Schedulers (Dedhia, Rodriguez, Sugawara, two new hires) assigned to ensure that contractors provide quality baseline schedules and keep them current (a vital element in our claims avoidance program). Field Schedulers review the contractor's initial schedule submittal and the schedule of values. Monthly updates are required from the contractors, which must also be reviewed. Progress claimed by the contractors must be reviewed against the schedule plan each month for payment, and any request for additional time through change orders must be analyzed.
- One Document Control Lead (Cazares) to provide document control expertise and support for all aspects of CIP-related document management.

## **Engineering & Construction Management (Division 760)**

IPMC is providing personnel to augment the Sanitation District's Engineering and Construction Management (E&CM) staff. E&CM is responsible for providing all the technical resources to the Project Managers. General assignments and duties are as follows:

- Ten Resident Engineers/Construction Managers (Barth, Bomkamp, Bryan, Collins, Cuellar, Haid, Rein, Waite, Vohra, one new hire) to support construction management of CIP projects within the boundaries of the Sanitation District's two operating treatment facilities and outside of the plant boundaries, i.e., for pipeline and pump station contracts. They will utilize existing Sanitation District CM policies and procedures to represent the Sanitation District, coordinate construction activities, manage the construction contract, and document contractor compliance with the contract requirements.
- Three Electrical and Instrumentation & Control (EI&C) Engineers (Corey, Etemadi, one new hire). These Engineers are assigned to the CIP projects to provide specialized technical support to the project teams during both the design and construction phases. They ensure consultant and construction contractor compliance with Sanitation District requirements, guidelines, and policies.
- Two Project Engineers (Aghanian, one new hire). Project Engineers serve as the technical leads within the Sanitation District's project teams, and assist the PMs with verification of the project elements, coordinating project requirements with the O&M Department, developing the design consultant SOW, selecting the design consultant, and ensuring the construction documents are prepared using the Sanitation District standards. During the construction phase, they resolve design questions and issues for the Resident Engineers.
- Six Civil/Mechanical Inspectors (Chemotti, Gilbert, Hough, Jimenez, Kwiecien, one new hire), two Electrical Inspector (Whitney, one new hire), and four Instrumentation & Control Inspector (Beck, Jordan, Stewart, one new hire) to support Quality Assurance of CIP projects within the two Treatment Facilities. They will utilize existing Sanitation District QA policies and procedures to represent the Sanitation District, coordinate construction and O&M activities, monitor construction site safety, and document contractor compliance with the contract requirements.
- Three Civil Inspectors (Daniel, Martin, Sankar) to support Quality Assurance of pipeline and pump station projects. They will utilize existing Sanitation District QA policies and procedures to represent the Sanitation District, coordinate construction and traffic control activities, monitor construction site safety, and document contractor compliance with the contract requirements.
- One Commissioning Specialist (new hire) to support commissioning and start-up of CIP projects within the two Treatment Facilities.

- Eight Administrative Assistants (Corona, Hays, Inman, Leavitt, Marquez, Moore, Noya, Yousef) to provide a variety of administrative support including Submittals/Document Clerks (Corona, Hays, Corona, Yousef) for processing and tracking of construction contractor submittals; Project Administrative Assistant (Moore) for processing project correspondence and filing; general administrative support (Inman, Marquez, Noya) for processing project correspondence, Agenda Reports, and preparing policy and procedures manual.

### **Facilities Engineering (Division 770)**

IPMC is providing personnel to augment the Sanitation District's Facilities Engineering staff. Facilities Engineering is responsible for providing Project Managers and technical resources to implement miscellaneous small capital improvement projects to enhance safety, reliability, and efficiency of facility operations. General assignments and duties are as follows:

- One Project Manager (Davis) to provide day-to-day management and technical knowledge to deliver the projects.
- One Project Engineer (Shah) and one Civil Designer/Computer Assisted Design & Drafting (CADD) Technician (Tran) to provide technical support and assistance to PMs for project implementation.

### **O&M Department Capital Project Support**

The O&M Department provides technical support to the Engineering Department during design and construction of CIP projects. IPMC will provide two Project Engineers (Takahashi and Sharma) to coordinate input from O&M technical staff, and to represent O&M at the various design and construction meetings. This support frees up the O&M staff to perform their regular duties.

### **Home Office Support**

"Home Office Support" is supplementary services from the offices of the Joint Venture Parties, Parsons and CH2M HILL, made readily available to support the needs of the Engineering Department. Technical study (task orders) work is based on providing engineering and other technical support for specific assignments using a pre-agreed upon scope of work, fee, and schedule. These tasks will be as authorized by the Director of Engineering when required, and may include assistance in the following areas:

- General Administration and Home Office Technical Support – general administration support includes accounting, contract administration, invoices, reproduction, and safety reports and reviews. Routine home office technical support includes urgent technical support (usually task less than 40 hours) in all areas of waste water engineering, construction, and project controls.

- CEQA and NEPA Assistance – support to the Planning Division on a variety of treatment, collections, and pump station projects in preparing environmental documentation.
- O&M studies – Support O&M with studies on various issues.
- Community Outreach Support – assist the Communications Department as needed on all collections projects in preparing outreach plans, conducting meetings, crisis management plans, etc.
- IT and PCS systems programming support, including support for troubleshooting and system upgrades.
- General technical support – throughout the year, issues come up which need technical support and/or immediate attention. For example, in FY 07/08, IPMC provided support related to office space and lobby improvements planning, grants program assistance, tunnel construction, Expedition software configuration, technical specification development and revision, constructability review, Construction Manual editing, cost estimating.

## **ALTERNATIVES**

Increase the Sanitation District's permanent Staff – This option would require a lengthy process and extensive effort to recruit, hire, train, and make productive a large number of new employees. It is also projected that staffing needs will vary from year to year, and that after the completion of the consent order work, the Sanitation District will not need these permanent staff to manage the future CIP. This option would not be optimum for filling these varying needs.

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# ADMINISTRATION COMMITTEE

## AGENDA REPORT

Meeting Date 04/09/08	To Bd. of Dir. 05/28/08
Item Number ADM08-08	Item Number 11(a)

Orange County Sanitation District

**FROM:** James D. Ruth, General Manager  
Originator: Lorenzo Tyner, Director of Finance and Administrative Services

**SUBJECT:** REPLACEMENT OF TELEPHONE SYSTEM

### GENERAL MANAGER'S RECOMMENDATION

1. Approve a sole source purchase order to ShoreTel Inc., for the purchase of hardware and software to replace OCSD's telephone system, for a total amount of \$375,460; and,
2. Approve a 5% contingency (\$18,775).

### SUMMARY

The Information Technology Division is responsible for providing reliable, cost-effective phone services for OCSD and its employees. Voice communications remains a critical part of day-to-day business both internally, and as an interface to the public.

- The current Nortel telephone system is obsolete. The two telephone switches have been in service since 1990 and are in need of major software and hardware upgrades. The estimated cost for upgrades and feature enhancements is \$200,000. The increasing number of support incidents combined with limited features and ongoing third-party maintenance costs has forced us to consider different options for a telephone system. New technologies enable OCSD to form a single voice and data network and eliminate the need for a separate telephone system. A modern integrated system provides a wide range of features that improves business processes and gains efficiencies. Based on support cost reductions, this project will pay for itself in less than six years.
- Staff recommends the replacement of the existing Nortel telephone system with a ShoreTel system. The selection of ShoreTel is based on a Request for Information (RFI), a pilot project, two years of industry research by staff, and site visits to other local government organizations. Staff has identified that the ShoreTel solution is the only reliable system that is simple enough to be implemented and maintained

with existing IT resources and run side-by-side with our current system while it is being phased out. ShoreTel is a Sunnyvale, CA based company that specializes in deployments to small-to-medium sized business markets and is known for their unique commitment to customer satisfaction. They are financially sound and base their models on price and value as well as ease of use for both the users and the IT support organizations.

- Performing maintenance and support solely with OCSD staff will result in an estimated annual savings of \$67,000.
- Dealing as a direct account with ShoreTel affords us a discount of 4% above the GSA pricing.
- At the April Administration Committee Meeting, the Committee recommended that the telephone system replacement item be forwarded to the Board. Additionally, the Committee directed staff to provide an enhanced report that more fully described the telephone system need, and the staff research and procurement process. Attached is the staff report containing this information.

#### **PRIOR COMMITTEE/BOARD ACTIONS**

- June 27, 2007 - Fiscal Year 2007-08 Equipment Budget (Section 8, page 128)
- April 9, 2008 - Administration Committee

#### **ADDITIONAL INFORMATION**

This replacement is identified in the Information Technology Strategic Plan.

#### ShoreTel use by other state and local government agencies:

Orange County Vector Control (site visit by OCSD)  
City of Loma Linda  
City of Oakland (site visit by OCSD)  
City of San Rafael  
City of Oceanside  
Amador Water District

JDR:LT:RC:PB



May 28, 2008

## **STAFF REPORT**

### **OCSD TELEPHONE SYSTEM**

#### **OCSD Telephone System Replacement Requirements**

There are three major requirements for the telephone system replacement:

1. **Project Requirements:**
  - The system must not exceed the FY 07/08 equipment budget of \$400,000.
  - The system must be a Voice Over Internet Protocol (VOIP) solution.
  - The system must include 590 new telephone handsets.
  - The system must include a single site license and one year maintenance agreement.
  
2. **Interoperability:** The system must interoperate with our existing network architecture and standards.
  - a. We must be able to make use of existing fiber optics infrastructure (this includes abandoning the existing 110 blocks in the phone room).
  - b. The telephone system architecture must be a distributed design. This is a key to recovering quickly from failures.
  - c. The telephone system architecture must be self-healing. The system must maintain replicas of the database in many areas of both plants in order to be considered highly-available and achieve dynamic recovery.
  - d. The system must integrate with Microsoft Exchange 07, Office 2007, and Office Communication Server.
  - e. The system must be able to co-exist and communicate with our existing Nortel PBX during a phased cut-over implementation.
  - f. The system must be backward compatible with older analog phone sets.
  
3. **Reliable and simple to maintain:** The system must meet high standards for reliability, but must also be simple enough for internal staff to install, administer, and maintain on a daily basis without the need for routine contracted support.
  - a. The system should limit itself to simple straightforward features. Unlike many corporate environments, the District phone system is not geographically disbursed over a large area. We do not require advanced features such as Interactive Voice Response or Call-Center software.

- b. The IP-PBX and associated call processing/routing will not use a Microsoft Operating System. This avoids potential downtime associated with maintaining security and patch schedules.
- c. The IP-PBX should not use mechanical/moving drives (such as hard drives). The system should load and run from flash memory.
- d. The system administration functions (e.g., voice mail, call accounting, administration, E911, Unified Messaging, mobility) must operate on a single physical server running Microsoft Server 2003 or later. All of the administrative functions should be included within a single license.
- e. The system must acknowledge Institute of Electrical and Electronics Engineers (IEEE) standards for trunking, VLAN tagging, and power over Ethernet standards to ensure Quality of Service (QOS).

### **Review process and staff research**

A traditional Request for Proposal (RFP) process would not have allowed the diversity of information to be gathered over a long period of time to make such an important decision as replacing our telephone system. The initial review process consisted of the following steps:

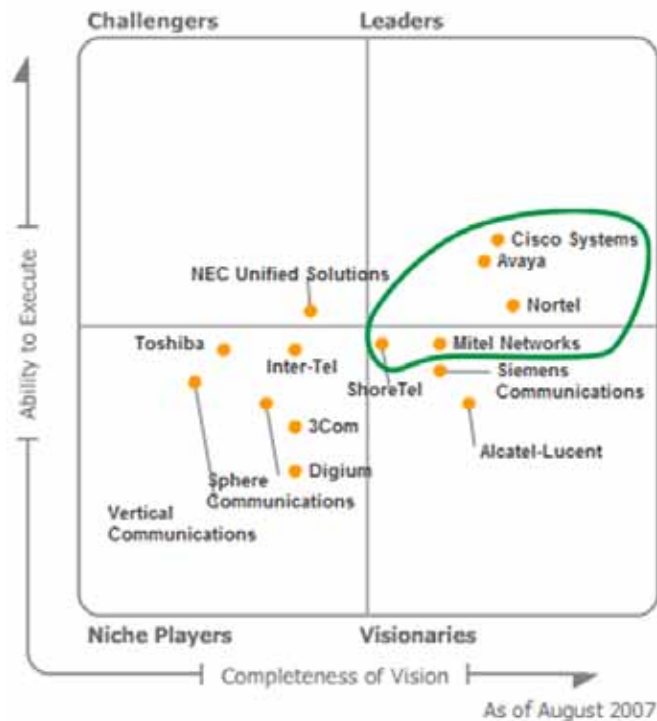
#### **Gathering of Information**

IT staff started to consider options for replacing the Nortel PBX by leveraging our existing fiber optics infrastructure investment and maintaining our existing networking designs. Gartner Inc. is the world's leading information technology research and advisory company. Gartner's research targets 14 specific vendors in their "Magic Quadrant." To be included in Gartner's Magic Quadrant, vendors need to show one or more of these capabilities in North America:

- Significant market share or, lacking market share, sufficient differentiation to obtain market presence.
- Substantive sales and operational presence across the region.
- Demonstrable telephony solutions for large businesses and corporations.
- The ability to generate significant vendor interest from leading client segments in the market.



Using our research contract with Gartner, we initially identified systems that have the highest ability to execute and companies that maintain a completeness of vision.



Gartner Magic Quadrant for Corporate Telephony in North America, 2007

### Attending of Trade Events and Local Seminars

Staff attended VoiceCon, which is the largest and most comprehensive telephony trade show in the world. The conference included an exposition area where many VOIP vendors demonstrated their products and provided staff with information on their VOIP systems. Staff also attended numerous local seminars and symposiums where the focus was on VOIP systems and the benefits network convergence. The knowledge and perspective gained at these events were extremely valuable in helping us formulate system requirements that would best meet district needs. In all, the review process turned into an ongoing education and awareness of advancements being made in the IP-Telephony industry as a whole.

### Conducting a Pilot and formulating a Test Criteria

Based on information gathered and Gartner's rating system, we worked to minimize risk by instituting pilot programs that enabled the testing and evaluation of new solutions. We contacted local representatives from Cisco Systems,

ShoreTel, and Mitel Networks to participate in a lab/Pilot test and meet with IT staff to present their products. IT developed a list of criteria for performance, compatibility, and features that each system would be tested against. The results were documented and made available to any of the participants that were interested.

During a site visit to the City of Anaheim, we determined that we should include Nortel in the pilot. Our incumbent provider (Scottel Voice and Data, Inc) represented Nortel. We invited Scottel to provide a system and phones like the others vendors did however Scottel declined. Scottel produced a quote to "IP-Enable" the existing Nortel system and met with IT staff in lieu of a setting up an actual demonstration.

### Corresponding with Other Government Agencies

IT staff communicated with other public agencies to get an idea how far along some of them were with VOIP implementations and to see which systems these agencies are using. We frequently correspond with Municipal Information Systems Association of California (MISAC) members as well as Water Sector CIO peers to share information and lessons learned. We attended numerous VOIP sessions during IT conferences and met personally with Gartner consultants on this topic.

### Validating Information

IT staff revisited each of the systems that we tested, along with some other offerings from Panasonic, Avaya, and Siemens. OCSD performed a nationwide Request for Information (RFI) in the January 08 issue of Network World magazine. This is a national publication reaching tens of thousands of IT professionals. We received two responses from local voice/data resellers and one from an out of state consultant.

### Determining Sole Source

After examining the information collected and comparing this information to OCSD requirements for the telephone system replacement, staff concluded that the ShoreTel system was the only system that met all of the requirements. Staff began a final review of ShoreTel's product offering against its ability to perform in the following areas

- System Architecture
- System Reliability
- Ease of use and administration
- Backend Support
- Application Support- Desktop Applications, Microsoft Interoperability, Licensing

To validate that our information and conclusion were correct, IT staff performed a site visit to The City of Oakland and met with Oakland's CIO and other IT staff. Oakland's staff verified that the ShoreTel system met our requirements and was successfully implemented in their municipality. IT staff had previously visited the Orange County Vector Control facility to view their smaller installation. Staff communicated one last time with the City of San Rafael and the Amador Water District to ensure there were no issues with their existing ShoreTel systems.

Staff examined ShoreTel's key financial metrics to ensure the company is financially sound. As of February 1, 2008, the following apply:

- Profitable for 11 consecutive quarters
- Revenue growth in 8 or the last 9 quarters
- Cash flow positive for 9 consecutive quarters
- Over \$105 million in cash and investments
- No debt
- CY 06 to CY07 revenue growth of 50%

### Summary and Additional Notes

Three years ago, OCSD asked all divisions to delay implementation of major procurements in order to reduce the impact on rate increases. At that time, IT agreed to delay the telephone system replacement project as long as possible. During these three years, IT has conducted extensive research into a telephone system replacement. At this point in time, a new system must be procured and installed as there have been significant system outages and the risk for a major outage is increasing every day.

A Request for Information (RFI) is an important document for researching markets and establishing baseline comparisons of vendors and products. When making technology purchasing decisions, the use of an RFI can confirm project assumptions and determine the best set of solutions for the agency. Due to the exhaustive research by Information Technology, results of the pilot study and the Gartner Group's findings, the RFI outreach was selected as the best approach.

Staff is confident that the ShoreTel solution as a telephone system replacement is the best solution for OCSD. This system will allow IT staff to take over the phone system monitoring and programming which provides a total annual saving of at least \$67,000. This adds to an already significant return on investment factor which can be realized within six years of ownership. It is expected that service level response time for telephone system administration as well as moves, additions, or changes will decrease significantly as a result of moving to the proposed solution.

RC:PB

# ADMINISTRATION COMMITTEE

## AGENDA REPORT

Meeting Date 05/14/08	To Bd. of Dir. 05/28/08
Item Number ADM08-13	Item Number 11(c)

Orange County Sanitation District

**FROM:** James D. Ruth, General Manager  
Originator: Robert Ghirelli, Assistant General Manager

**SUBJECT:** Update of the District's Records Management Policy and Procedures

### GENERAL MANAGER'S RECOMMENDATION

Adopt Resolution No. OCSD 08-06, Adopting the Updated Records Management Program Policies and Procedures, Retention Schedule and Record Series Definitions for the District's Records Management Program, Authorizing Destruction of Obsolete Records, and Repealing Resolution No. OCSD 07-08.

### SUMMARY

The District's Records Management Program is updated annually to meet new statutory regulations and better serve the operational needs of the District. A Retention Schedule Review Committee was instituted this year, comprised of the Assistant General Manager, Clerk of the Board, Risk Management, General Counsel's Office, and the Records Management Specialist. This Committee will meet quarterly to review requests for Retention Schedule Changes.

### PRIOR COMMITTEE/BOARD ACTIONS

The Board of Directors approved the annual update for the Records Management Program in May 2007.

### ADDITIONAL INFORMATION

The District's Records Management Program documents how long various types of information are to be kept, as dictated by the legal, fiscal, audit or operational needs of the District. As a public agency there is an obligation to effectively manage and maintain the District's information, most of which is classified as public information.

Proposed changes for this update focus on the following:

#### New Records Series

- **Land Records:** Consolidate property rights records to include Easements, Grant Deeds, Quitclaim Deeds, Abandonments, Condemnations, purchase and sale of real estate. Retention period to be life of the organization.

- **Escrow Bid Documents:** All records submitted with bid packages for large CIP Projects. Retention period to be life of the project.
- **Grand Jury Reports:** Retention period to be three years.
- **IT Help Desk Tickets:** Documentation for the IT Magic System. Retention period to be 5 years.
- **Process Data:** Information received from internal and external sources and used for process assessment and understanding, optimization, decision making and as a basis of engineering evaluation of process changes. Retention period to be life of the equipment plus 5 years.
- **Report Repository:** A central digital repository for reports and studies that affect the District as a whole, either externally or internally generated. Retention period to be life of the organization.

#### **Revisions:**

- **Incident Records:** Revision to definition to specifically identify safety and security incidents.
- **Various Changes to Existing Record Series:** Updating the Office of Record or making minor word changes to the definition as requested by the Business/Operational Unit.

If a copy of the Records Retention Schedule or Record Series Definitions is desired, please contact Juanita Skillman, Records Management Specialist at 714-593-7129.

# BOARD OF DIRECTORS

## AGENDA REPORT

Meeting Date	To Bd. of Dir. 05/28/08
Item Number	Item Number 12(b)

Orange County Sanitation District



**FROM:** James D. Ruth, General Manager  
Originator: Jim Herberg, Director of Engineering

**SUBJECT:** GROUNDWATER REPLENISHMENT SYSTEM, JOB NO. J-36

### GENERAL MANAGER'S RECOMMENDATION

1. Approve Amendment No. 15 to the Professional Services Agreement with Camp Dresser & McKee Inc. for the Groundwater Replenishment System, Job No. J-36, providing for an annual cost-of-living adjustment, additional permitting services, and additional work associated with the extension of the construction contract for an additional amount of \$86,267, increasing the total amount not to exceed \$35,052,728 to be cost-shared equally with the Orange County Water District (\$43,133.50); and,
2. Approve Amendment No. 9 to the Professional Services Agreement with Montgomery Watson Harza for the Groundwater Replenishment System, Job No. J-36, providing for an annual cost-of-living adjustment and additional construction management services for an additional amount of \$170,799, increasing the total amount not to exceed \$15,307,661 to be cost-shared equally with the Orange County Water District (\$85,399.50).

### SUMMARY

- The Camp Dresser & McKee Inc. (CDM) professional services agreement has a provision for an annual cost-of-living adjustment for any fees remaining in the agreement.
- This CDM amendment addresses the cost-of-living adjustment for 2008, additional project management, discipline coordination, permitting assistance, and additional construction support services.
- Montgomery Watson Harza (MWH) has been providing construction management services for the multiple Groundwater Replenishment System construction contracts.

- The project completion date for the Advanced Water Purification Facility (AWPF) has been extended with all close out activities expected to be complete in June 2008.
- The MWH amendment provides additional construction management services due to the schedule extension.
- Contingencies will not be set for these agreements in accordance with the Orange County Sanitation District's (Sanitation District) Delegation of Authority Resolution because the contracts are administered by the Orange County Water District.

## **PRIOR COMMITTEE/BOARD ACTIONS**

PDC – May 2007 – Approval of Amendment No. 8 to the Professional Services Agreement with MWH for an amount not to exceed \$1,248,503.

PDC – August 2006 – Approval of Amendment No. 7 to the Professional Services Agreement with MWH for an amount not to exceed \$102,908.

PDC – July 2005 – Approval of Amendment No. 6 to the Professional Services Agreement with MWH for an amount not to exceed \$212,205.

PDC – December 2004 – Approval of Amendment No. 5 to the Professional Services Agreement with MWH for an amount not to exceed \$214,162.

PDC – August 2004 – Approval of Amendment No. 4 to the Professional Services Agreement with MWH for an amount not to exceed \$244,512.

PDC – August 2004 – Approval of Amendment No. 3 to the Professional Services Agreement with MWH for an amount not to exceed \$224,006.

PDC – October 2003 – Approval of Amendment No. 2 to the Professional Services Agreement with MWH for an amount not to exceed \$523,536.

Board – October 2003 – Approval of Amendment No. 1 to the Professional Services Agreement with MWH for an amount not to exceed \$1,423,992.

Board – August 2002 – Approval of Professional Services Agreement with MWH for an amount not to exceed \$10,943,038.

PDC – May 2007 – Approval of Amendment No. 14 to the Professional Services Agreement with CDM for an amount not to exceed \$630,708.

PDC – May 2006 – Approval of Amendment No. 13 to the Professional Services Agreement with CDM for an amount not to exceed \$219,970.

PDC – June 2005 – Approval of Amendment No. 12 to the Professional Services Agreement with CDM for an amount not to exceed \$185,864.

PDC – June 2004 – Approval of Amendment No. 11 to the Professional Services Agreement with CDM for an amount not to exceed \$342,833.

PDC – October 2003 – Approval of Amendment No. 10 to the Professional Services Agreement with CDM for an amount not to exceed \$305,550.

PDC – May 2003 – Approval of Amendment No. 9 to the Professional Services Agreement with CDM for an amount not to exceed \$383,291.

PDC – May 2003 – Approval of Amendment No. 8 to the Professional Services Agreement with CDM for an amount not to exceed \$(22,397).

PDC – January 2003 – Approval of Amendment No. 7 to the Professional Services Agreement with CDM for an amount not to exceed \$(25,062).

PDC – September 2002 – Approval of Amendment No. 6 to the Professional Services Agreement with CDM for an amount not to exceed \$(2,945,100).

PDC – June 2002 – Approval of Amendment No. 5 to the Professional Services Agreement with CDM for an amount not to exceed \$557,697.

PDC – December 2001 – Approval of Amendment No. 4 to the Professional Services Agreement with CDM for an amount not to exceed \$369,000.

PDC – March 2001 – Approval of Amendment No. 3 to the Professional Services Agreement with CDM for an amount not to exceed \$29,924,187.

PDC – December 2000 – Approval of Amendment No. 2 to the Professional Services Agreement with CDM for an amount not to exceed \$56,970.

PDC – March 2000 – Approval of Amendment No. 1 to the Professional Services Agreement with CDM for an amount not to exceed \$172,649.

Board – July 1999 – Approval of Professional Services Agreement with CDM for an amount not to exceed \$4,810,300.



## ADDITIONAL INFORMATION

This authorization complies with authority levels of the Sanitation District's Delegation of Authority. This item has been budget. (Line item: Section 8, Page 107 and page A-11 of the 2007-2008 Budget Update)

**CDM Award Date: May 24, 2006**

**Contract Amount: \$35,052,728**

**Contingency: N/A**

**MWH Award Date: August 23, 2006**

**Contract Amount: \$15,307,661**

**Contingency: N/A**

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# BOARD OF DIRECTORS

## AGENDA REPORT

Meeting Date	To Bd. of Dir. 05/28/08
Item Number	Item Number 13

Orange County Sanitation District

**FROM:** James D. Ruth, General Manager  
Lorenzo Tyner, Director of Finance and Administrative Services

**SUBJECT:** PROPOSED FIVE-YEAR INDUSTRIAL FEE SCHEDULE AND CAPITAL FACILITIES CAPACITY CHARGES INCREASE

### GENERAL MANAGER'S RECOMMENDATION

Adopt Ordinance No. OCSD-36, An Ordinance of the Board of Directors of Orange County Sanitation District, Establishing Capital Facilities Capacity Charges; Adopting Miscellaneous Charges and Fees relating to Industrial Charges, Source Control Permittees and Wastehaulers; and Repealing Article I, III, IV and V of Ordinance No. OCSD-32:

Adopting Revised Table A Re Capital Facilities Capacity Charges (Formerly Table C), Revised Table C Re Supplemental Capital Facilities Capacity Charges (Formerly Table E), Revised Table D Re Administrative Fees And Charges Relating To Permittees (Formerly Table F), Redesignated Table E (Formerly Table G), Revised Table F Re Class I And Class II Permittees and Special Purpose Discharge Permittees Charges For Use (Formerly Table H), Revised Table G Re Wastehauler Charges For Use (Formerly Table I), And Reaffirming All Other Charges.

- a. Motion to read Ordinance No. OCSD-36 by title only and waive reading of said entire ordinance.
- b. Motion to adopt Ordinance No. OCSD-36, An Ordinance of the Board of Directors of Orange County Sanitation District, Establishing Capital Facilities Capacity Charges; Adopting Miscellaneous Charges and Fees relating to Industrial Charges, Source Control Permittees and Wastehaulers; and Repealing Article I, III, IV and V of Ordinance No. OCSD-32.

### SUMMARY

The calculation of the new proposed permittee rates for FY 2008-09 is now being proposed net of property tax revenues received (net cost of service methodology). This methodology is consistent with the rest of the Sanitation District's current rate structure for all other customers. By taking into consideration property taxes received by the District in deriving the new permittee rates for FY 2008-09, the need to provide a property tax credit will no longer exist.

Staff received direction from the Administration Committee to move forward with issuing Proposition 218 notices proposing rates calculated using the Net Cost of Service

methodology. These notices were mailed to all OCSD permittees informing them that the public hearing, second reading and adoption of the ordinance will be on May 28, 2008.

Ordinance OCSD-32 allows for Capital Facilities Capacity Charges and Supplemental Capital Facilities Capacity Charges to be adjusted annually, based on a commonly accepted price indicator, the Engineering News Record (ENR) Construction Cost Index for Los Angeles, to reflect the current value of the facilities or the current cost of capital projects. Staff is recommending that the Capital Facilities Capacity Charges be increased 3.4%, the ENR as of December 2007.

Table C of Ordinance OCSD-36 introduced at the April 28<sup>th</sup> Board Meeting has been revised due to a typographical error. The rate for the Capital Facilities Capacity Charge for Low Demand Commercial Properties was originally presented at \$435 per thousand square feet and the rate for High Demand Commercial Properties was originally presented at \$3,157 per thousand square feet. The rate for Low Demand commercial properties should be \$225 per thousand square feet and the rate for High Demand Commercial Properties should be \$3,332 per thousand square feet to correspond to the increase of 3.4%, the ENR as of December 2007.

#### **ADDITIONAL INFORMATION**

Ordinance No. OCSD-31 requires that the annual cost of service calculated from the actual Permit User discharge and the adopted Permit User rates must be reduced by the property tax paid by that individual user. However, these taxes were already considered during the calculation of the reduced rates that are equivalent to the flat rate sanitary sewer service user fee.

In July of 2004, staff recommended that it was appropriate to modify the computation of the rates for flow, BOD and SS so that Permit Users were not allowed two reductions for property taxes. Correcting this calculation was approved by the Board effective January 1, 2005 under the gross of property tax revenues since Ordinance OCSD-31 required credits be provided to permittees on property taxes paid.

In November 2007, the Administration Committee contracted with Carollo Engineers to perform a Sewer Service Fee Rate Study that included the appropriate allocation of costs between and among pollutants (BOD, SS and Flow), including the basis for allocation of non-assignable costs, and that a "net cost of service" rate structure be developed for high industrial dischargers (permittees) that is fair and equitable to all rate payers. The allocations for Flow, BOD and TSS have shifted due to the fact that OCSD is moving towards full secondary treatment.

Based on the results of the Carollo rate study, the proposed component unit costs to permittees are as follows:

	FY 2008-09 <u>Proposed Rate</u>	FY 2007-08 <u>Actual Rate</u>	Percentage <u>Increase</u>
BOD*	\$399.50	\$347.81	14.86%
TSS*	\$424.90	520.99	(18.44)%
Flow**	\$840.30	768.63	9.32%

\* per thousand pounds

\*\* per million gallons

The actual impact on this new rate model to each permittee is dependent on (1) the volume of Flow, and the content of BOD and TSS produced, as compared to what was discharged in the prior year and, (2) the amount of actual property tax credit received under the previous rate model versus the assumed average of property taxes paid by each permittee that is taken into consideration in the development of rates within the new model. The attached schedule is an estimate on the impact to each industrial discharger assuming that the strength and volume of the discharge remains the same.

The table below is the proposed Industrial User five-year rate schedule for each constituent:

	<u>FY 2008-09</u>	<u>FY 2009-10</u>	<u>FY 2010-11</u>	<u>FY 2011-12</u>	<u>FY 2012-13</u>
BOD*	\$ 399.50	\$ 439.40	\$ 483.30	\$ 530.70	\$ 582.70
TSS*	\$ 424.90	\$ 467.30	\$ 514.10	\$ 564.50	\$ 619.80
Flow**	\$ 840.30	\$ 924.40	\$1,016.80	\$1,116.50	\$1,225.90

\* per thousand pounds

\*\* per million gallons

The year-to-year increase for each constituent is reflective of the Board-approved rate increases for the single-family residential rate of 10 percent for FY 2009-10, 10 percent for FY 2010-11, 9.8 percent for FY 2011-12, and 9.8 percent for FY 2012-13.

## ATTACHMENTS

1. Proposed Ordinance No. OCSD-36

JDR:LT:MW:AB

ORDINANCE NO. OCSD-36

AN ORDINANCE OF THE BOARD OF DIRECTORS OF ORANGE COUNTY SANITATION DISTRICT ESTABLISHING CAPITAL FACILITIES CAPACITY CHARGES; ADOPTING MISCELLANEOUS CHARGES AND FEES RELATING TO INDUSTRIAL CHARGES, SOURCE CONTROL PERMITTEES AND WASTEHAULERS; AND REPEALING ARTICLE I, III, IV, AND V OF ORDINANCE NO. OCSD-32.

ADOPTING REVISED TABLE A RE CAPITAL FACILITIES CAPACITY CHARGES (FORMERLY TABLE C), REDESIGNATED TABLE B RE PLAN CHECK AND INSPECTION FEES (FORMERLY TABLE D), REVISED TABLE C RE SUPPLEMENTAL CAPITAL FACILITIES CAPACITY CHARGES (FORMERLY TABLE E), REVISED TABLE D RE ADMINISTRATIVE FEES AND CHARGES RELATING TO PERMITTEES (FORMERLY TABLE F), REDESIGNATED TABLE E (FORMERLY TABLE G), REVISED TABLE F RE CLASS I AND CLASS II PERMITTEES AND SPECIAL PURPOSE DISCHARGE PERMITTEES CHARGES FOR USE (FORMERLY TABLE H), REVISED TABLE G RE WASTEHAULER CHARGES FOR USE (FORMERLY TABLE I), AND REAFFIRMING ALL OTHER CHARGES

WHEREAS, the Board of Directors of the Orange County Sanitation District ("OCSD") has previously adopted Ordinance No. OCSD-32, establishing Capital Facilities Capacity Charges to be imposed when properties either newly-connect to the OCSD's system, or expand the use of the property previously connected to the OCSD; establishing miscellaneous industrial discharger fees, source control/non-compliance sampling fees, and wastehauler charges, which Ordinance is presently in full force and effect; and

WHEREAS, for purposes of improved efficiency and effectiveness of the OCSD's operations, it is the intent, by the adoption of this Ordinance, to establish Class I, Class II, Special Purpose Discharge and Wastehauler permit charges for use and capital facilities fees, and to provide for increases in certain miscellaneous charges and fees.

NOW, THEREFORE, the Board of Directors of the Orange County Sanitation District does hereby ORDAIN:

Section I. Fees and Charges Ordinance – Adopted

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ARTICLE I

RECITAL OF FINDINGS

Section 1.01. Findings – Declaration of Intent. The Board of Directors of OCSD has previously adopted Master Plans, as more particularly described in Findings B, C, D, and E below, setting forth the financial and engineering needs of the OCSD, and hereby adopts the following Findings supporting the amounts of charges and fees adopted pursuant to this Ordinance.

A. That the former County Sanitation Districts Nos. 1, 2, 3, 5, 6, 7, 11, 13 and 14 of Orange County, California (the “Predecessor Districts”), were nine individual County Sanitation Districts, organized pursuant to the County Sanitation District Act (California Health & Safety Code Section 4700 et seq.). By action of the Board of Directors of the Predecessor Districts, pursuant to specific legislation enacted by the California State Legislature in 1996, an application was submitted to the Orange County Local Agency Formation Commission to legally consolidate the nine Predecessor Districts into one single Sanitation District for all purposes. The application was approved, with an effective date of July 1, 1998. As of July 1, 1998, the Predecessor Districts ceased to exist, and one single consolidated County Sanitation District, known as the Orange County Sanitation District, came into existence in place of the Predecessor Districts. The District was formed to carry on the functions of the Predecessor Districts.

B. That a comprehensive 20-year Master Plan of Capital Facilities, entitled “1999 Strategic Plan”, hereinafter referred to as the “Master Plan”, which includes detailed financial and engineering reports, was prepared, approved, and adopted by the Boards of Directors in 1999, with updates approved in 2002 and 2006, setting forth and identifying the required future development of OCSD Facilities, including the financial projections for providing sewer service to all properties within the service area.

C. That the financial and engineering reports of the Master Plan were made available to the public, both prior to and subsequent to the adoption of the Master Plan, and were subject to noticed public hearings, all in accordance with the provisions of the California Constitution and Government Code Section 66016, and other provisions of law.

D. That the OCSD, in 1997, as part of its maintenance and updating of its Master Plan, undertook a comprehensive evaluation and study of its operational and financial needs for the next 20 years, including a detailed assessment of all types and categories of users; the demands on the system and capacity needs of the system to provide necessary service to the multiple categories of users; the total costs of the existing and future facilities in the system; and alternate methodologies for establishing fair and equitable charges to connect to and gain access to the system. These comprehensive planning, engineering, and financial studies led to the development of an updated Comprehensive Master Plan of Capital Facilities, which was approved and adopted by OCSD Resolution No. 99-21 of the Board of Directors on October 27, 1999.

E. That in support of this Ordinance and the revised charges for Capital Facilities Capacity Charges as provided for on Tables A, B, and E herein, the Board of Directors finds that the Capital Improvement Program ("CIP") Validation Study for Fiscal year 2003-04 and the Secondary Treatment Peer Review, as approved by the Board of Directors, has resulted in the development of a Capital Improvement Program that provides for the implementation of secondary treatment standards, thereby improving effluent quality in a reasonably short period of time, consistent with the goals and policies of the Board of Directors, the member agencies, and the public, while also providing for the construction of necessary improvements to accommodate projected increased flows and the rehabilitation and refurbishment of existing facilities. The Board further finds that programming annual adjustments in sewer service charges over a period of years is appropriate and ensures adequate revenues to finance the improvements and programs necessary to implement secondary treatment standards, accommodate increased flows, rehabilitate and refurbish existing facilities, and retire any necessary or prudent debt incurred to finance such improvements in a reasonable manner and over a reasonable period of time. The Board of Directors also finds that such Sanitary Sewer Service Charges and Capital Facilities Capacity Charges are reasonably related to, and do not exceed the cost of providing sewer services.

F. That the financial requirements of the OCSD, as shown in reports prepared by Staff and Consultants relating to the Strategic Plan and the CIP validation studies, are based on current, reliable information and data relating to population projections, wastewater flow, and capital facilities' needs, and are expected to be realized in each year as described in the reports.

G. That the revenues derived under the provisions of this Ordinance will be used for the acquisition, construction, reconstruction, maintenance, and operation of the sewage collection, wastewater treatment and disposal facilities of the OCSD; to repay principal and interest on debt instruments; to repay federal and state loans issued for the construction and



reconstruction of said sewerage facilities, together with costs of administration and provisions for necessary reserves; and to assist in the payment of costs to the OCSD to provide all regulatory administration and laboratory services related to the industrial dischargers, source control permittees, and waste hauler users of the OCSD's systems.

H. That the owners or occupants of properties upon which all fees and charges established by this Ordinance are levied, discharge wastewater to the OCSD's collection, treatment and disposal facilities. The costs of operating and maintaining said facilities have constantly increased due in part to increased regulatory requirements to upgrade the treatment process.

I. That the need for upgraded and improved treatment of all wastewater collection, treatment and disposal facilities is required to protect the public health and safety, and to preserve the environment without damage.

J. That the Sanitary Sewer Service Charge For Use established and levied by this Ordinance is to allow the OCSD to recover the reasonable costs to provide a service to individual properties which have been improved for any of numerous types of uses. The basis for the respective charge is the request of the owner of property or a structure thereon, for the benefit of him/her/itself, or the occupants of the property, to receive a service based upon actual use, consumption, and disposal of water to the OCSD's system in lieu of disposal by other means.

K. That the Sanitary Sewer Service Charge For Use established by this Ordinance is not imposed as a condition of approval of a development project, as defined in California Government Code Section 66001, and does not exceed the estimated reasonable cost to provide the sewer service for which the fee is levied, as provided in Government Code Sections 66013 and 66016 and California Constitution Article XIID.

L. That the Sanitary Sewer Service Charge For Use adopted herein will not necessarily result in an expansion of facilities to provide for growth outside the existing service area. The adoption of this Sanitary Sewer Service Charge For Use will not result in any specific project, nor result in a direct physical change in the environment.

M. That the Sanitary Sewer Service Charge For Use adopted herein is established upon a rational basis between the fees charged each customer and the service and facilities provided to each customer of the OCSD, a portion of which is necessary to replace the loss of ad valorem property taxes to the State General Fund as a result of state legislative action on September 2, 1992, and in subsequent years.

N. That the Board of Directors has previously, by duly adopted Ordinances, commencing in 1969, and most recently by Ordinance No. OCSD-32, established Capital Facilities Capacity Charges, formerly known commonly as "connection charges" or "fees", to be paid by all persons obtaining a permit to connect to the OCSD's system. Said Charges are required as a financial payment to have access to and use of the OCSD's wastewater collection,

treatment and disposal facilities in existence at the time of connecting to the system, and for future facilities to be constructed.

O. That the Sanitary Sewer Service Charge For Use and Capital Facilities Capacity Charges established here are an incident but not a condition of development, payable only on request to receive service by the property owner for the benefit of those persons on the property that use the service. The charges are not an incident of property ownership, nor are they a property-related service having a direct relationship to property ownership. Accordingly, the provisions of California Constitution Article XIII D are not applicable.

P. That the OCSD's previous and present Capital Facilities Capacity Charges Ordinances, include[d] authority for the OCSD to levy an excess or supplemental capacity charge upon commercial and industrial users who discharge quantities or high strength wastewater greater than the established base line of authorized discharge.

Q. That the Capital Facilities Capacity Charges re-enacted by this Ordinance are non-discriminatory, as applied to all users of the system, and are established upon a rational basis between the fees charged each category of property that is connecting, and the service and facilities provided to each connected property or structure, by the OCSD, within a given category.

R. That the miscellaneous charges and fees re-enacted by this Ordinance without change are established upon a rational basis between the fees charged to each industrial discharger, source control permittee, or wastehauler and the service and facilities provided to each.

S. That the OCSD is required by federal and state law, including the Federal Water Pollution Control Act, also known as the Federal Clean Water Act (33 U.S.C. 1251, et seq.), the General Pretreatment Regulations (40 C.F.R. 403), and the Porter-Cologne Water Quality Control Act (California Water Code Sections 13000 et seq.) to implement and enforce a program for the regulation of wastewater discharges to the OCSD's sewers.

T. That the OCSD is required by federal, state and local law, to meet applicable standards of treatment plant effluent quality.

U. That pursuant to these requirements, the Board of Directors has adopted an ordinance establishing Wastewater Discharge Regulations.

V. That the OCSD incurs additional costs in conducting non-compliance sampling of those industrial wastewater dischargers who violate the OCSD's Wastewater Discharge Regulations and in administering the industrial, wastehauler, and special discharge permit programs.

W. That the ordinance establishing Wastewater Discharge Regulations provides that the Board of Directors is to establish various fees and charges to recover those costs to the OCSD which are made necessary by

industrial dischargers and waste haulers who violate the OCSD's Wastewater Discharge Regulations.

X. That the industrial discharger, source control, and waste hauler fees and charges hereby established by this Ordinance do not exceed the estimated reasonable costs to the OCSD of industrial discharger, source control, or waste hauler use of the OCSD's facilities and for the administration and implementation of permit and fee processing, non-compliance sampling, and related services associated with the OCSD's Source Control Program.

Y. That all fees and charges established herein have been approved by the OCSD's Board of Directors at a noticed public meeting, all in accordance with applicable provisions of law.

Z. That the adoption of this Ordinance is statutorily exempt under the California Environmental Quality Act pursuant to the provisions of Public Resources Code Section 21080(b)(8) and California Code of Regulations Section 15273(a).

AA. That each of the Findings set forth in previous Ordinances Nos. OCSD-05, OCSD-06, OCSD-11, OCSD-13, OCSD-15, OCSD-18, OCSD-19, OCSD-20, OCSD-22, OCSD-24, OCSD-26, OCSD-30B, and OCSD-32 are reaffirmed and readopted hereat, except to the extent that they have been specifically superseded or otherwise amended by specific Findings herein.

## ARTICLE II

### CAPITAL FACILITIES CAPACITY CHARGES

Section 2.01.        Purpose and Scope.    The purpose of this Ordinance is to impose Capital Facilities Capacity Charges when properties, either newly-connect to the OCSD's system, or expand the use of the property previously connected to the OCSD. Revenues derived under the provisions of this Ordinance will be used for the acquisition, construction, and reconstruction of the wastewater collection, treatment and disposal facilities of the OCSD; to repay principal and interest on debt instruments; or to repay federal or state loans for the construction and reconstruction of said sewerage facilities, together with costs of administration and provisions for necessary reserves.

Section 2.02.        Definitions.

A.    "Actual construction costs" include the cost of all activities necessary or incidental to the construction of a OCSD facility, such as financing, planning, designing, acquisition of the property or interests in the property, construction, reconstruction, rehabilitation, and repair.

B.    "Capital Facilities Capacity Charge" means a one-time, non-discriminatory charge imposed at the time a building or structure is newly connected to the OCSD's system, directly or indirectly, or an existing structure or

category of use is expanded or increased. Said charge is to pay for OCSD facilities in existence at the time the charge is imposed, or to pay for new facilities to be constructed in the future, that are of benefit to the property being charged. This charge does not apply to temporary facilities or operations that are regulated under the provisions of a Special Purpose Discharge Permit. A schedule of the Capital Facilities Capacity Charges specified herein will be on file in the Office of the Board Secretary of the OCSD, and in the Building Department of each City within the OCSD.

C. "Connection fee" means a fee equal to the cost necessary to physically connect a property to the OCSD's system, including but not limited to, installation of meters, meter boxes, pipelines, and appurtenances to make the connection and which fee does not exceed the actual cost of labor, materials, and overhead for the installation of those facilities.

D. "Non-discriminatory" means that the Capital Facilities Capacity Charge does not exceed an amount determined on the basis of the same objective criteria and methodology applicable to comparable public or non-public users, and is not in excess of the proportionate share of the cost of the OCSD's facilities of benefit to the person or property being charged, based upon the proportionate share of use of those facilities.

E. "Public agency" means the United States or any of its agencies, the State or any of its agencies, the Regents of the University of California, a county, city, district, school district, local or regional public authority, or any other political entity, subdivision or public corporation of the State.

F. The Supplemental Capital Facilities Capacity Charge, as provided for in Sections 2.07, 2.08, 2.09, and 2.10 of this Ordinance, is an annual charge payable to the OCSD on a quarterly or annual basis, as determined by the OCSD. Said charge is required to be paid by dischargers that exceed the maximum quantity of flow or constituents (BOD or SS) allowed as a base use for which the CFCC is paid.

Section 2.03. Connection Permits: Required.

A. Connection permits are required of each and every dwelling unit, and each commercial or industrial building, and structure connecting directly or indirectly to the OCSD's sewerage system facilities. Included are the connections of laterals to local municipal sewerage facilities, and the connection of local municipal sewerage facilities and laterals to the OCSD's facilities. Multiple detached structures on a single parcel of property shall each be required to obtain a connection permit.

B. Except as authorized by the issuance of a Special Purpose Discharge Permit under Sections 305 – 305.6 of the OCSD's Wastewater Discharge Regulations, or as authorized pursuant to a special extra territorial service agreement approved by the Board of Directors, no permit shall be valid unless the real property to be served by use of the permit is included within the boundaries of the OCSD and within the boundaries of a local sewerage agency authorized to maintain public sewerage facilities. However, a permit, as

authorized above, may be issued for property to be served outside the boundaries of a local sewerage agency if a local sewerage agency makes application for the issuance of such permit.

There will be a non-discriminatory Capital Facilities Capacity Charge assessed to public agencies for connecting directly or indirectly to the OCSD's sewerage system facilities, and a connection permit must be obtained.

Section 2.04. Capital Facilities Capacity Charge: Payment Required. No application for a permit for a connection of a structure to an OCSD sewerage facility, or to any sewerage facility which discharges into an OCSD sewerage facility, shall be approved, nor a permit issued, until an OCSD Capital Facilities Capacity Charge is paid by the applicant, except as provided for discharges under a Special Purpose Discharge Permit. No connection permit shall be issued unless there is an established category of use of the property to be served or a valid building permit issued which establishes the category of use of said property.

Section 2.05. Capital Facilities Capacity Charge: Time of Payment.

A. Payment of the Capital Facilities Capacity Charge established by this Ordinance for connection to the OCSD's sewerage system facilities shall be required at the time of issuance of the building permit for all construction within the OCSD, excepting in the case of a building legally exempt from the requirement of obtaining a permit. The payment of the Capital Facilities Capacity Charge for such exempt buildings will be required at the time of and prior to the issuing of a plumbing connection permit for any construction within the territorial limits of the OCSD, or if none, prior to the issuance of a Certificate of Occupancy.

B. Upon application of any property owner seeking to connect to the OCSD's system, the Board of Directors of OCSD, in its sole and absolute discretion and upon a finding of compelling need, may, pursuant to the authority of California Health & Safety Code Section 5474, approve of an agreement with the property owner for the payment of the applicable connection charge and/or annexation fees in installment payments over a period of not to exceed five (5) years, bearing an interest rate on the unpaid balance of not to exceed ten (10%) percent per annum and that the charges and interest shall constitute a lien on the property.

Section 2.06. Capital Facilities Capacity Charge and Plan Check and Inspection Fees: Schedule of Amounts.

A. Every person or entity connecting any new or expanded building or structure to the OCSD's system facilities shall pay a Capital Facilities Capacity Charge in the amount for the applicable category of use set forth on Table A, below.

B. Every person or entity connecting any new or expanded building or structure directly to the OCSD's local or regional system facilities shall pay Plan Check and Inspection Fees in the amount set forth on Table B, below.



**TABLE A**  
**CAPITAL FACILITIES CAPACITY CHARGES (CFCC)**

<u>Use Category</u>	<u>Rate Basis</u>	<u>Base Charge</u>
Commercial – Industrial	Per 1,000 square feet <sup>1</sup>	
Low Demand <sup>2</sup>	Per 1,000 square feet	\$ 225.00 <sup>1</sup>
Average Demand <sup>4</sup>	Per 1,000 square feet	\$1,403.00 <sup>1</sup>
High Demand <sup>3</sup>	Per 1,000 square feet	\$3,332.00 <sup>1</sup>
Single Family Residential (SFR) <sup>5</sup>	<u>* % of Base</u>	<u>Base Charge</u>
5+ Bedrooms	(Per Unit) 1.39	\$6,492.00
4 Bedrooms	(Per Unit) 1.19	\$5,560.00
3 Bedrooms	(Per Unit) 1.00 (Base)	\$4,671.00
2 Bedrooms	(Per Unit) 0.81	\$3,782.00
1 Bedroom	(Per Unit) 0.62	\$2,892.00
Multi-Family Residential (MFR) <sup>6</sup>	<u>* % of Base</u>	<u>Base Charge</u>
4+ Bedrooms	(Per Unit) 1.08	\$5,046.00
3 Bedrooms	(Per Unit) 0.89	\$4,157.00
2 Bedrooms	(Per Unit) 0.70	\$3,268.00
1 Bedroom	(Per Unit) 0.50	\$2,335.00
Studio <sup>7</sup>	(Per Unit) 0.32	\$1,499.00

Supplemental CFCC for Permit Users, includes 5% cost of funds.

Flow, gallons per day	\$0.001440
BOD, pounds per day	\$0.80856
SS, pounds per day	\$0.09826

<sup>1</sup>Provided that the minimum Capital Facilities Capacity Charge for such new construction shall be \$4,671; and all calculations shall be on a 1,000 square foot, or portion thereof, basis.

<sup>2</sup>Low Demand connections are the following categories of users: Nurseries; Warehouses; Churches; Truck Terminals; RV Parks/RV Storage Yards, Lumber/Construction Yards, Public Storage Buildings; and other facilities with restrooms offices, lobbies and/or areas whose flows are similar in volume to these listed categories. Parking Structures not connected to the sewer will not be charged.

<sup>3</sup>High Demand connections are the following categories of users: Restaurants, Supermarkets; Car Washes; Coin Laundries; Amusement Parks; Shopping Centers with one or more Restaurants, or Food Court; Food Processing Facilities; Textile Manufacturers; and other dischargers whose flow is similar in volume to these listed categories.

<sup>4</sup>All other connections are Average Demand users including: Hotels, Strip Malls without restaurants, Music Halls without food facilities, Office buildings, Senior Housing with individual living units without kitchens but with a common kitchen,

<sup>5</sup> Bedroom additions are considered a change of use and a CFCC must be paid.. Bedrooms include loft additions, , bonus rooms that may be used as offices, workout rooms, media rooms, or libraries, or any other additions, which could potentially be used as a bedroom. The classification of these additions will be reviewed and determined by staff. Any detached building such as an addition over an existing garage or a new building with the same designation as mentioned above will be considered a separate living residence (SFR).

<sup>6</sup>MFR units consist of multiple units that receive one secured property tax bill such as apartments. Senior housing with individual living units that include a kitchen are considered MFR units.

<sup>7</sup> Studio – one single room with no separating doors or openings leading to another part of the room (except for a bathroom).

\*SFR – The rates for each size of SFR and MFR are established with a 3-bedroom SFR having a base of 1.0, and all others are a relative percentage higher or lower than 1.0, depending on size of unit, as noted.



**TABLE B**  
**PLAN CHECK AND INSPECTION FEE TABLE**

<u>INSPECTION FEES FOR SINGLE CONNECTIONS</u>	<u>FEE</u>
Normal lateral installation to property line with clean out	\$500.00
Lateral Installation to existing manhole stub with clean out	\$500.00
Core drilling in to an existing manhole base - add	\$300.00
Installation of new manhole with stub over existing line	\$1,000.00

INSPECTION FEES FOR MULTIPLE CONNECTIONS

Plan check and inspection fees of 20 percent of the sewer construction cost for new tract sewers, sewer extensions or special facilities are required when plans are submitted for plan check.

If additional funds are needed, they must be deposited as soon as they are requested to complete the inspection on the project. If funds are required after the work is completed, they must be paid before OCSD finalizes the sewer project.

Section 2.07. Supplemental Capital Facilities Capacity Charge: Significant Commercial – Industrial Users and Significant Special Purpose Dischargers – Definitions.

A. A Significant Commercial – Industrial User (“SCIU”) is any person or entity who discharges commercial or industrial process flow, but excluding domestic sewage flow, in an amount greater than 25,000 gallons per day (“gpd”), or Biochemical Oxygen Demand (“BOD”) greater than 150 pounds per day, or Suspended Solids (“SS”) greater than 150 pounds per day, or who is required to obtain a Waste Discharge Permit, as prescribed by Article 3 of the OCSD’s Wastewater Regulations, due to having federally or OCSD regulated or significant discharges.

B. A Significant Special Purpose Discharger (“SSPD”) is any person or entity who discharges to the sewer system wastewater or process flow in an amount greater than 25,000 gpd (excluding domestic, industrial or commercial) and who is required to obtain a Special Purpose Discharge Permit as prescribed in Section 305 of the OCSD’s Wastewater Regulations. A Special Purpose Discharger (SPD) discharges 25,000 gpd or less.

C. An Existing SCIU or SSPD is any SCIU or SSPD connected and discharging to the OCSD’s system prior to January 1, 2000.

D. A New SCIU or SSPD is any user who connects and discharges to the OCSD’s system pursuant to a Waste Discharge Permit issued on or after January 1, 2000; or if previously connected and not an SCIU, as

defined in Subparagraphs 2.07A and B above, but, subsequent to January 1, 2000, increases flow, or BOD, or SS to a level as to constitute an SCIU or SSPD.

E. The maximum discharge allowed to a user, for which a base Capital Facilities Capacity Charge is paid, as per Table A, above, is 25,000 gallons per day (“gpd”), or 150 pounds each of BOD and SS (the “base use”). Discharge of flow, or BOD, or SS in amounts greater than allowed by this Subsection 2.07E shall be subject to the provisions of Sections 2.08 and 2.09 hereof.

F. Each Existing SCIU shall have a baseline of allowed discharge of flow, and BOD, and SS established by the OCSD as of January 1, 2000. The baseline shall be based upon the discharge for Fiscal Year 1998-99, or upon such other discharge data which the OCSD determines is representative of the user’s actual annual discharge to the sewerage system. Dischargers who are deemed to be SCIU’s solely because of the requirements to obtain a Waste Discharge Permit, pursuant to Section 2.07A above, shall have a minimum baseline established as follows: Flow – 25,000 gallons per day; BOD – 150 pounds per day; and SS – 150 pounds per day. The SCIU shall be authorized to discharge flow, and BOD, and SS up to the baseline amounts without payment of a Supplemental Capital Facilities Capacity Charge.

G. Each Existing SPD shall have a baseline of 25,000 gpd. The Existing SPD shall be authorized to discharge flow up to 25,000 gpd without payment of a Supplemental Capital Facilities Capacity Charge.

H. The Supplemental Capital Facilities Capacity Charge, as prescribed by Sections 2.08, 2.09, and 2.10 below, shall be payable commencing with the effective date of this Ordinance.

Section 2.08. Supplemental Capital Facilities Capacity Charge: New Significant Commercial – Industrial Users. In addition to the base Capital Facilities Capacity Charge, as prescribed in Table A, for commercial – industrial use category properties, all New SCIU’s shall pay a Supplemental Capital Facilities Capacity Charge for each gallon of flow, or pound of BOD, or SS, exceeding the base use discharge maximums, in the amount shown in Table C.

Section 2.09. Supplemental Capital Facilities Capacity Charge: Significant Special Purpose Dischargers. All SSPDs shall pay a Supplemental Capital Facilities Capacity Charge of **\$.001440** per gallon per day for each gallon of flow exceeding 25,000 gallons per day.

Section 2.10. Supplemental Capital Facilities Capacity Charge: Existing Significant Commercial – Industrial Users and Special Purpose Dischargers.

A. All Existing Significant Commercial – Industrial Users connected to and discharging to the OCSD’s system shall be required to pay a Supplemental Capital Facilities Capacity Charge upon the occurrence of either (i) an increase of discharge flow of 25,000 gallons per day (“gpd”), or 25% per day

over its established baseline authorization, whichever is lesser; or (ii) an increase of either BOD or SS discharge of 150 pounds each per day, or 25% each per day, whichever is lesser, over its established baseline authorization. The daily averages will be based on the daily discharges for a year, utilizing discharge records and reports of the discharger or OCSD.

B. The Supplemental Capital Facilities Capacity Charge shall be in the following amounts for each component that is increased as provided in Section 2.10A above.

**TABLE C**

**SUPPLEMENTAL CAPITAL FACILITIES CAPACITY CHARGES**

		<u>Daily Charge</u>
Flow	Gallons Per Day	\$0.001440
BOD	Pounds Per Day	\$0.80856
SS	Pounds Per Day	\$0.09826

C. All Existing SPDs connected and discharging to the sewer shall be required to pay a Supplemental Capital Facilities Capacity Charge upon occurrence of an increase of discharge flow over 25,000 gpd. The Supplemental Capital Facilities Capacity Charge shall be \$ 0.001440 per gallon per day of discharge for each gallon above 25,000 gpd.

D. The Supplemental Capital Facilities Capacity Charge shall be calculated on the basis of the average daily quantity of discharge in excess of the User's baseline or 25,000 gpd for SPDs. The daily averages will be based on the daily discharges for a year, utilizing discharge records and reports of the OCSD.

Section 2.11. Capital Facilities Capacity Charge: Replacement Structures. For new construction replacing former structures, the Capital Facilities Capacity Charge shall be calculated and paid to the OCSD on the rate basis of the category of the new use and the amounts as set forth in Table A, less a credit amount, up to the amount of the new Capital Facilities Capacity Charge, equal to a charge, as prescribed in Table A that would be for the prior category of use which was terminated and removed.

Section 2.12. Capital Facilities Capacity Charge: Remodeled Structures. In the case of existing structures connected to the OCSD's system facilities, to which new construction or alteration is made to change or increase the category of use or number of bedrooms, a Capital Facilities Capacity Charge shall be calculated and paid to the OCSD on the rate basis of the category of the new use and the amounts as set forth in Table A, less a credit amount, up to the amount of the new Capital Facilities Capacity Charge, equal to a charge, as prescribed in Table A for the prior category of use.

Section 2.13. Payment of Capital Facilities Capacity Charge: Off-Site Sewers Not Part of Master Plan Relative to Reimbursement Agreements. A charge for connection to off-site sewers which are not included as part of the OCSD Master Plan and for which a Non-Master Plan Reimbursement Agreement has been entered into between the OCSD and the property owner, shall be paid in the amount provided for in said Agreement, to be known as a Non-Master Plan Capital Facilities Capacity Charge. The amount set forth in said Agreement shall be the amount due, provided the original Agreement is still in force. The Non-Master Plan Capital Facilities Capacity Charge shall be in addition to the other Capital Facilities Capacity Charges provided for in Sections 2.06 through 2.10 hereinabove, established for property connecting to said facilities.

Section 2.14. No Refund or Transfer. A Capital Facilities Capacity Charge is paid for the connection of a specific building or structure on a parcel of property. No refund of any charge shall be made because of non-use or change of use, or any other reason once the connection has been made. If the connection is not made and the request for connection is withdrawn within 12 months of the payment date, the charges paid will be refunded upon establishing proof from the City or County of a canceled permit. The connection permit is non-transferable to any other parcel of property.

Section 2.15. Baseline Transferability. The baseline of allowed discharge of flow, BOD and SS used to calculate a Supplemental Capital Facilities Capacity Charge shall not be transferable, nor shall a credit for such previously existing baseline be provided to another SCIU concurrently or subsequently occupying the same property. Each such SCIU shall pay Supplemental Capital Facilities Capacity Charges in accordance with Section 2.08 above.

Section 2.16 Capital Facilities Capacity Charge Annual Updates. The Capital Facilities Capacity Charge is based upon the most recently completed Capital Strategic Plan Update. This charge is updated annually based upon the increase in the Engineering News-Record construction cost index for Los Angeles as of December of the prior year until the completion of the next Strategic Plan Update.

Section 2.17 Affordable Housing Projects. Per Resolution 06-18, development projects that include lower income housing units shall not be denied approval of an application for service, nor shall conditions be imposed thereon or services reduced which are applied for, unless the OCSD makes specific written findings that the denial, condition, or reduction is necessary due to the existence of one or more of the following:

- (a) insufficient water supply or insufficient water treatment or distribution capacity;
- (b) a State Department of Health Services order prohibiting new water connections;
- (c) insufficient sewer treatment or collection capacity;
- (d) a Regional Water Quality Control Board order prohibiting new sewer connections;

- (e) the applicant has failed to agree to reasonable terms and conditions

### ARTICLE III

#### MISCELLANEOUS CHARGES AND FEES RELATING TO INDUSTRIAL DISCHARGERS, SOURCE CONTROL PERMITTEES AND WASTEHAULERS

Section 3.01. Purpose and Scope. The purpose of this Ordinance is to recover those costs incurred by the OCSD (i) on account of industrial dischargers' and wastehaulers' use of the OCSD's facilities; (ii) when administering the OCSD's Source Control Program; and (iii) when performing non-compliance sampling of industrial wastewater dischargers who have violated the OCSD's Wastewater Discharge Regulations or the terms and conditions of the discharger's permit. Revenues derived under the provisions of this Ordinance shall be used to defray the costs incurred by the OCSD (i) on account of such use of the OCSD's facilities; and (ii) in performing these tasks.

Section 3.02. Administrative Fees and Charges Relating to Permittees. Administrative fees and charges relating to permittees are hereby established in the sum or sums as set forth in Table D, E, F, G, H, and I, below.

Section 3.03. Source Control Non-Compliance Fees. Source control non-compliance fees are hereby established for dischargers' non-compliance sampling and for self-monitoring and data reporting non-compliance, in the sum or sums as set forth in Table E, below.

Section 3.04. Special Purpose Discharge Permittees; Charges for Use. As authorized by Sections 305.5 and 305.6 of the OCSD's Wastewater Discharge Regulations, charges for use are hereby established for Special Purpose Discharge Permittees, as set forth in Table F, below.

Section 3.05. Class I and Class II Permittees – Charges for Use. As authorized by Sections 302.3, 302.6, 303.3 and 303.6 of the OCSD's Wastewater Discharge Regulations, the charges for use are hereby established for Class I and Class II Permittees as set forth in Table F, below.

Section 3.06. Wastehauler Charges for Use. As authorized by Sections 306.3 and 306.7 of the OCSD's Wastewater Discharge Regulations, the charges for use are hereby established for wastehaulers as set forth in Table G, below.

Section 3.07. Administrative Appeals.

A. Any user, permit applicant, or permittee affected by any decision, action, or determination by the OCSD may, within forty-five (45) days of the date of mailing by the OCSD of the initial invoice for fees imposed pursuant to this Ordinance, request that the OCSD reconsider imposition of such fees. Following review of such a request, the OCSD shall notify the user, permit

applicant, or permittee by certified mail of the OCSD's decision on the reconsideration request.

B. Any user, permit applicant, or permittee adversely affected by the OCSD's decision on the reconsideration request, may file an appeal in accordance with Sections 617 and 619 of the OCSD's Wastewater Discharge Regulations.

**TABLE D**

**ADMINISTRATIVE FEES AND CHARGES**

**RELATING TO PERMITTEES**

<u>Permit Fees</u>	<u>Charges</u>
A. Class I Wastewater Discharge Permit	\$785.00/year
B. Class II Wastewater Discharge Permit	\$170.00/year
C. Special Purpose Discharge Initial Permit Issue	\$1,050.00/year
Nonrefundable Deposit for First 1 Million	As Defined in
Gallons – New Permit Only	Table F
Special Purpose Discharge Permit Renewal	\$750.00/year
D. Wastehauler Discharge Permit	\$190.00/year
<u>Wastehauler Fees</u>	<u>Charges</u>
F. Permit Decal Initial Issue	\$25.00
G. Permit Decal Replacement	\$50.00
H. Entry Card Initial Issue	\$50.00
I. Entry Card Replacement	\$100.00
J. After Hours Discharge – Prearranged	\$102.00/event
K. After Hours Discharge – Emergency	\$165.00.00/event
<u>Administrative/Processing Fees</u>	<u>Charges</u>
L. OCSD's Collection of Tax Data	\$100.00/permit
M. OCSD's Collection of Water Consumption Data	\$100.00/permit
N. Appeal Hearing Filing Fee	\$400/appeal

TABLE E

**INDUSTRIAL DISCHARGER, SOURCE CONTROL**

**AND NON-COMPLIANCE SAMPLING FEES**

	<u>Charge</u>
Cost of Processing and Sampling Following a Minor Violation	\$225.00/event
Cost of Processing and Sampling Following a Major Violation	\$500.00/event

<u>Cost of Analysis</u>	<u>Charge</u>
Heavy Metals:	\$35.00/each
- Aluminum	
- Antimony	
- Arsenic	
- Cadmium	
- Chromium	
- Copper	
- Gold	
- Lead	
- Molybdenum	
- Nickel	
- Palladium	
- Platinum	
- Selenium	
- Silver	
- Thallium	
- Zinc	
Mercury	\$78.00
601/602	\$152.00
604	\$223.00
606	\$254.00
608	\$523.00
610	\$73.00

**TABLE E (CONTINUED)**

**INDUSTRIAL DISCHARGER, SOURCE CONTROL**

**AND NON-COMPLIANCE SAMPLING FEES**

	<u>Charge</u>
612	\$200.00
624	\$355.00
625	\$661.00
Ammonia Analysis as Nitrogen	\$ 21.00
Biochemical Oxygen Demand (BOD)	\$ 44.00
BOD and Suspended Solids (SS) Analysis	\$ 67.00
Chemical Oxygen Demand	\$ 44.00
Conductivity	\$ 15.00
Cyanide (Amenable)	\$ 70.00
Dissolved Mineral Solids	\$ 15.00
Gamma Radiation Determination	\$115.00
Gross Alpha and Beta Determination	\$ 50.00
Tritium Determination	\$ 50.00
Oil & Grease (Hexane Soluble Matter)	\$ 74.00
Oil & Grease (Mineral Partition)	\$ 74.00
Total Organic Nitrogen	\$ 48.00
pH	\$ 8.00
Fluoride	\$ 51.00
Suspended Solids (Total)	\$ 23.00
Suspended Solids (Total and Volatile)	\$ 44.00
Total Dissolved Solids	\$ 14.00
Total Sulfides	\$ 29.00

**SELF-MONITORING AND DATA REPORTING**  
**NON-COMPLIANCE**

Cost of Processing and Issuing Significant Non-Compliance Notification	\$165.00
Cost of Processing Annual SNC and Publication	\$260.00

**TABLE F**



**CLASS I AND CLASS II PERMITTEES AND**  
**SPECIAL PURPOSE DISCHARGE PERMITTEES**

**CHARGES FOR USE**

<u>Class I and II</u> <u>Permit User</u>	<u>FY 2008-09</u>	<u>FY 2009-10</u>	<u>FY 2010-11</u>	<u>FY 2011-12</u>	<u>FY 2012-13</u>
Flow (*)	\$ 840.30	\$ 924.40	\$1,016.80	\$1,116.50	\$1,225.90
B.O.D. (**)	\$ 399.50	\$ 493.40	\$ 483.30	\$ 530.70	\$ 582.70
S.S. (***)	\$ 424.90	\$ 467.30	\$ 514.10	\$ 564.50	\$ 619.80

<u>Special Purpose</u> <u>Discharge</u> <u>Permit</u>	<u>FY 2008-09</u>	<u>FY 2009-10</u>	<u>FY 2010-11</u>	<u>FY 2011-12</u>	<u>FY 2012-13</u>
Flow (*)	\$ 840.30	\$ 924.40	\$1,016.80	\$1,116.50	\$1,225.90

- (\*) Flow Per million gallons of Flow
- (\*\*) B.O.D. Per thousand pounds of Biochemical Oxygen Demand
- (\*\*\*) S.S. Per thousand pounds of Suspended Solids

All properties located within Revenue Area No. 14 pay no annual service fees. OCSD costs relating to providing service to these properties are billed by OCSD directly to the Irvine Ranch Water District, the local agency providing the local sewer service.

## TABLE G

### WASTEHAULER CHARGES FOR USE

#### Wastehauler Fees

#### Charges

Charge for Use –Waste originating -within Orange County; -within service area; and -within OCSD Boundaries	\$0.05/gallon of truck capacity
Charge for Use – Waste originating -within Orange County; -within service area and outside OCSD Boundaries	\$0.12/gallon of truck capacity
Charge for Use – Waste originating -Outside Orange County; and within service area	\$0.12/gallon of truck capacity

Waste hauled from a source that is not within the OCSD's service area is prohibited unless authorized by the General Manager. Service area is defined as any area the OCSD has an agreement to serve.

#### ARTICLE IV

### MISCELLANEOUS

Section 4.01. Application of Ordinance. The provisions of this Ordinance shall be in addition to the provisions of the OCSD's Wastewater Discharge Regulations for use of OCSD's sewage facilities, including provisions for payment of charges or fees related thereto; OCSD's ordinance establishing Fees Concerning Annexations of Territory to the OCSD; and any other OCSD Ordinances and Resolutions not in conflict herewith.

Section 4.02. Exceptions. The provisions of this Ordinance shall apply to all owners of properties within the OCSD, including those properties otherwise deemed exempt from payment of taxes or assessments by provisions of the State Constitution or statute, including properties owned by other public agencies or tax-exempt organizations, except as expressly provided herein.

Section 4.03 Out of Area Sewer Service Agreements. The OCSD is empowered to contract for the transport, treatment and disposal of wastewaters originating within areas outside of the OCSD if it is in the best interest of the OCSD to do so. These Out of Area Sewer Service Agreements will establish fees and charges relative to the services provided by the OCSD for each individual agreement.

The Board of Directors of the Orange County Sanitation District does further hereby ORDAIN:

Section II. Severability. If any provision of this Ordinance, or the application to any person or circumstances is held invalid by order of Court, the remainder of the Ordinance, or the application of such provision to other persons or other circumstances, shall not be affected.

Section III. Effective Date. This Ordinance shall take effect July 1, 2008.

Section IV. Repeal. Ordinance No. OCSD-32 is hereby repealed.

Section V. Certification and Publication. The Clerk of the Board shall certify to the adoption of this Ordinance, and shall cause a summary to be published in a newspaper of general circulation as required by law.

PASSED AND ADOPTED by a vote of not less than two-thirds of the Board of Directors of the Orange County Sanitation District at a Regular Meeting held \_\_\_\_\_.

\_\_\_\_\_  
CHAIR, BOARD OF DIRECTORS  
ORANGE COUNTY SANITATION DISTRICT

ATTEST:

\_\_\_\_\_  
CLERK OF THE BOARD  
ORANGE COUNTY SANITATION DISTRICT

\_\_\_\_\_  
BRADLEY R. HOGIN, GENERAL COUNSEL

# BOARD OF DIRECTORS

## AGENDA REPORT

Meeting Date	To Bd. of Dir. 05/28/08
Item Number	Item Number 14

Orange County Sanitation District

**FROM:** James D. Ruth, General Manager  
Lorenzo Tyner, Director of Finance and Administrative Services

**SUBJECT:** PROPOSED REPLACEMENT OF PROPERTY TAX CREDITS TO PERMITTEES WITH NET COST OF SERVICE BILLING METHODOLOGY

### GENERAL MANAGER'S RECOMMENDATION

Adopt Ordinance No. OCSD-37, An Ordinance of the Board of Directors of Orange County Sanitation District, Establishing Wastewater Discharge Regulations and Repealing Ordinance No. OCSD-31:

Adopting Revised Article 1, Section 102; Article 3, Sections 302.6, Section 303, and 303.6; and, Reaffirming All Other Charges.

- a. Motion to read Ordinance No. OCSD-37 by title only and waive reading of said entire ordinance.
- b. Motion to adopt Ordinance No. OCSD-37, Adopt Ordinance No. OCSD-37, An Ordinance of the Board of Directors of Orange County Sanitation District, Establishing Wastewater Discharge Regulations and Repealing Ordinance No. OCSD-31.

### SUMMARY

Currently the Sanitation District's rate structure calculates Class I and Class II permittee rates (high strength dischargers) without taking into consideration property tax revenues received from the related parcels. Ordinance No. OCSD-31 then provides for an individual line item tax credit equal to the annual ad valorem tax basic levy allocated to the District for the property for which a permit has been issued. This tax credit is applied at the end of the year when the actual cost is determined based on actual flow, BOD, and SS discharges and reconciled against the estimated payments made during the year by the permittee.

The calculation of the new proposed permittee rates for FY 2008-09 is now being proposed net of property tax revenues received. As previously presented to the Administration Committee, this methodology is consistent with the rest of the Sanitation District's current rate structure for all other customers. By taking into consideration property taxes received by the District in deriving the new permittee rates for FY 2008-09, the need to provide an individual line item property tax credit on the Annual Reconciliation Invoice will no longer exist.

Proposed Ordinance OCSD-37 reflects the change from “gross cost of service” to “net cost of service” and the charge for use calculation will no longer require an individual line item property tax credit on the Annual Reconciliation.

### **ADDITIONAL INFORMATION**

N/A

### **ATTACHMENTS**

1. Ordinance No. OCSD-37

JDR:LT:MW:AB

## **ORDINANCE NO. OCSD-37**

### **AN ORDINANCE OF THE BOARD OF DIRECTORS OF ORANGE COUNTY SANITATION DISTRICT ESTABLISHING WASTEWATER DISCHARGE REGULATIONS, AND REPEALING ORDINANCE NO. OCSD-31**

#### **REVISING ARTICLE 1, SECTION 102 AND ARTICLE 3, SECTIONS 302.6, 303, AND 303.6**

The Board of Directors of the Orange County Sanitation District (OCSD) does hereby FIND:

A. That a comprehensive 30-year Master Plan of Capital Facilities, entitled "Collection, Treatment and Disposal Facilities Master Plan – 1989", hereinafter referred to as the "Master Plan", which includes detailed financial and engineering reports, was prepared, approved, and adopted by the Boards of Directors of the Predecessor Districts in 1989, setting forth and identifying the required future development of OCSD Facilities, including the financial projections for providing sewer service to all properties within the individual service areas of each of the nine Predecessor Districts; and,

B. That the financial and engineering reports of the Master Plan were made available to the public, both prior to and subsequent to the adoption of the Master Plan, and were subject to noticed public hearings, all in accordance with the provisions of the California Constitution and Government Code Section 66016, and other provisions of law; and,

C. That the OCSD, in 1997, as part of its maintenance and updating of its Master Plan, undertook a comprehensive evaluation and study of its operational and financial needs for the next 20 years, including a detailed assessment of all types and categories of users; the demands on the system and capacity needs of the system to provide necessary service to the multiple categories of users; the total costs of the existing and future facilities in the system; and alternate methodologies for establishing fair and equitable charges to connect to and gain access to the system. These comprehensive planning, engineering, and financial studies led to the development of an updated Comprehensive Master Plan of Capital Facilities, which was approved and adopted by OCSD Resolution No. 99-21 of the Board of Directors on October 27, 1999; and,

D. That in June 2002 the OCSD completed the Interim Strategic Plan Update (ISPU) which further updated these critical factors and developed revised cost estimates and user fee projections for upgrading the OCSD's level of treatment to secondary standards. On July 17, 2002, after reviewing: (1) the ISPU treatment alternatives, (2) ocean monitoring data, (3) public input, (4) regulatory issues, and (5) financial considerations, the Board of Directors made the decision

to upgrade our treatment to meet secondary treatment standards; and,

E. That the OCSD is required by federal and state law, including the Clean Water Act (33 U.S.C. 1251, et seq.), the General Pretreatment Regulations (40 C.F.R. 403), and the Porter-Cologne Water Quality Control Act (Water Code Sections 13000 et seq.), to implement and enforce a program for the regulation of wastewater discharges to the OCSD's sewers; and,

F. That the OCSD is required by federal, state and local law to meet applicable standards of treatment plant effluent quality; and,

G. That the adoption of this Ordinance is statutorily exempt under the California Environmental Quality Act pursuant to the provisions of Public Resources Code Section 21080(b)(8) and California Code of Regulations Section 15273(a) and categorically exempt pursuant to California Code of Regulations Sections 15307 and 15308.

NOW, THEREFORE, the Board of Directors of the Orange County Sanitation District does hereby ORDAIN:

Section I: Wastewater Discharge Regulations governing the use of OCSD sewerage facilities are hereby enacted to provide:

## **ARTICLE 1**

### **GENERAL PROVISIONS**

#### **101. PURPOSE AND POLICY**

This ordinance sets uniform requirements for Users of OCSD's facilities and enables OCSD to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code [U.S.C.] section 1251 et seq.) and the General Pretreatment Regulations (Title 40 of the Code of Federal Regulations [CFR] Part 403). This Ordinance shall be interpreted in accordance with the definitions set forth in Section 102. The provisions of the Ordinance shall apply to the direct or indirect discharge of all liquid wastes carried to facilities of the OCSD.

A. The purpose of this Ordinance is to provide for the maximum public benefit from the use of the OCSD facilities. This shall be accomplished by regulating sewer use and wastewater discharges, by providing equitable distribution of costs, in compliance with applicable Federal, State and local Regulations, and by supporting the proper disposal of Prescription Drugs as noted in the guidelines published by the Office of National Drug Control Policy. The revenues to be derived from the application of this Ordinance shall be used to defray all costs of providing sewerage service by the

OCSD, including, but not limited to, administration, operation, monitoring, maintenance, financing, capital construction, replacement and recovery, and provisions for necessary reserves;

- B. This ordinance is meant to protect both OCSD personnel who may be affected by wastewater, sludge, and biosolids in the course of their employment and the general public;
- C. To comply with Federal, State, and local policies and to allow the OCSD to meet applicable standards of treatment plant effluent quality, biosolids quality, and air quality, provisions are made in this Ordinance for the regulation of wastewater discharges to the public sewer. This Ordinance establishes quantity and quality limits on all wastewater discharges which may adversely affect the OCSD's sewerage systems, processes, effluent quality, biosolids quality, air emission characteristics, or inhibit the OCSD's ability to beneficially reuse or dispose of its treated wastewater, biosolids or meet biosolids discharge criteria.

It is the intent of these limits to improve the quality of wastewater being received for treatment and to encourage water conservation and waste minimization by all users connected to a public sewer. It is the OCSD's intent to limit future increases in the quantity (mass emission) of waste constituents being discharged. This Ordinance also provides for regulation of the degree of waste pretreatment required, the issuance of permits for wastewater discharge and connections and other miscellaneous permits, and establishes penalties for violation of the Ordinance.

- D. Since the OCSD is committed to a policy of wastewater reclamation and reuse in order to provide an alternate source of water supply, the implementation of programs for reclamation through secondary and tertiary wastewater treatment processes may necessitate more stringent quality requirements on wastewater discharges. In the event that more stringent quality requirements are necessary, the Ordinance will be amended to reflect those changes.
- E. Since the OCSD is committed to a policy for the beneficial use of biosolids, the implementation of programs to land-apply or provide for the marketing and distribution of biosolids may necessitate more stringent quality requirements on wastewater discharges.
- F. Since the OCSD is also committed to meet applicable air quality goals established by the South Coast Air Quality Management OCSD, more stringent quality requirements on wastewater discharges may be required to meet such goals.



## 102. DEFINITIONS

- A. Unless otherwise defined herein, terms related to water quality shall be as adopted in the latest edition of Standard Methods for the Examination of Water and Wastewater, published by the American Public Health Association, the American Water Works Association and the Water Pollution Control Federation.

The testing procedures for waste constituents and characteristics shall be as provided in 40 CFR 136 (Code of Federal Regulations; Title 40; Protection of Environment; Chapter I, Environmental Protection Agency; Part 136, Test Procedures for the Analyses of Pollutants), or as specified.

Other terms not herein defined are defined as being the same as set forth in the International Conference of Building Officials Uniform Building Code, Current Edition.

1. Best Management Practices (BMPs) shall mean schedules of activities, prohibitions of practices, maintenance procedures, operating procedures, practices to control spillage or leaks, treatment requirements, and other management practices to prevent or reduce pollution or to meet Article 2 standards.
2. Biochemical Oxygen Demand (BOD) shall mean a measurement of oxygen utilized by the decomposition of organic material, over a specified time period (usually 5 days) in a wastewater sample. It is used as a measurement of the readily decomposable organic content of wastewater.
3. Board shall mean the Board of Directors of the Orange County Sanitation District.
4. Bypass shall mean the intentional diversion of wastestreams from any portion of an industrial user's treatment facility.
5. Capital Facilities Connection Charge shall mean the payment of a fee, imposed by the governing Board of the OCSD, to pay for the future costs of constructing new sewerage collection, treatment, and disposal facilities; and as a contributive share of the cost of the existing facilities. This charge shall be paid by all property owners at the time they develop the property and connect directly or indirectly to the OCSD sewerage facilities as a new system user. This charge, whose rates areas set forth in a separate Ordinance, is expressly authorized by the provisions of California Health & Safety Code Sections 5471 and 5474.

6. Charge For Use shall mean the OCSD's sanitary sewer service charge, a charge established and levied by the OCSD upon residential, commercial and industrial users of the OCSD's system, pursuant to Sections 302.6(F)2, or 303.6(F)2 of this Ordinance, in proportion to the use of the treatment works by their respective class, that provides for the recovery of the costs of operation and maintenance expenses, capital facilities rehabilitation or replacement, and adequate reserves for the sewage treatment works. The minimum charge for use is the Annual Sewer Service Fee Residential Users
7. Chemical Oxygen Demand (COD) shall mean a measure of the oxygen required to oxidize all compounds, both organic and inorganic, in wastewater.
8. Class I User shall mean any user who discharges wastewater that:
  - a) is subject to Federal Categorical Pretreatment Standards; or
  - b) averages 25,000 gallons per day or more of regulated process wastewater; or
  - c) is determined to have a reasonable potential for adversely affecting the OCSD's operation or for violating any pretreatment standard, local limit, or discharge requirement; or
  - d) may cause, pass through or interference with the OCSD sewerage facilities
9. Class II User shall mean any industrial user whose charge for use is greater than special assessment "OCSD Sewer User Fee" included on the County of Orange secured property tax bill exclusive of debt service, that discharges wastes other than sanitary, and that is not otherwise required to obtain a Class I permit.
10. Code of Federal Regulations (CFR) shall mean the codification of the general and permanent regulations published in the Federal Register by the executive departments and agencies of the Federal Government.
11. Compatible Pollutant shall mean a combination of biochemical oxygen demand, suspended solids, pH, fecal coliform bacteria, plus other pollutants that the OCSD's treatment facilities are designed to accept and/or remove. Compatible pollutants are non-compatible

when discharged in quantities that have an adverse effect on the OCSD's system or NPDES permit, or when discharged in qualities or quantities violating any Federal Categorical Pretreatment Standard, local limit, or other discharge requirement.

12. Composite Sample shall mean a collection of individual samples obtained at selected intervals based on an increment of either flow or time. The resulting mixture (composite sample) forms a representative sample of the wastestream discharged during the sample period.
13. Connection Permit shall mean a permit issued by the OCSD, upon payment of a capital facilities connection charge, authorizing the permittee to connect directly to a OCSD sewerage facility or to a sewer which ultimately discharges into a OCSD sewerage facility.
14. Control Authority shall mean the Orange County Sanitation District.
15. Department Head shall mean that person duly designated by the General Manager to direct the Technical Services Department, including the Source Control Division and perform those delegated duties as specified in this Ordinance.
16. Discharger shall mean any person who discharges or causes a discharge of wastewater directly or indirectly to a public sewer. Discharger shall mean the same as User.
17. District shall mean the Orange County Sanitation District.
18. Division Head shall mean that person duly designated by the General Manager to implement the OCSD's Source Control Program and perform the duties as specified in this Ordinance.
19. Domestic Septage shall mean the liquid and solid material removed from a septic tank, cesspool, portable toilet, Type III marine sanitation device, or similar treatment works that receives only domestic wastewater.
20. Domestic Wastewater shall mean the liquid and solid waterborne wastes derived from the ordinary living processes of humans of such character as to permit satisfactory disposal, without special treatment, into the public sewer or by means of a private disposal system.
21. Downstream Sampling or Monitoring shall mean sampling or monitoring usually conducted in a city or agency owned sewer for

the purpose of determining the compliance status of an industrial or commercial discharger.

22. Dry Weather Urban Runoff shall mean surface runoff flow that is generated from any drainage area within OCSD's service area during a period that does not fall within the definition of Wet Weather. It is surface runoff that contains pollutants that interfere with or prohibit the recreational use and enjoyment of public beaches or cause an environmental risk or health hazard.
23. Enforcement Compliance Schedule Agreement (ECSA) shall mean a mutual agreement between the OCSD and permittee requiring implementation of necessary pretreatment practices and/or installation of equipment to ensure permit compliance.
24. Federal Categorical Pretreatment Standards shall mean any regulation containing pollutant discharge limits promulgated by the U.S. EPA in accordance with Sections 307(b) and (c) of the Clean Water Act (33 U.S.C. 1317) which apply to a specific category of industrial users and which appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.
25. Federal Regulations shall mean any applicable provision of the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, Title 33, United States Code, Section 1251 and following, and any regulation promulgated by the United States Environmental Protection Agency under Title 40 CFR implementing that act.
26. Flow Monitoring Facilities shall mean equipment and structures provided at the user's expense to measure, totalize, and/or record, the incoming water to the facility or the wastewater discharged to the sewer.
27. General Manager shall mean the individual duly designated by the Board of Directors of the OCSD to administer this Ordinance (REFER TO SECTION 107).
28. Grab Sample shall mean a sample taken from a waste stream on a one-time basis without regard to the flow in the waste stream and without consideration of time.
29. Industrial User shall mean any user that discharges industrial wastewater.

30. Industrial Wastewater shall mean all liquid-carried wastes and wastewater of the community, excluding domestic wastewater and domestic septage, and shall include all wastewater from any producing, manufacturing, processing, agricultural, or other operation.
31. Inspector shall mean a person authorized by the General Manager to inspect any existing or proposed wastewater generation, conveyance, processing, and disposal facilities.
32. Interference shall mean any discharge which, alone or in conjunction with a discharge or discharges from other sources, either:
  - a) inhibits or disrupts the OCSD, its treatment processes or operations, or its biosolids processes, use, or disposal; or
  - b) is a cause of a violation of any requirement of the OCSD's NPDES permit or prevents lawful biosolids or treated effluent use or disposal.
33. LEL (Lower Explosive Limit) shall mean the minimum concentration of a combustible gas or vapor in air (usually expressed in percent by volume at sea level) which will ignite if an ignition source (sufficient ignition energy) is present.
34. Local Sewering Agency shall mean any public agency or private corporation responsible for the collection and disposal of wastewater to the OCSD's sewerage facilities duly authorized under the laws of the State of California to construct and/or maintain public sewers.
35. Major Violation shall mean a discharge over the permitted discharge limit, as determined by the result of a composite sample analysis, as follows:
  - a) a discharge exceeding a mass emission limit by 20% or more, or
  - b) a discharge exceeding a concentration limit by 20% or more, or
  - c) a pH discharge less than 5.0.
36. Mass Emission Rate shall mean the weight of material discharged to the sewer system during a given time interval. Unless otherwise

specified, the mass emission rate shall mean pounds per day of a particular constituent or combination of constituents.

37. Maximum Allowable Discharge Limit shall mean the maximum quantity or concentration of a pollutant allowed to be discharged at any period of time.
38. May shall mean permissive or discretionary.
39. Medical Waste shall mean the discharge of isolation wastes, infectious agents, human blood and blood byproducts, pathological wastes, sharps, body parts, fomites, etiologic agents, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.
40. Milligrams Per Liter (mg/L) shall mean a unit of the concentration of a constituent or compound that is found in water or wastewater. It is 1 milligram of the constituent or compound in 1 liter of water or wastewater.
41. Minor Violation shall mean a discharge over the permitted discharge limit as determined by the result of a composite sample analysis, as follows:
  - a) a discharge exceeding a mass emission limit by less than 20%, or
  - b) a discharge exceeding a concentration limit by less than 20%, or
  - c) a pH discharge equal to or greater than 5.0, but less than 6.0, or
  - d) a pH discharge greater than 12.0.
42. North American Industry Classification System (NAICS) shall mean an industry classification system that groups establishments into industries based on the activities in which they are primarily engaged.
43. National Pollutant Discharge Elimination System Permit (NPDES Permit) shall mean the permit issued to control the discharge to surface waters of the United States as detailed in Public Law 92-500, Section 402.
44. New Source shall mean those sources that are new as defined by

40 CFR 403.3(k) as revised.

45. Non-Compatible Pollutant shall mean any pollutant which is not a compatible pollutant as defined herein.
46. Normal Working Day shall mean the period of time during which production or operation is taking place or any period during which discharge to the sewer is occurring.
47. OCSD shall mean Orange County Sanitation District.
48. OCSD Sewerage Facility or System shall mean any property belonging to the OCSD used in the treatment, reclamation, reuse, transportation, or disposal of wastewater, or biosolids.
49. Ordinance shall mean that document entitled "Wastewater Discharge Regulations" containing OCSD requirements, conditions, and limits for connecting and discharging to the sewer system, as may be amended and modified.
50. pH shall mean both acidity and alkalinity on a scale ranging from 0 to 14 where 7 represents neutrality, numbers less than 7 increasing acidity, and more than 7 increasing alkalinity, and is the logarithm of the reciprocal of the quantity of hydrogen ions in moles per liter of solution.
51. Pass Through shall mean discharge through the OCSD's sewerage facilities to waters of the U.S. which, alone or in conjunction with discharges from other sources, is a cause of a violation of the OCSD's NPDES permit.
52. Permittee shall mean a person who has received a permit to discharge wastewater into the OCSD's sewerage facilities subject to the requirements and conditions established by the OCSD.
53. Person shall mean any individual, partnership, copartnership, company, firm, association, corporation or public agency, joint stock company, trust, estate, or any other legal entity; or their legal representatives, agents, assigns, including all Federal, State, and local governmental entities.
54. Pesticides shall mean those compounds classified as such under Federal or State law or regulations including, but not limited to DDT (dichlorodiphenyltrichloro-ethane, both isomers), DDE (dichlorodiphenyl-ethylene), DDD (dichlorodiphenyldichloroethane),

Aldrin, Benzene Hexachloride (alpha [ $\alpha$ ], beta [ $\beta$ ], and gamma isomers), Chlordane, Endrin, Endrin aldehyde, 2,3,7,8-tetrachlorodibenzo-p-dioxin (TCDD), toxaphene,  $\alpha$ -endosulfan,  $\beta$ -endosulfan, Endosulfan sulfate, Heptachlor, Heptachlor epoxide, Dieldrin, Demeton, Guthion, Malathion, Methoxychlor, Mirex, and Parathion.

55. Pollutant shall mean any constituent, compound, or characteristic of wastewaters on which a discharge limit may be imposed either by the OCSD or the regulatory bodies empowered to regulate the OCSD.
56. Polychlorinated Biphenyls (PCB) shall mean those compounds classified as such under Federal or State law including, but not limited to Aroclors 1016, 1221, 1228, 1232, 1242, 1248, 1254, 1260, and 1262.
57. Pretreatment shall mean the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater to a level authorized by the OCSD prior to, or in lieu of, discharge of the wastewater into the OCSD's system. The reduction or alteration can be obtained by physical, chemical or biological processes, by process changes, or by other means.
58. Pretreatment Facility shall mean any works or devices that the General Manager determines are appropriate to treat, restrict, or prevent the flow of industrial wastewater prior to discharge into a public sewer.
59. Priority Pollutants shall mean the most recently adopted list of toxic pollutants identified and listed by EPA as having the greatest environmental impact. They are classified as non-compatible pollutants and may require pretreatment prior to discharge in order to prevent:
  - a) interference with the OCSD's operation; or
  - b) biosolids contamination; or
  - c) pass through into receiving waters or into the atmosphere.
60. Public Agency shall mean the State of California and any city, county, district, other local authority or public body of or within this State.



61. Public Sewer shall mean a sewer owned and operated by the OCSD, a city or other local sewerage agency which is tributary to the OCSD's sewerage facilities.
62. RCRA shall mean Resource Conservation and Recovery Act of 1976 (42 U.S.C. 6901, et seq.) and as amended.
63. Regulatory Agencies shall mean those agencies having jurisdiction over the operation of the OCSD including, but not limited to, the following:
  - a) United States Environmental Protection Agency, Region IX, San Francisco and Washington, DC (EPA).
  - b) California State Water Resources Control Board (SWRCB).
  - c) California Regional Water Quality Control Board, Santa Ana Region (RWQCB).
  - d) South Coast Air Quality Management District (SCAQMD).
  - e) California Environmental Protection Agency (Cal-EPA).
64. Regulatory Compliance Schedule Agreement (RCSA) shall mean an agreement between the OCSD and permittee requiring the permittee to implement pretreatment practices and/or install equipment to ensure compliance with future revised categorical pretreatment standards or revised discharge limits.
65. Sample Point shall mean a location accepted by the OCSD, from which wastewater can be collected that is representative in content and consistency of the entire flow of wastewater being sampled.

66. Sampling Facilities shall mean structure(s) provided at the user's expense for the OCSD or user to measure and record wastewater constituent mass, concentrations, collect a representative sample, or provide access to plug or terminate the discharge.
67. Sanitary Waste shall mean domestic wastewater, human excrement and gray water (household showers, dishwashing operations, etc).
68. Septic Waste shall mean any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.
69. Service Area shall mean an area for which the OCSD has agreed to either provide sewer service, or wastewater treatment, or wastewater disposal
70. Sewage shall mean wastewater.
71. Sewerage Facilities or System shall mean any and all facilities used for collecting, conveying, pumping, treating, and disposing of wastewater or sludge or biosolids.
72. Shall mean mandatory.
73. Significant Non-Compliance (SNC) shall mean the compliance status of an industrial user who is in violation of one or more of the criteria as described in 40 CFR 403.
74. Slug Load shall mean a discharge that exceeds the prohibitions stated in Section 201 and significantly exceeds the usual user flow or pollutant loading, either mass or concentration.
75. Sludge shall mean any solid, semi-solid or liquid decant, supernate or supernate from a manufacturing process, utility service, or pretreatment facility.
76. Special Assessment Credit shall mean the portion of the secured property tax bill that represents the regional special assessment sewer user fee as defined by the OCSD.
77. Special Purpose User shall mean any discharger who is granted a Special Purpose Discharge Permit by the OCSD to discharge unpolluted water, storm runoff, or groundwater to the OCSD's sewerage facilities.
78. Spent Solutions shall mean any concentrated industrial wastewater.

79. Spill Containment shall mean a protection system installed by the permittee to prohibit the discharge to the sewer of non-compatible pollutants.
80. Standard Methods shall mean procedures described in the current edition of Standard Methods for the Examination of Water and Wastewater, as published by the American Public Health Association, the American Water Works Association and Water Pollution Control Federation.
81. Suspended Solids shall mean any insoluble material contained as a component of wastewater and capable of separation from the liquid portion of said waste by laboratory filtration as determined by the appropriate testing procedure and expressed in terms of milligrams per liter.
82. Tax Credit shall mean the Annual Regional Sewer Service Charge on the Secured Property tax bill.
83. Total Organic Carbon (TOC) shall mean the measure of total organic carbon in domestic or other wastewater as determined by the appropriate testing procedure.
84. Total Toxic Organics (TTO) shall mean the summation of all quantifiable values greater than 0.01 milligrams per liter for the organics regulated by the EPA or OCSD for a specific industrial category.
85. Unpolluted Water shall mean water to which no pollutant has been added either intentionally or accidentally.
86. User shall mean any person who discharges or causes a discharge of wastewater directly or indirectly to a public sewer. User shall mean the same as Discharger or Industrial User.
87. Waste shall mean sewage and any and all other waste substances, liquid, solid, gaseous or radioactive, associated with human habitation or of human or animal nature, including such wastes placed within containers of whatever nature prior to and for the purpose of disposal.
88. Waste Manifest shall mean that receipt which is retained by the generator of hazardous wastes as required by the State of California or the United States Government pursuant to RCRA, or the California Hazardous Materials Act, or that receipt which is

retained by the generator for recyclable wastes or liquid non-hazardous wastes as required by the OCSD.

89. Wastehauler shall mean any person carrying on or engaging in vehicular transport of waste as part of, or incidental to, any business for the purpose of discharging said waste into the OCSD's system.
90. Wastewater shall mean the liquid and water-carried wastes of the community and all constituents thereof, whether treated or untreated, discharged into or permitted to enter a public sewer.
91. Wastewater Constituents and Characteristics shall mean the individual chemical, physical, bacteriological, and radiological parameters, including volume and flow rate and such other parameters that serve to define, classify or measure the quality and quantity of wastewater.
92. Wet Weather shall mean any period of time during which measurable rainfall occurs within of OCSD's service area. This period shall include the time following the cessation of rainfall until OCSD determines that the wet weather event is no longer impacting OCSD's sewerage system.

- B. Words used in this Ordinance in the singular may include the plural and the plural the singular. Use of masculine shall mean feminine and use of feminine shall mean masculine. Shall is mandatory; may is permissive or discretionary.

### **103. CONFIDENTIAL INFORMATION**

All user information and data on file with the OCSD shall be available to the public and governmental agencies without restriction unless the user specifically requests and is able to demonstrate to the satisfaction of the OCSD that the release of such information would divulge information, processes or methods which would be detrimental to the user's competitive position. The demonstration of the need for confidentiality made by the permittee must meet the burden necessary for withholding such information from the general public under applicable State and Federal Law. Any such claim must be made at the

time of submittal of the information by marking the submittal "Confidential Business Information" on each page containing such information.

Information which is demonstrated to be confidential shall not be transmitted to anyone other than a governmental agency without prior notification to the user. Wastewater constituents and characteristics and other effluent data, as defined in 40 CFR 2.302 shall not be recognized as confidential information and shall be available to the public.

#### **104. TRANSFER OF PERMITS**

- A. Permits issued under this Ordinance are for a specific user, for a specific operation at a specific location or for a specific waste hauler, and create no vested rights.
  - 1. No permit may be transferred to allow a discharge to a public sewer from a point other than the location for which the permit was originally issued.
  - 2. Except as expressly set forth herein, no permit for an existing facility may be transferred to a new owner and/or operator of that facility.
  
- B. At least thirty (30) days prior to the sale or transfer of ownership of any business operating under a permit issued by the OCSD, the permittee shall notify the OCSD in writing of the proposed sale or transfer. The successor owner shall apply to the OCSD for a new permit at least fifteen (15) days prior to the sale or transfer of ownership in accordance with the provisions of this Ordinance. A successor owner shall not discharge any wastewater for which a permit is required by this Ordinance until a permit is issued by the OCSD to the successor owner.
  
- C. Notwithstanding the foregoing, the OCSD may, in its discretion, allow the transfer of a permit to a new owner and/or operator, at the same location for which the permit was originally issued, if:
  - 1. The existing permittee and the proposed new owner and/or operator provide the OCSD with written notification of the intended transfer at least thirty (30) days in advance of the transfer date;
  - 2. The previous owner retains an ownership interest in the facility of greater than fifty percent (50%); and
  - 3. The OCSD approves, in writing, the permit transfer prior to commencement of operations by the new owner and/or operator.

- D. The written notification of intended transfer shall be in a form approved by the OCSD and shall include a written certification by the new owner and/or operator which:
1. States that the new owner or operator has no immediate intent to modify the facility's operations and/or processes;
  2. Identifies the specific date on which the transfer is to occur; and
  3. Acknowledges that the new owner or operator is fully responsible for complying with the terms and conditions of the existing permit and all provisions of this Ordinance.

#### **105. EFFECT OF TRANSFER OF PERMITS**

Except as expressly set forth in Section 104.C, any permit which is transferred to a new owner and/or operator or to a new facility is void.

#### **106. AUTHORITY**

The OCSD is regulated by several agencies of the United States Government and the State of California, pursuant to the provisions of Federal and State Law. Federal and State Laws grant to the OCSD the authority to regulate and/or prohibit, by the adoption of ordinances or resolutions, and by issuance of discharge permits, the discharge of any waste, directly or indirectly, to the OCSD's sewerage facilities. Said authority includes the right to establish limits, conditions, and prohibitions; to establish flow rates or prohibit flows discharged to the OCSD's sewerage facilities; to require the development of compliance schedules for the installation of equipment systems and materials by all users; and to take all actions necessary to enforce its authority, whether within or outside the OCSD's boundaries, including those users that are tributary to the OCSD or within areas for which the OCSD has contracted to provide sewerage services.

The OCSD has the authority pursuant to California Health and Safety Codes 5471 and 5474 to prescribe, revise, and collect all fees and charges for services and facilities furnished by the OCSD either within or without its territorial limits.

#### **107. DELEGATION OF AUTHORITY**

Whenever any power is granted to or a duty is imposed upon the General Manager, the power may be exercised or the duty may be performed by any person so authorized by the General Manager.

#### **108. SIGNATORY REQUIREMENTS**

Reports and permit applications required by this Ordinance shall contain the following certification statement:

"I have personally examined and am familiar with the information submitted in the attached document, and I hereby certify under penalty of perjury that this information was obtained in accordance with the Federal Pretreatment Requirements. Moreover, based upon my inquiry of those individuals immediately responsible for obtaining the information reported herein, I believe that the submitted information is true, accurate, and complete. I am aware that there are significant penalties not limited to fines and imprisonment for submitting false information."

The statement shall be signed by an authorized representative of the industrial user as defined in 40 CFR 403 or as defined and designated by the OCSD.

## **ARTICLE 2**

### **GENERAL PROHIBITIONS, LIMITS AND REQUIREMENTS FOR DISCHARGE**

#### **201. PROHIBITED DISCHARGES**

These prohibitions apply to all users of the OCSD facilities whether or not they are subject to Federal Categorical Pretreatment Standards or any other National, State, or local pretreatment standards or requirements.

##### **A. General Prohibitions.**

1. No user shall introduce or cause to be introduced into the OCSD any pollutant, wastewater, or flow which causes pass through or interference or would cause the OCSD to violate any Federal, State, or local regulatory requirement.
2. No user shall increase the contribution of flow, pollutants, or change the nature of pollutants where such contribution or change does not meet applicable standards and requirements or where such contribution would cause the OCSD to violate any Federal, State, or local regulatory permit.
3. No person shall transport waste from one location or facility to another for the purpose of treating or discharging it directly or indirectly to the OCSD sewerage system without written permission from the OCSD.
4. No person shall deliver by vehicular transport, rail car, or dedicated pipeline, directly or indirectly to the OCSD sewerage facilities, wastewater which contains any substance that is defined as a

hazardous waste by the Regulatory Agencies.

- B. Specific Prohibitions. No user shall introduce or cause to be introduced into the sewerage facilities, pollutants, substances, or wastewater which:
1. Creates a fire or explosive hazard in the sewerage facilities including, but not limited to, wastestreams with a closed-cup flashpoint of less than 140 degrees F (60 degrees C) using the test methods specified in 40 CFR 261.21; or produces a gaseous mixture that is 10% or greater of the lower explosive limit (LEL).
  2. Causes obstruction to the flow in the sewer system resulting in interference or damage to the sewerage facilities.
  3. Produces noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, is sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair.
  4. Results in toxic gases, vapors, or fumes within the sewerage facilities in a quantity that may cause acute worker health and safety problems.
  5. Contains any radioactive wastes or isotopes except in compliance with applicable regulations from other governmental agencies empowered to regulate the use of radioactive materials.
  6. Causes, alone or in conjunction with other sources, the OCSD's treatment plant effluent to fail a toxicity test.
  7. Caused the OCSD's effluent or any other product of the treatment process, residues, biosolids, or scums, to be unsuitable for reclamation, reuse or disposal.
  8. Causes discoloration or any other condition which affects the quality of the OCSD's influent or effluent in such a manner that inhibits the OCSD's ability to meet receiving water quality, biosolids quality, or air quality requirements established by Regulatory Agencies.
  9. Creates excessive foaming in the sewerage facilities.
  10. Violates any applicable Federal Categorical Pretreatment Standard, statute, regulation, or ordinance of any public agency or Regulatory Agency having jurisdiction over the operation of or discharge of wastewater through the sewerage facilities.



11. Has a temperature higher than 140 degrees Fahrenheit, (60 degrees Centigrade), or which causes the temperature at the treatment plant to exceed 104 degrees Fahrenheit (40 degrees Centigrade).
12. Has a pH less than 6.0 or greater than 12.0.
13. Has a maximum Biochemical Oxygen Demand (BOD) greater than 15,000 pounds per day.
14. Is in excess of the permitted mass emission rates established in accordance with: Section 212, or the concentration limits set forth in Table I, or the discharge permit.
15. Contains material which will readily settle or cause an obstruction to flow in the sewer resulting in interference, such as, but not limited to, sand, mud, glass, metal filings, diatomaceous earth, cat litter, asphalt, wood, bones, hair, and fleshings.

**202. PROHIBITION ON DILUTION**

No user shall increase the use of water or in any other manner attempt to dilute a discharge as a partial or complete substitute for treatment to achieve compliance with this Ordinance and the user's permit or to establish an artificially high flow rate for permit mass emission rates.

**203. PROHIBITION ON SURFACE RUNOFF AND GROUNDWATER**

- A. No person shall discharge groundwater, surface runoff, or subsurface drainage directly or indirectly to the OCSD's sewerage facilities except as provided herein. Pursuant to Section 304 or 305, et seq., the OCSD may approve the discharge of such water only when no alternate method of disposal is reasonably available or to mitigate an environmental risk or health hazard.
- B. The discharge of such waters shall require a Dry Weather Urban Runoff Permit or a Special Purpose Discharge Permit from the OCSD.

- C. If a permit is granted for the discharge of such water into a public sewer, the user shall pay the applicable charges established herein and shall meet such other conditions as required by the OCSD.

**204. PROHIBITION ON UNPOLLUTED WATER**

- A. No person shall discharge unpolluted water such as single pass cooling water directly or indirectly to the OCSD's sewerage facilities except as provided herein. Pursuant to Section 305, et seq., the OCSD may approve the discharge of such water only when no alternate method of disposal or reuse is reasonably available or to mitigate an environmental risk or health hazard.
- B. The discharge of such waters shall require a Special Purpose Discharge Permit from the OCSD.
- C. If a permit is granted for the discharge of such water into a public sewer, the user shall pay the applicable charges established herein and shall meet such other conditions as required by the OCSD.

**205. RESERVED**

**206. PROHIBITION ON THE USE OF GRINDERS**

- A. Waste from industrial or commercial grinders shall not be discharged into a public sewer, except wastes generated in packing or preparing food or food products. Such grinders must shred the waste to a degree that all particles will be carried freely under normal flow conditions prevailing in the public sewer.
- B. Waste from Food Service Establishments operating a grinder is prohibited and shall not be discharged into a public sewer unless written authorization from the OCSD General Manager or his designee is obtained.

**207. PROHIBITION ON POINT OF DISCHARGE**

No person, except local sewerage agencies involved in maintenance functions of sanitary sewer facilities, shall discharge any wastewater directly into a manhole or other opening in a sewer other than through an approved building sewer, unless approved by the OCSD upon written application by the user and payment of the applicable fees and charges established herein.

**208. PROHIBITION AND REQUIREMENTS FOR WASTEHAULER DISCHARGES TO THE OCSD SEWERAGE SYSTEM AND WASTEHAULER STATION**

- A. No Wastehauler shall discharge to the OCSD sewerage system, domestic septage or other approved waste or wastewater from a vacuum pumping truck or other liquid waste transport vehicle, without first obtaining both a valid Orange County Health Care Agency Permit and a OCSD Wastehauler Permit as required by Section 306. Such wastewaters shall be discharged only at locations designated by the OCSD, and at such times as established by the OCSD. The OCSD may collect samples of each hauled load to ensure compliance with applicable standards.
- B. No Wastehauler shall discharge domestic septage or other approved waste or wastewater constituents in excess of Limits in Table I.
- C. The discharge of industrial wastewater by any Wastehauler is prohibited unless written permission of the General Manager has been obtained, the proper permits have been obtained, and the waste meets Federal and State limits applicable to the user from which the waste was obtained; or Maximum Local Discharge Limits as specified in Table I, whichever are more stringent. The discharge of hauled industrial wastewater is subject to all other requirements of this ordinance.
- D. No Wastehauler shall discharge wastewater to sewers that are tributary to the OCSD's sewerage facilities that are from a source that is not within the OCSD's service area unless prior authorization is granted by the General Manager or his designee.
- E. No Wastehauler shall discharge directly or indirectly to the sewerage facilities any material defined as hazardous waste by RCRA or 40 CFR 261.
- F. Wastehaulers shall provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the industrial waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste.
- G. Discharge at the OCSD disposal station shall be through an appropriate hose and connection to the discharge port. Discharging waste directly to the surface area of the disposal station is prohibited.
- H. Wastehauler hoses must be connected to the disposal station discharge port when being cleaned.
- I. Transferring loads between trucks or from portable toilets to trucks on

OCSD property is prohibited unless permission from OCSD is obtained.

**209. RESERVED**

**210. PROHIBITION ON MEDICAL WASTE**

- A. No person shall discharge solid wastes from hospitals, clinics, offices of medical doctors, convalescent homes, medical laboratories or other medical facilities to the sewerage system including, but not limited to, hypodermic needles, syringes, instruments, utensils or other paper and plastic items of a disposable nature except where prior written approval for such discharges is given by the General Manager.
- B. The OCSD shall have the authority to require that any discharge of an infectious waste to the sewer be rendered non-infectious prior to discharge if the infectious waste is deemed to pose a threat to the public health and safety, or will result in any violation of applicable waste discharge requirements.

**211. PROHIBITION ON DISPOSAL OF SPENT SOLUTIONS AND SLUDGES**

Spent solutions, sludges, and materials of quantity or quality in violation of, or prohibited by this Ordinance, or any permit issued under this Ordinance must be disposed of in a legal manner at a legally acceptable point of disposal as defined by the OCSD or appropriate Regulatory Agency. All waste manifests shall be retained for a minimum of three years, and made available to the OCSD upon request.

**212. MASS EMISSION RATE DETERMINATION**

- A. Mass emission rates for non-compatible or compatible pollutants that are present or anticipated in the user's wastewater discharge may be set for each user and made an applicable part of each user's permit. These rates shall be based on Table I, Local Discharge Limits, or Federal Categorical Pretreatment Standards, and the user's average daily wastewater discharge for the past three years, the most recent representative data, or other data acceptable to the General Manager or his designee.
- B. To verify the user's operating data, the OCSD may require a user to submit an inventory of all wastewater streams and/or records indicating production rates.

- C. The OCSD may revise limits or mass emission rates previously established in the discharger's permit at any time, based on: current or anticipated operating data of the discharger or the OCSD; the OCSD's ability to meet NPDES limits; or changes in the requirements of Regulatory Agencies.
- D. The excess use of water to establish an artificially high flow rate for mass emission rate determination is prohibited.

**TABLE I**

<b>ORANGE COUNTY SANITATION DISTRICT MAXIMUM ALLOWABLE LOCAL DISCHARGE LIMITS (a)</b>	
<u>CONSTITUENT</u>	<u>MILLIGRAMS/LITER</u>
Arsenic	2.0
Cadmium	1.0
Chromium (Total)	2.0
Copper	3.0
Lead	2.0
Mercury	0.03
Nickel	10.0
Silver	5.0
Zinc	10.0
Cyanide (Total)	5.0
Cyanide (Amenable)	1.0
Polychlorinated Biphenyls	0.01
Pesticides	0.01
Total Toxic Organics	0.58
Sulfide (Total)	5.0
Sulfide (Dissolved)	0.5
Oil and grease of mineral or petroleum origin	100.0
BOD	15,000 lbs/day
<b>MAXIMUM ALLOWABLE DISCHARGE LIMITS FOR WASTEHAULERS DISCHARGING DOMESTIC SEPTAGE</b>	
<u>CONSTITUENT</u>	<u>MILLIGRAMS/LITER</u>
Cadmium	1.0
Chromium	2.0
Copper	25.0
Lead	10.0
Nickel	10.0
Zinc	50.0

(a): Users subject to Federal Categorical Pretreatment Standards may be required to meet more stringent limits.

## ARTICLE 3

### DISCHARGE PERMITS, CHARGES, AND FEES

#### 301. INTRODUCTION

- A. To provide the maximum public benefit from the use of OCSD sewerage facilities, written authorization to use said facilities is required. This written authorization shall be in the form of a discharge permit. No vested right shall be given by issuance of permits provided for in this Ordinance. The OCSD reserves the right to establish, by Ordinance or in Wastewater Discharge Permits, more stringent standards or requirements on discharges to the OCSD sewerage facilities if deemed by the General Manager appropriate to comply with the objectives presented in the Introduction and Summary of this Ordinance and the prohibitions and limitations in Article 2.
- B. The discharge permit shall be in one of five forms and is dependent upon the type of discharger, volume, and characteristics of discharge. The five discharge permits are:
1. Class I Wastewater Discharge Permit.
  2. Class II Wastewater Discharge Permit.
  3. Dry Weather Urban Runoff Discharge Permit.
  4. Special Purpose Discharge Permit.
  5. Wastehauler Discharge Permit.

#### 302. CLASS I WASTEWATER DISCHARGE PERMITS

- A. No user requiring a Class I permit shall discharge wastewater without obtaining a Class I Wastewater Discharge Permit.
- B. Class I Wastewater Discharge Permits shall be expressly subject to all provisions of this Ordinance and all other regulations, charges for use, and fees established by the OCSD. The conditions of Wastewater Discharge Permits shall be enforced by the OCSD in accordance with this Ordinance and applicable State and Federal Regulations.
- C. All Class I users proposing to discharge directly or indirectly into the OCSD sewerage facilities shall obtain a Wastewater Discharge Permit by filing an application pursuant to Section 302.1 and paying the applicable

fees pursuant to Section 302.3. For purposes of this Ordinance, a Class I user is any user:

1. Subject to Federal Categorical Pretreatment Standards; or
2. Discharging wastewater which averages 25,000 gallons per day or more of regulated process water; or
3. Discharging wastewater determined by the OCSD to have a reasonable potential for adversely affecting the OCSD's operation or for violating any pretreatment standard, local limits, or discharge requirement; or
4. Discharging wastewater which may cause, as determined by the General Manager, pass through or interference with the OCSD system.

### **302.1 Class I Wastewater Discharge Permit Application**

- A. Any person required to obtain a Class I Wastewater Discharge Permit shall complete and file with the OCSD, prior to commencing discharge, an application on the form prescribed by the OCSD. The applicant shall submit, in units and terms appropriate for evaluation, the following information:
1. Name, address, assessor's parcel number(s), NAICS number(s), description of the manufacturing process or service activity.
  2. (Whichever is applicable) name, address of any and all principals/owners/major shareholders of company; Articles of Incorporation; most recent Report of the Secretary of State; Business License.
  3. Volume of wastewater to be discharged.
  4. Name of individual who can be served with notices other than officers of corporation.
  5. Name and address of property owner, landlord and/or manager of the property.
  6. Water supplier and water account numbers.
  7. Wastewater constituents and characteristics as required by the OCSD, including, but not limited to, those mentioned in Section 212, Mass Emission Rate Determination, and Table I, Local

Discharge Limits, of this Ordinance. These constituents and characteristics shall be determined by a laboratory selected by the discharger and acceptable to the OCSD.

8. Time and duration of discharge.
  9. Number of employees per shift and hours of work per employee per day for each shift.
  10. Waste minimization, best management practices, and water conservation practices.
  11. Production records, if applicable.
  12. Waste manifests, if applicable.
  13. Landscaped area in square feet, if applicable.
  14. Tons of cooling tower capacity, if applicable.
  15. EPA Hazardous Waste Generator Number, if applicable.
  16. Any other information as specified.
- B. Applicants may be required to submit site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, spill containment, clarifiers, pretreatment equipment, and appurtenances by size, location, and elevation for evaluation.
- C. Applicants may also be required to submit information related to the applicant's business operations, processes, and potential discharge as may be requested by the OCSD to properly evaluate the permit application.
- D. After evaluation of the data, the OCSD may issue a Wastewater Discharge Permit, subject to terms and conditions set forth in this Ordinance and as otherwise determined by the General Manager to be appropriate to protect the OCSD's sewerage facilities.
- E. The permit application may be denied if the applicant fails to establish to the OCSD's satisfaction that adequate pretreatment equipment is included within the applicant's plans to ensure that the discharge limits will be met or if the applicant has, in the past, demonstrated an inability to comply with applicable discharge limits.
- F. The permit application may be denied if the applicant has in the past



demonstrated an inability to keep current with OCSD invoices for items such as Permit Fees, Non-Compliance Fees, Civil Penalties, Administrative Civil Penalties, Charges for Use, and Supplemental Capital Facilities Capacity Charges.

### **302.2 Class I Permit Conditions, and Limits**

- A. A Class I permit shall contain all of the following conditions or limits:
1. Mass emission rates and concentration limits regulating non-compatible pollutants.
  2. Requirements to notify the OCSD in writing prior to modification to processes or operations through which industrial wastewater may be produced.
  3. Location of the user's on-site sampling point.
  4. Requirements for submission of self-monitoring reports, technical reports, production data, discharge reports, compliance with Pretreatment Standards, BMP-based Categorical Pretreatment Standards and/or local limits, and/or waste manifests.
  5. Requirements for maintaining, for a minimum of three years, plant records relating to wastewater discharge, and waste manifests as specified by OCSD.
  6. Requirements to submit copies of tax and water bills.
- B. A Class I permit may contain any of the following conditions or limits:
1. Requirements for the user to construct and maintain, at his own expense, appropriate pretreatment equipment, pH control, flow monitoring facilities, and sampling facilities.
  2. Limits on rate and time of discharge or requirements for flow regulation and equalization.
  3. Requirements to self-monitor.

4. Assumed values for BOD and suspended solids characteristics that typify the discharger's effluent for determination of the charge for use.
5. Other terms and conditions which may be appropriate to ensure compliance with this Ordinance or determined by the General Manager or his designee to be appropriate to protect the sewerage system.

### **302.3 Class I Permit Fee**

- A. The Class I permit fee shall be in an amount adopted by Ordinance of the Board of Directors. The permit fee shall be payable at the time a permit application is submitted for the issuance of a new permit or a renewed permit. Payment of permit must be received by the OCSD prior to issuance of either a new permit or a renewed permit. Permittee shall also pay any delinquent invoices in full prior to permit renewal.
- B. Any permit issued for a location wherein the Permittee is not the property owner may be conditioned upon depositing financial security to guarantee payment of all annual fees and charges to be incurred, in accordance with the provisions of Section 621.(E) of this Ordinance.

### **302.4 Class I Permit Modification of Terms and Conditions**

- A. The terms and conditions of an issued permit may be subject to modification and change in the sole determination by the General Manager during the life of the permit based on:
  1. The discharger's current or anticipated operating data;
  2. The OCSD's current or anticipated operating data;
  3. Changes in the requirements of Regulatory Agencies which affect the OCSD; or
  4. A determination by the General Manager that such modification is appropriate to further the objectives of this Ordinance.
- B. New source indirect dischargers shall be required to install and start up any necessary pollution control equipment before beginning discharge, and comply with applicable Federal Categorical Pretreatment Standards not to exceed thirty (30) days after the commencement of discharge.

- C. Permittee may request a modification to the terms and conditions of an issued permit. The request shall be in writing stating the requested change, and the reasons for the change. The OCSD shall review the request, make a determination on the request, and respond in writing.
- D. Permittee shall be informed of any change in the permit limitations, conditions, or requirements at least forty-five (45) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

### **302.5 Class I Permit Duration and Renewal**

Class I permits shall normally be issued for a period not to exceed two (2) years. At least 45 days prior to the expiration of the permit, the user shall apply for renewal of the permit in accordance with the provisions of this Article 3.

### **302.6 Class I Permit Charge for Use**

- A. The purpose of a charge for use is to ensure that each recipient of sewerage service from the OCSD pays its reasonably proportionate share of all the costs of providing that sewerage service. Charges for use to recover the cost of conveying, treating, and disposing of sewage in OCSD facilities are exclusive of any fees levied by local sewerage agencies. The charge for use shall be based on the total maintenance, operation, capital expenditures, and reserve requirements for providing wastewater collection, treatment, and disposal.
- B. A discharger who is issued a Class I Wastewater Discharge Permit under the provisions of this Ordinance shall pay a charge for use in accordance with the formula contained herein and the unit charge rates adopted annually by Ordinance of the Board of Directors. These fees shall be invoiced on a quarterly basis. The quarterly invoice shall be based upon an estimate of the annual use as determined by the OCSD. Annually, the OCSD shall compute the charge for use based upon actual use for the preceding 12-month period on an annual reconciliation statement.

The charge for use is payable within forty-five (45) days of invoicing by the OCSD. A credit will be allowed for any regional sanitary sewer service charge adopted by the Board of Directors by separate Ordinance and levied against the permitted property.

C. Current property tax bills shall be supplied by the permittee to the OCSD by May 31 of each year for use in determining the regional sanitary sewer service credit. If the tax bills are not supplied, the OCSD will endeavor to obtain the data. Data obtained by the OCSD will be considered correct and will not be adjusted before the next annual reconciliation statement. There shall be a fee levied for the OCSD administrative costs when regional sanitary sewer service charge data is obtained by the OCSD. The amount of the fee shall be adopted by the OCSD's Board of Directors.

D. In order for the OCSD to determine actual annual water use, the user shall provide to the OCSD copies of its water bills. If these water bill copies are not received by July 31 of each year for the 12-month period ended closest to June 30, the OCSD will endeavor to obtain the water use data. Data obtained by the OCSD will be considered correct and will not be adjusted before the next annual reconciliation statement. There shall be a fee levied for OCSD administrative costs when the OCSD obtains water use data. The OCSD's Board of Directors shall adopt the amount of the fee.

E. The charge for use shall be computed by the following formula:

$$\text{Charge for Use} = V_oV + B_oB + S_oS - \text{Tax Credit}$$

Where  $V$  = total annual volume of flow, in millions of gallons

$B$  = total annual discharge of biochemical oxygen demand, in thousands of pounds

$S$  = total annual discharge of suspended solids, in thousands of pounds

$V_o, B_o, S_o$  = Unit Charge rates established and adopted by Ordinance of the OCSD's Board of Directors, based upon the funding requirements of providing sewerage service, in dollars per unit as described in Paragraph F below:

F. The Unit Charge rates in the charge-for-use formula shall be determined by the following method:

1. An Operations and Maintenance component of the Unit Charge for the total annual operation and maintenance funding requirements of the sewerage system shall be levied at a rate to be determined from time to time by the Board of Directors. This Charge shall be allocated among the three wastewater charge parameters of flow, biochemical oxygen demand and suspended solids in accordance with the General Manager's determination as to the costs associated with each parameter and pursuant to applicable

requirements of State and Federal Regulatory Agencies.

The operation and maintenance costs as distributed to flow, biochemical oxygen demand and suspended solids shall be divided by the projected annual total flow volume and weights of biochemical oxygen demand and suspended solids to be treated by the sewerage system in the budgeted year.

2. A Capital Facilities Replacement Service component of the Unit Charge for capital replacement and capital improvement shall be levied at a rate to be determined from time to time by the Board of Directors. This charge shall be allocated among wastewater charge parameters of flow, biochemical oxygen demand, and suspended solids in accordance with the General Manager's determination of which portion of the charge predominantly relates to each parameter.

The capital facilities charge distributed to biochemical oxygen demand, and suspended solids shall be divided by the projected annual weights of biochemical oxygen demand and suspended solids to be treated by the sewerage system in the budgeted year.

3. The Unit Charge rates for each respective wastewater component in (1) and (2) above shall be summed. The Unit Charge rates so determined will be expressed in dollars per million gallons for  $V_o$ , and in dollars per thousand pounds for  $B_o$  and  $S_o$ .

- G. Other measurements of the organic content of the wastewater of a discharger, such as COD or TOC, may be used instead of BOD. However, the discharger must establish to the General Manager's satisfaction a relationship between the BOD of the wastewater and the parameter of measure. This relationship shall be used by the OCSD in determining the charge for use.

When wastewater from sanitary facilities is discharged separately from the other wastewater of a discharger, the charge for use for discharging the sanitary wastewater may be determined by using the following:

1. 25 gallons per employee per eight-hour working day.
2. BOD and suspended solids to be calculated at domestic wastewater strength per employee per year.

The number of employees will be considered as the average number of people employed full-time on a daily basis. This may be determined by averaging the number of people employed at the beginning and end of each quarter, or other period that reflects normal employment fluctuations.

### **303. CLASS II WASTEWATER DISCHARGE PERMITS**

- A. No user requiring a Class II permit shall discharge wastewater without obtaining a Wastewater Discharge Permit.
- B. Class II Wastewater Discharge Permits shall be expressly subject to all provisions of this Ordinance and all other regulations, charges for use and fees established by the OCSD. The conditions of Wastewater Discharge Permits shall be enforced by the OCSD in accordance with this Ordinance and applicable State and Federal Regulations.
- C. All Class II users proposing to discharge directly or indirectly into the OCSD sewerage facilities shall obtain a Wastewater discharge Permit by filing an application pursuant to Section 303.1 and paying the applicable fees pursuant to Section 303.3. For purposes of this Ordinance, a Class II user is any user:
  - 1. Whose charge for use is greater than the special assessment "OCSD Sewer User Fee" included on the County of Orange secured property tax bill exclusive of debt service, that discharges wastes other than sanitary, and that is not otherwise required to obtain a Class I permit, and
  - 2. Discharging waste other than sanitary; and
  - 3. Not otherwise required to obtain a Class I permit.

#### **303.1 Class II Wastewater Discharge Permit Application**

- A. Any person required to obtain a Class II Wastewater Discharge Permit shall complete and file with the OCSD, prior to commencing discharge, an application on the form prescribed by the OCSD. The applicant shall submit, in units and terms appropriate for evaluation, the following information:
  - 1. Name, address, assessor's parcel number(s) and NAICS number(s); description of the manufacturing process or service activity.

2. (Whichever is applicable) Name, address of any and all principals/owners/major shareholders of company; Articles of Incorporation; most recent Report of the Secretary of State; Business License.
3. Volume of wastewater to be discharged.
4. Name of individual who can be served with notices other than officers of corporation.
5. Name and address of property owner, landlord and/or manager of the property.
6. Water supplier and water account numbers.
7. Wastewater constituents and characteristics as required by the OCSD, including, but not limited to, those mentioned in Section 212, Mass Emission Rate Determination, and Table I, Local Discharge Limits of this Ordinance. These constituents and characteristics shall be determined by a laboratory selected by the discharger and acceptable to the OCSD.
8. Time and duration of discharge.
9. Number of employees and average hours of work per employee per day.
10. Waste minimization, best management practices, and water conservation practices.
11. Production records, if applicable.
12. Waste manifests, if applicable.
13. Landscaped area in square feet, if applicable.
14. Tons of cooling tower capacity, if applicable.
15. EPA Hazardous Waste Generator Number, if applicable.
16. Any other information as specified.

- B. Applicants may be required to submit site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, spill containment, clarifiers, pretreatment systems, and appurtenances by size, location, and elevation for evaluation.
- C. Applicants may also be required to submit other information related to the applicant's business operations, processes, and potential discharge as may be requested to properly evaluate the permit application.
- D. After evaluation of the data furnished, the OCSD may issue a Wastewater Discharge Permit, subject to terms and conditions set forth in this Ordinance and as otherwise determined by the General Manager to be appropriate to protect the OCSD system.
- E. The permit application may be denied if the applicant fails to establish to the OCSD's satisfaction that adequate pretreatment equipment is included within the applicant's plans to ensure that the discharge limits will be met or if the applicant has, in the past, demonstrated an inability to comply with applicable discharge limits.

### **303.2 Class II Permit Conditions and Limits**

- A. A Class II permit shall contain all of the following conditions or limits:
  - 1. Applicable mass emission rates and concentration limits regulating non-compatible pollutants.
  - 2. Requirements to notify the OCSD in writing prior to modification to processes or operations through which industrial wastewater may be produced.
  - 3. Location of the user's on-site sample point.
  - 4. Requirements for submission of technical reports, production data, discharge reports, and/or waste manifests.
  - 5. Requirements to submit copies of tax and water bills.
- B. A Class II permit may contain any of the following conditions or limits:
  - 1. Requirements for the user to construct and maintain, at his own expense, appropriate pretreatment equipment, pH control, flow monitoring and/or sampling facilities.



2. Limits on rate and time of discharge or requirements for flow regulation and equalization.
3. Assumed values for BOD and suspended solids characteristics that typify the discharger's effluent for determination of the charge for use.
4. Requirements to self-monitor.
5. Requirements for maintaining, for a minimum of three years, plant records relating to wastewater discharge, and waste manifests as specified by OCSD.
6. Other provisions which may be appropriate to ensure compliance with this Ordinance.
7. Other terms and conditions determined by the General Manager to be appropriate to protect the OCSD's system.

### **303.3 Class II Permit Fee**

- A. The Class II permit fee shall be in an amount adopted by Ordinance of the Board of Directors. The permit fee shall be payable at the time a permit application is submitted for the issuance of a new permit or a renewed permit. Payment of the permit fee must be received by the OCSD prior to issuance of either a new permit or a renewed permit. Permittee shall also pay any delinquent invoices in full prior to permit renewal.
- B. Any permit issued for a location wherein the Permittee is not the property owner may be conditioned upon depositing financial security to guarantee payment of all annual fees and charges to be incurred, in accordance with the provisions of Section 621.(E) of this Ordinance.

### **303.4 Class II Permit Modification of Terms and Conditions**

- A. The terms and conditions of an issued permit may be subject to modification and change in the sole determination by the General Manager during the life of the permit based on:
  1. The discharger's current or anticipated operating data;
  2. The OCSD's current or anticipated operating data;
  3. Changes in the requirements of Regulatory Agencies which affect the OCSD; or

4. A determination by the General Manager that such modification is appropriate to further the objectives of this Ordinance.
- B. The permittee may request a modification to the terms and conditions of an issued permit. The request shall be in writing stating the requested change, and the reasons for the change. The OCSD shall review the request, make a determination on the request, and respond in writing.
- C. Permittee shall be informed of any change in the permit limitations, conditions, or requirements at least forty-five (45) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

### **303.5 Class II Permit Duration and Renewal**

Class II permits shall normally be issued for a period not to exceed three (3) years. At least 45 days prior to the expiration of the permit, the user shall apply for renewal of the permit in accordance with the provisions of this Article 3.

### **303.6 Class II Permit Charge for Use**

- A. The purpose of a charge for use is to ensure that each recipient of sewerage service from the OCSD pays its reasonably proportionate share of all the costs of providing that sewerage service. Charges for use to recover the cost of conveying, treating, and disposing of sewage in OCSD sewerage facilities are exclusive of any fees levied by local sewerage agencies. The charge for use shall be based on the total maintenance, operation, capital expenditures, and reserve requirements for providing wastewater collection, treatment, and disposal.
- B. A discharger who is issued a Class II Wastewater Discharge Permit under the provisions of this Ordinance shall pay a charge for use in accordance with the formula contained herein and the Unit Charge rates adopted annually by Ordinance of the Board of Directors. These fees shall be invoiced on a quarterly basis. The quarterly invoice shall be based upon an estimate of the annual use as determined by the OCSD.

Annually, the OCSD shall compute the charge for use based upon actual use for the preceding 12-month period on an annual reconciliation statement. The charge for use is payable within forty-five (45) days of invoicing by the OCSD. A credit will be allowed for any regional sanitary sewer service charge adopted by the Board of Directors by separate Ordinance and levied against the permitted property.

- C. Current property tax bills shall be supplied by the permittee to the OCSD by May 31 of each year for use in determining the regional sanitary sewer

service credit. If the tax bills are not supplied, the OCSD will endeavor to obtain the data. Data obtained by the OCSD will be considered correct and will not be adjusted before the next annual reconciliation statement.

There shall be a fee levied for OCSD administrative costs when sanitary sewer service charge data is obtained by the OCSD. The amount of the fee shall be adopted by the OCSD Board of Directors.

- D. In order for the OCSD to determine actual annual water use, the user shall provide to the OCSD copies of its water bills. If these water bill copies are not received by July 31 of each year for the 12-month period ended closest to June 30, the OCSD will endeavor to obtain the water use data. Data obtained by the OCSD will be considered correct and will not be adjusted before the next annual reconciliation statement.

There shall be a fee levied for OCSD administrative costs when water use data is obtained by the OCSD. The amount of the fee shall be adopted by the OCSD Board of Directors.

- E. The charge for use shall be computed by the following formula:

$$\text{Charge for Use} = V_oV + B_oB + S_oS - \text{Tax Credit}$$

Where V = total annual volume of flow, in millions of gallons

B = total annual discharge of biochemical oxygen demand, in thousands of pounds

S = total annual discharge of suspended solids, in thousands of pounds

$V_o, B_o, S_o$  = Unit Charge rates adopted annually by Ordinance of the OCSD's Board of Directors, based upon the funding requirements of providing sewerage service, in dollars per unit as described in Paragraph F below.

- F. The unit charge rates in the charge for use formula shall be established annually and shall be determined by the following method:
1. An Operations and Maintenance component of the Unit Charge for the total annual operation and maintenance funding requirements of the sewerage system shall be levied at a rate to be determined from time to time by the Board of Directors. This charge shall be allocated among the three wastewater charge parameters of flow, biochemical oxygen demand and suspended solids in accordance with the General Manager's determination as to the costs associated with each parameter and pursuant to applicable

requirements of State and Federal Regulatory Agencies.

The operation and maintenance costs as distributed to flow, biochemical oxygen demand and suspended solids shall be divided by the projected annual total flow volume and weights of biochemical oxygen demand and suspended solids to be treated by the sewerage system in the budgeted year.

2. A Capital Facilities Replacement component of the Unit Charge for capital replacement and capital improvement shall be levied at a rate to be determined from time to time by the Board of Directors. This charge shall be allocated among the three wastewater charge parameters of flow, biochemical oxygen demand and suspended solids in accordance with the General Manager's determination of which portion of the charge predominantly relates to each parameter.

The capital facilities charge distributed to biochemical oxygen demand and suspended solids shall be divided by the projected annual weights of biochemical oxygen demand and suspended solids to be treated by the sewerage system in the budgeted year.

3. The unit charge rates for each respective wastewater component in (1) and (2) above shall be summed. The Unit Charge rates so determined will be expressed in dollars per million gallons for  $V_o$ , and in dollars per thousand pounds for  $B_o$  and  $S_o$ .

- G. Other measurements of the organic content of the wastewater of a discharger, such as COD or TOC, may be used instead of BOD. However, the discharger must establish to the General Manager's satisfaction a relationship between the BOD of the wastewater and the other parameter of measure. This relationship shall be used by the OCSD in determining the charge for use. When wastewater from sanitary facilities is discharged separately from the other wastewater of a discharger, the charge for use for discharging the sanitary wastewater may be determined by using the following:

1. 25 gallons per employee per eight-hour working day.
2. BOD and suspended solids to be calculated at domestic wastewater strength per employee per year.

The number of employees will be considered as the average number of people employed full-time on a daily basis. This may be determined by averaging the number of people employed at the beginning and end of each quarter, or other period that reflects

normal employment fluctuations.

**304. DRY WEATHER URBAN RUNOFF DISCHARGE PERMITS**

- A. No user shall discharge urban runoff directly to OCSD's sewerage system without obtaining a Dry Weather Urban Discharge Permit.
- B. OCSD shall determine whether the dry weather urban runoff proposed to be discharged into OCSD's sewerage system may cause a potential environmental risk and/or health hazard that cannot be economically or practically control by alternative disposal methods.
- C. Dry Weather Urban Runoff Permits shall be subject to all provisions of this Ordinance and all other regulations, charges for use, and fees established by OCSD.
- D. All users required to obtain a Dry Weather Urban Runoff Permit proposing to discharge directly or indirectly into OCSD's sewerage facilities shall file an application pursuant to Section 304.1 and pay the applicable fees pursuant to Sections 304.3 and 304.6.

**Dry Weather Urban Runoff Discharge Permit Application**

- A. An applicant shall contact OCSD prior to any construction of facilities and discharge of dry weather urban runoff into the sewerage system to determine if the discharge of dry weather urban runoff to the OCSD sewerage facilities is feasible.
- B. Applicants shall complete and file with OCSD, prior to commencing discharge, an application in the form prescribed by OCSD. This application shall be accompanied by applicable fees, design plans, a detailed analysis of other disposal alternatives, or other data as needed by OCSD for review. The applicant shall provide justification that disposal alternatives for the dry weather urban runoff are not economically or practically feasible in lieu of sewer discharge.
- C. In addition to the discharge permit, OCSD may require that the permit applicant enter into an agreement setting forth the terms under which the dry weather urban runoff discharge is authorized.
- D. Applicants shall provide adequate pretreatment and/or best management practices included within the applicants' plans to ensure that the applicable discharge limits shall be met.

**Dry Weather Urban Runoff Discharge Permit Condition and Limits**

The issuance of a Dry Weather Urban Runoff Discharge Permit may contain any the following conditions or limits:

- A. Mass emission rates and concentration limits regulating non-compatible pollutants.
- B. Requirements for the user to construct and maintain, at the user's expense, appropriate pretreatment equipment, flow monitoring facilities, and devices to prevent storm water discharge into OCSD's sewerage system during a wet weather event (rain event).
- C. Requirements for the user to provide OCSD with its operations and maintenance plan, best management practices, and pollution prevention strategies designed to minimize or eliminate dry weather urban runoff pollutants.
- D. Limits on rate and time of discharge or requirements for flow regulation and equalization prior to discharge to the sewerage system.
- E. Requirements to self-monitor the discharge to the sewerage system.
- F. The General Manager, or his designees, may impose additional requirements as may be appropriate to reduce the burden on OCSD's collection, treatment, and disposal facilities.
- G. Prohibitions on the discharge, which may cause OCSD's effluent, biosolids, or any other product of its treatment process, to be unsuitable for reclamation, reuse, or disposal.

#### **Dry Weather Urban Runoff Discharge Permit Fee**

- A. The Dry Weather Urban Runoff Discharge Permit fee shall be paid by the applicant in an amount established in the applicable Ordinance or Resolution adopted by OCSD's Board of Directors. Payment of permit fees must be received by OCSD prior to issuance of either a new permit or a renewed permit. Each permittee shall also pay delinquent invoices in full prior to permit renewal.

#### **Dry Weather Urban Runoff Discharge Permit Modification of Terms and Conditions**

- A. The terms and conditions of an issued permit may be subject to modification and change in the sole determination by OCSD during the life of the permit based on:
  - 1. The discharger's current or anticipated operating data;

2. OCSD's current or anticipated operating data;
  3. Changes in the requirements of Regulatory Agencies, which affect OCSD; or
  4. A determination by the General Manager or his designee that such modification is appropriate to further the objectives of this Ordinance.
- B. A permittee may request a modification to the terms and conditions of an issued permit. The request shall be in writing stating the requested changes and the reasons for the change. OCSD shall review the request, make a determination on the request, and respond accordingly.
- C. A permittee shall be informed of any changes in the permit at least forty-five (45) days prior to the effective date change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

#### **Dry Weather Urban Runoff Discharge Permit Duration and Renewal**

Dry Weather Urban Runoff Permit shall normally be issued for a period not to exceed two (2) years. At least 45 days prior to the expiration of the permit, the user shall apply for renewal of the permit in accordance with the provisions of this Article 3.

#### **Dry Weather Urban Runoff Discharge Permit Charge for Use**

A discharger who is issued a Dry Weather Urban Runoff Permit under the provision of this Ordinance shall pay a charge for use in accordance with rates established by Ordinance or Resolution adopted by OCSD's Board of Directors.

### **305. SPECIAL PURPOSE DISCHARGE PERMITS**

- A. No user requiring a Special Purpose Discharge Permit shall discharge wastewater without obtaining a Special Purpose Discharge Permit.
- B. Special Purpose Discharge Permits shall be expressly subject to all provisions of this Ordinance and all other regulations, charges for use, and fees established by the OCSD. The conditions of Wastewater Discharge Permits shall be enforced by the OCSD in accordance with this Ordinance and applicable State and Federal Regulations.
- C. All Special Purpose Discharge Permit users proposing to discharge directly or indirectly into the OCSD's sewerage facilities shall obtain a Wastewater Discharge Permit by filing an application pursuant to Section 305.1 and paying the applicable fees pursuant to Sections 305.3 and 305.6. This discharge permit may be granted when no alternative method of disposal is reasonably available, or to mitigate an environmental risk or health hazard.

#### **305.1 Special Purpose Discharge Permit Application**

- A. Applicants seeking a special purpose wastewater permit shall complete and file with the OCSD, prior to commencing discharge, an application in the form prescribed by the OCSD. This application shall be accompanied by the applicable fees, plumbing plans, a detailed analysis of the alternatives for water disposal, or other data as needed by the OCSD for review.
- B. The permit application may be denied when the applicant has failed to establish to the OCSD's satisfaction that adequate pretreatment equipment is included within the applicants' plans to ensure that the discharge limits will be met or that the applicant has, in the past, demonstrated an inability to comply with applicable discharge limits.

#### **305.2 Special Purpose Discharge Permit Conditions and Limits**

- A. Discharge conditions and limits shall be no less stringent than Section 201(A), General Prohibitions; 201(B), Specific Prohibitions; Section 212, Mass Emission Rate Determination; and Table I, Local Discharge Limits.
- B. Monitoring requirements for the discharge shall be for those non-compatible pollutants known to exist in the discharge. At least one set of baseline analysis prior to or upon sewer discharge may be required for all constituents contained in the most current Environmental Protection Agency (EPA) "Priority Pollutant" list, excluding asbestos.



- C. The OCSD may specify and make part of each Special Purpose Discharge Permit specific pretreatment requirements or other terms and conditions determined by the General Manager to be appropriate to protect the OCSD's Sewerage Facility, the Local Sewering Agency, to comply with Regulatory Agencies' requirements, to ensure compliance with this Ordinance, and to assess a charge for use.

### **305.3 Special Purpose Discharge Permit Fee**

The special purpose discharge permit fee shall be paid by the applicant in an amount adopted by Ordinance of the Board of Directors. Payment of permit fees must be received by the OCSD prior to issuance of either a new permit or a renewed permit. Each permittee shall also pay delinquent invoices in full prior to permit renewal.

### **305.4 Special Purpose Discharge Permit Modification of Terms and Conditions**

- A. The terms and conditions of an issued permit may be subject to modification and change in the sole determination by the OCSD during the life of the permit based on:
1. The discharger's current or anticipated operating data;
  2. The OCSD's current or anticipated operating data;
  3. Changes in the requirements of Regulatory Agencies which affect the OCSD; or
  4. A determination by the General Manager that such modification is appropriate to further the objectives of this Ordinance.
- B. A permittee may request a modification to the terms and conditions of an issued permit. The request shall be in writing stating the requested change, and the reasons for the change. The OCSD shall review the request, make a determination on the request, and respond in writing.
- C. A permittee shall be informed of any changes in the permit at least forty-five (45) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

### **305.5 Special Purpose Discharge Permit Duration and Renewal**

Special purpose discharge permits shall normally be issued for a period not to exceed three (3) years, but may be renewed as determined by the General Manager. Users seeking permit renewal shall comply with all provisions of this Article 3.

### **305.6 Special Purpose Discharge Permit Charge for Use**

The General Manager shall establish a charge for use to cover all costs of the OCSD for providing sewerage service and monitoring. A deposit determined by the General Manager to be sufficient to pay the estimated charges for use shall accompany the Special Purpose Discharge Permit application, and said deposit shall be applied to the charges for use.

## **306. WASTEHAULER DISCHARGE PERMIT**

- A. Wastehauler Discharge Permits shall be expressly subject to all provisions of this Ordinance and all other regulations, charges for use, and fees established by the OCSD. The conditions of Wastehauler discharge permits shall be enforced by the OCSD in accordance with this Ordinance and applicable State and Federal Regulations.
- B. A Wastehauler proposing to discharge waste into the OCSD disposal station shall obtain both a valid Orange County Health Department Permit (where applicable), and a OCSD Wastehauler Permit.

### **306.1 Wastehauler Discharge Permit Application**

- A. No Wastehauler shall discharge wastewater without a Wastehauler Discharge Permit.
- B. Any person required to obtain a Wastehauler Discharge Permit shall complete and file with the OCSD prior to commencing discharge, an application in a form prescribed by the OCSD. This application shall be accompanied by the applicable fees. The applicant shall submit, in units and terms appropriate for evaluation, the following information:
  - 1. Name, address, telephone number, and description of the industries, or clients using the applicant's services.
  - 2. (Whichever is applicable) Name, address of any and all principals/owners/major shareholders of the company; Articles of Incorporation; most recent Report of the Secretary of State; Business License.

3. Name and address of leaseholder of the vehicle or trailer, if applicable.
  4. Number of trucks and trailers and the license numbers and tank hauling capacity of each.
  5. A copy of the applicant's Orange County Health Department Permit, where applicable.
- C. Other information related to the applicant's business operations and potential discharge may be requested to properly evaluate the permit application.
- D. After evaluation of the data furnished, the OCSD may issue a Wastehauler discharge permit, subject to terms and conditions set forth in this Ordinance and as otherwise determined by the General Manager to be appropriate to protect the OCSD's system.

### **306.2 Wastehauler Discharge Permit Conditions and Limits**

The issuance of a Wastehauler permit may contain any of the following conditions or limits:

- A. Limits on discharge of heavy metals and other priority pollutants.
- B. Requirements for maintaining and submitting waste hauling records and waste manifests.
- C. Additional requirements as otherwise determined to be appropriate by the General Manager to protect the OCSD's system or as specified by other Regulatory Agencies.
- D. Other terms and conditions which may be applicable to ensure compliance with this Ordinance.

### **306.3 Wastehauler Discharge Permit Fee**

The Wastehauler discharge permit fee shall be paid by the applicant in an amount adopted by Ordinance of the Boards of Directors. Payment of permit fees must be received by the OCSD prior to issuance of either a new permit or a renewed permit. A permittee shall also pay any delinquent invoices in full prior to permit renewal.

#### **306.4 Wastehauler Identification Decal and Access Card Transfer**

- A. The identification decal is non-transferable.
- B. If a gate access card is issued, it shall be issued to a specific permitted vehicle and is non-transferable unless previously authorized in writing by the OCSD.

#### **306.5 Wastehauler Discharge Permit Modification of Terms and Conditions**

- A. The terms and conditions of an issued permit may be subject to modification and change in the sole determination by the OCSD during the life of the permit based on:
  - 1. The discharger's current or anticipated operating data;
  - 2. The OCSD's current or anticipated operating data;
  - 3. Changes in the requirements of Regulatory Agencies which affect the OCSD; or
  - 4. A determination by the General Manager that such modification is appropriate to further the objectives of this Ordinance.
- B. Permittee may request a modification to the terms and conditions of an issued permit. The request shall be in writing stating the requested change, and the reasons for the change. The OCSD shall review the request, make a determination on the request, and respond in writing.
- C. Permittee shall be informed of any change in the permit limits, conditions, or requirements at least forty-five (45) days prior to the effective date of change. Any changes or new conditions in the permit shall include a reasonable time schedule for compliance.

#### **306.6 Wastehauler Discharge Permit Duration and Renewal**

Wastehauler discharge permits shall be issued for a period not to exceed one (1) year. Upon expiration of the permit, the user shall apply for renewal of the permit in accordance with the provisions of Article 3.

#### **306.7 Wastehauler Discharge Permit Charge for Use**

A charge for use to cover all costs of the OCSD for providing the disposal station service and monitoring shall be established by Ordinance of the Board of Directors.

**307. RESERVED**

**308. RESERVED**

**309. RESERVED**

**310. OUT OF DISTRICT PERMITS/DISCHARGERS**

- A. Industrial Wastewater Discharge Permits for dischargers located outside the OCSD's boundaries but within the OCSD service area and tributary to the OCSD's sewerage facilities, may be issued by a local sewerage agency after approval by the OCSD. The OCSD shall have the right of inspection and sampling of the user's discharge to determine compliance with industrial waste discharge regulations. Such inspection and sampling will be performed under a coordinated plan developed with the local agency. The more stringent of the industrial waste discharge regulations and effluent limits of the OCSD and the local agency shall apply to the discharger.
- B. Pursuant to Article 6 herein, the OCSD shall have the right to enforce the Federal Pretreatment Regulations, the provisions of this Ordinance, and permit conditions and limits applicable to any person located outside of the OCSD's service area, but whose discharge is tributary to the OCSD's sewerage facilities.
- C. The fees for use shall be determined by the OCSD and set forth in a use agreement with the local sewerage agency.

**ARTICLE 4**

**FACILITIES REQUIREMENTS**

**401. DRAWING SUBMITTAL REQUIREMENTS**

Upon request by the OCSD:

- A. Applicants or users may be required to submit three copies of detailed facility plans. The submittal shall be in a form and content acceptable to the OCSD for review of existing or proposed pretreatment facilities, spill containment facilities, monitoring facilities, metering facilities, and operating procedures. The review of the plans and procedures shall in no way relieve the user of the responsibility of modifying the facilities or procedures in the future, as necessary to produce a discharge acceptable to OCSD, and to meet the requirements of this Ordinance or any requirements of other Regulatory Agencies.

- B. The drawing shall depict as a minimum the manufacturing process (waste generating sources), spill containment, monitoring or metering facilities, and pretreatment facilities.
- C. The applicant or user shall submit a schematic drawing of the pretreatment facilities, piping and instrumentation diagram, and wastewater characterization report.
- D. Users and applicants may also be required to submit for review site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, spill containment, clarifiers, and appurtenances by size, location, and elevation for evaluation.
- E. The OCSD may require the drawings be prepared by a California Registered Chemical, Mechanical, or Civil Engineer.
- F. Permittee shall be required to submit updated detailed facility plans.

#### **402. PRETREATMENT FACILITIES**

- A. All users shall provide wastewater treatment as necessary to comply with this ordinance and shall achieve compliance with all Categorical Pretreatment Standards, Table 1, Local Discharge Limits, and the prohibitions set out in Sections 201 (A) & (B) of this ordinance within the time limitations specified by EPA, the State, or OCSD, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated by a qualified operator, and maintained in proper operating condition at the user's expense.
- B. All users may also be required by the OCSD to submit waste analysis plans, contingency plans, and meet other necessary requirements to ensure proper operation of the pretreatment facilities and compliance with permit limits and this Ordinance.
- C. No user shall increase the use of water or in any other manner attempt to dilute a discharge as a partial or complete substitute for treatment to achieve compliance with this Ordinance and the user's Permit.

#### **403. SPILL CONTAINMENT FACILITIES/ACCIDENTAL SLUG CONTROL PLANS**

- A. All users shall provide spill containment for protection against discharge of prohibited materials or other wastes regulated by this Ordinance. Such protection shall be designed to secure the discharges and to prevent them from entering into the system in accordance with reasonable engineering standards. Such facilities shall be provided and maintained at the user's

expense.

- B. The General Manager may require any industrial user to develop and implement an accidental discharge/slug control plan. At least once every two years the OCSD shall evaluate whether each significant industrial user needs such a plan. Any user required to develop and implement an accidental discharge/control slug plan shall submit a plan which addresses, at a minimum, the following:
1. Description of discharge practices, including non-routine batch discharges.
  2. Description of stored chemicals.
  3. Procedures for immediately notifying the POTW of any accidental of slug discharge. Such notification must also be given for any discharge which would violate any of the prohibited discharges in Article 2 of this Ordinance.
  4. Procedures to prevent adverse impact from any accidental or slug discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site run-off, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants (including solvents), and measures and equipment for emergency response.

#### **404. MONITORING/METERING FACILITIES**

- A. The OCSD may require the user to construct and maintain in proper operating condition at the user's sole expense, flow monitoring, constituent monitoring and/or sampling facilities.
- B. Permittees may be required to install and maintain an appropriate effluent flow monitoring device. Calibration of such flow monitoring device shall be done annually or as specified in the wastewater discharge permit.
- C. The monitoring or metering facilities may be required to include a security closure that can be locked with a OCSD provided hasp lock during sampling or upon termination of service.
- D. The location of the monitoring or metering facilities shall be subject to approval by the OCSD.
- E. The user shall provide immediate, clear, safe and uninterrupted access to

the OCSD to the user's monitoring and metering facilities.

- F. For all industries permitted by the OCSD, domestic wastewaters shall be kept segregated from all industrial wastewaters until the industrial wastewaters have passed through any required pretreatment system or device and the permittee's sample point.

**405. WASTE MINIMIZATION REQUIREMENTS**

- A. The user shall provide waste minimization plans to reduce or eliminate pollutant discharge to the sewerage system and conserve water. The user shall investigate product substitution, housekeeping practices, provide inventory control, implement employee education, and other steps as necessary to minimize waste produced.
- B. A user may certify that their facility does not discharge any type of wastewater, containing pollutants that may directly or indirectly discharge into the OCSD sewerage system as a form of Best Management Practice (BMP), upon approval by the OCSD.

**ARTICLE 5**

**MONITORING, REPORTING, NOTIFICATION,  
AND INSPECTION REQUIREMENTS**

**501. MONITORING AND REPORTING CONDITIONS**

- A. Monitoring for Annual Charge for Use

The wastewater constituents and characteristics of a discharger needed for determining the annual charge for use shall be submitted in the form of self-monitoring reports by the user to the OCSD, if requested. The frequency of analyses and reporting shall be set forth in the user's permit. The analyses of these constituents and characteristics shall be by a laboratory acceptable to the OCSD, and at the sole expense of the permittee. Analyses performed by OCSD's personnel may be used in the determination of the annual charge for use.



B. Monitoring for Compliance with Permit Conditions or Reporting Requirements

The OCSD may require reports for self-monitoring of wastewater constituents and characteristics of the discharger needed for determining compliance with any limit or requirements as specified in the user's permit, Federal or State Regulations, or this Ordinance. These reports include:

- (1) Baseline Monitoring Reports.
- (2) Compliance Schedule Progress Reports.
- (3) 90-Day Compliance Reports.
- (4) Periodic Reports on continued compliance.
- (5) Notification of the Discharge of Hazardous Waste.
- (6) Other reports as required by the OCSD.

Monitoring reports of the analyses of wastewater constituents and characteristics shall be in a manner and form approved by the OCSD and shall be submitted upon request of the OCSD. When applicable, the self-monitoring requirement and frequency of reporting may be set forth in the user's permit as directed by the OCSD. The analyses of wastewater constituents and characteristics and the preparation of the monitoring report shall be done at the sole expense of the user.

If sampling performed by a user indicates a violation, the user must notify the OCSD within twenty-four (24) hours of becoming aware of the violation. The user shall also repeat the sampling and analysis and submit the results of the repeat analysis to the OCSD within thirty (30) days after becoming aware of the violation. Resampling by the industrial user is not required if the OCSD performs sampling at the user between the time when the initial sampling was conducted and the time when the user or OCSD receives the results of this sampling, or if the OCSD has performed the sampling and analysis in lieu of the industrial user. If the OCSD performed the sampling and analysis in lieu of the industrial user, the OCSD will perform the repeat sampling and analysis unless it notifies the user of the violation and requires the user to perform the repeat sampling and analysis.

Failure by the user to perform any required monitoring, or to submit monitoring reports required by the OCSD constitutes a violation of this Ordinance, may result in determining whether the permittee is in significant non-compliance, and be cause for the OCSD to initiate all

necessary tasks and analyses to determine the wastewater constituents and characteristics for compliance with any limits and requirements specified in the user's permit or in this Ordinance. The user shall be responsible for any and all expenses of the OCSD in undertaking such monitoring analyses and preparation of reports.

### **501.1 Inspection and Sampling Conditions**

- A. The OCSD may inspect and sample the wastewater generating and disposal facilities of any user to ascertain whether the intent of this Ordinance is being met and the user is complying with all requirements.
- B. The OCSD shall have the right to place on the user's property or other locations as determined by the OCSD, such devices as are necessary to conduct sampling or metering operations. Other sampling locations may include downstream manholes, usually in the sewerage system, for the purpose of determining the compliance status of an industrial or commercial discharger.
- C. In order for the OCSD to determine the wastewater characteristics of the discharger for purposes of determining the annual use charge and for compliance with permit requirements, the user shall make available for inspection and copying by the OCSD all notices, self-monitoring reports, waste manifests, and records including, but not limited to, those related to production, wastewater generation, wastewater disposal, and those required in the Federal Pretreatment Requirements without restriction but subject to the confidentiality provision set forth in Section 103 herein. All such records shall be kept by the user a minimum of three (3) years.
- D. If a discharger falsifies, tampers with, or knowingly renders inaccurate any monitoring device or sample collection method, the discharger may be subject to imposition of penalties, permit suspension or permit revocation.

### **501.2 Analytical Requirements**

All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable categorical Pretreatment Standard. If 40 CFR Part 136 does not contain sampling or analytical techniques for the pollutant in question, or where the EPA determines that the Part 136 sampling and analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the General Manager or other parties approved by EPA.

### **501.3 Right of Entry**

- A. Persons or occupants of premises where wastewater is created or discharged shall allow the OCSD, or its representatives, reasonable access to all parts of the wastewater generating and disposal facilities for the purposes of inspection and sampling during all times the discharger's facility is open, operating, or any other reasonable time. No person shall interfere with, delay, resist or refuse entrance to authorized OCSD's personnel attempting to inspect any facility involved directly or indirectly with a discharge of wastewater to the OCSD's sewerage system.
- B. Where a user has security measures in force, the user shall make necessary arrangements so that personnel from the OCSD shall be permitted to enter without delay for the purpose of performing their specific responsibilities.

### **501.4 Notification of Spill or Slug Loading**

- A. In the event the discharger is unable to comply with any permit condition due to a breakdown of equipment, accidents, or human error, or the discharger has reasonable opportunity to know that his discharge will exceed the discharge provisions of the user's permit, Sections 201(A) & (B) or Table I, Local Discharge Limits, the discharger shall immediately notify the OCSD by telephone. If the material discharged to the sewer has the potential to cause or result in a fire or explosion hazard, the discharger shall immediately notify the local fire department and the OCSD.
- B. Confirmation of this notification shall be made in writing no later than five (5) working days from the date of the incident. The written notification shall state the date of the incident, the reasons for the discharge or spill, what steps were taken to immediately correct the problem, and what steps are being taken to prevent the problem from recurring.
- C. Such notification shall not relieve the user of any expense, loss, damage or other liability which may be incurred as a result of damage or loss to the OCSD or any other damage or loss to person or property; nor shall such notification relieve the user of any fees or other liability which may be imposed by this Ordinance or other applicable law.

## **501.5 Notification of Bypass**

- A. Bypass of industrial wastewater to the sewerage system is prohibited. The OCSD may take enforcement action against the user, unless:
1. Bypass was unavoidable because it was done to prevent loss of life, personal injury, or severe property damage;
  2. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, elective slow-down or shut-down of production units or maintenance during periods of production downtime. This condition is not satisfied if adequate backup equipment could have been feasibly installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
  3. The permittee submitted notices as required under Section 501.4(B).
- B. If a permittee knows in advance of the need for a bypass, it shall submit a written request to allow the bypass to the OCSD, if possible, at least ten (10) days before the date of the bypass.
- C. The OCSD may approve an anticipated bypass at its sole discretion after considering its adverse effects, and the OCSD determines that the conditions listed in Section 501.5(A)(1-3) are met.
- D. A permittee shall provide telephone notification to the OCSD of an unanticipated bypass that exceeds its permitted discharge limits within four hours from the time the permittee becomes aware of the bypass. A written report shall also be provided within five (5) days of the time the permittee becomes aware or could reasonably have been aware of the bypass. The report shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the bypass. Failure to submit oral notice or written report may be grounds for permit revocation.

## ARTICLE 6

### ENFORCEMENT

#### 600. PURPOSE AND SCOPE

- A. The Board finds that in order for the OCSD to comply with the laws, regulations, and rules imposed upon it by Regulatory Agencies and to ensure that the OCSD's sewerage facilities and treatment processes are protected and are able to operate with the highest degree of efficiency, and to protect the public health and environment, specific enforcement provisions must be adopted to govern the discharges to the OCSD's system by industrial discharge permittees.
- B. To ensure that all interested parties are afforded due process of law and that non-compliance and violations are resolved as soon as possible, the general policy of the OCSD is that:
1. Any determination relating to a Probation Order, Enforcement Compliance Schedule Agreement (ECSA), or Regulatory Compliance Schedule Agreement (RCSA) will be made by the Division Head of the Source Control Division, with a right of appeal by the permittee to the General Manager pursuant to the procedures set forth in Section 617.
  2. A user, permittee, or applicant for a permit may request the Steering Committee to hear an appeal of the General Manager's decision pursuant to Section 618. Such request may be granted or denied by the Steering Committee.
  3. Any permit suspension or revocation recommended by the Source Control Division Head will be heard and a recommendation made to the General Manager by a OCSD Department Head or other person designated by the General Manager with a right of appeal of the General Manager's order by the permittee to the Steering Committee pursuant to the provisions of Section 618.
  4. Actions and decisions by the Division Head or Department Head are made pursuant to a delegation of authority by the General Manager as authorized by Section 107 of this Ordinance.
  5. The Board of Directors may adopt rules of procedure to establish the conduct of certain administrative proceedings.

- C. The OCSD, at its discretion, may utilize any one, combination, or all enforcement remedies provided in Article 6 in response to any permit or Ordinance violation.

**601. DETERMINATION OF NON-COMPLIANCE WITH DISCHARGE LIMITS**

A. Sampling Procedures

1. Sampling of all permittees shall be conducted in the time, place, manner, and frequency determined at the sole discretion of the OCSD.
2. Non-compliance with mass emission rate limits, concentration limits, permit discharge conditions, or any discharge provision of this Ordinance may be determined by an analysis of a grab or composite sample of the effluent of a user. Non-compliance with mass emission rate limits shall be determined by an analysis of a composite sample of the user's effluent, except that a grab sample may be used to determine compliance with mass emission rate limits when the discharge is from a closed (batch) treatment system in which there is no wastewater flow into the system when the discharge is occurring, the volume of wastewater contained in the batch system is known, the time interval of discharge is known, and the grab sample is homogeneous and representative of the discharge.
3. Any sample taken from a sample point is considered to be representative of the discharge to the public sewer.

**602. ENFORCEMENT PROCEDURES AND APPLICABLE FEES**

A. Self-Monitoring Requirements as a Result of Non-Compliance

1. If analysis of any sample obtained by the OCSD or by a permittee shows non-compliance with the applicable wastewater discharge limits set forth in the Ordinance or in the permittee's discharge permit, the OCSD may impose self-monitoring requirements on the permittee.
2. A permittee shall perform required self-monitoring of constituents in a frequency, at the specific location, and in a manner directed by the OCSD.
3. All analyses of self-monitoring samples shall be performed by an independent laboratory acceptable to the OCSD and submitted to the OCSD in a form and frequency determined by the OCSD.

4. All self-monitoring costs shall be borne by the permittee.
5. Nothing in this section shall be deemed to limit the authority of the OCSD to impose self-monitoring as a permit condition.

**B. Purpose of Non-Compliance Sampling Fees**

The purpose of the non-compliance sampling fee is to compensate the OCSD for costs of additional sampling, monitoring, laboratory analysis, treatment, disposal, and administrative processing incurred as a result of the non-compliance, and shall be in addition to and not in lieu of any penalties as may be assessed pursuant to Sections 615 and 616.

**C. Non-Compliance Sampling Fees for Composite Samples**

1. Each violation of a permittee's permit limit or condition is a violation of this Ordinance.
2.
  - a) If analysis of any composite sample of a permittee's discharge obtained by the OCSD shows a major violation by the permittee of the mass emission rates or concentration limits specified in the permittee's discharge permit or in this Ordinance, then the permittee shall pay non-compliance sampling fees to the OCSD pursuant to fee schedules adopted by the OCSD's Board of Directors.
  - b) If analysis of any composite sample of a permittee's discharge obtained by the OCSD shows a minor violation by the permittee of the mass emission rates or concentration limits specified in the permittee's discharge permit or in this Ordinance, then the OCSD may impose non-compliance sampling fees pursuant to fee schedules adopted by the OCSD's Board of Directors.
3. The fees specified in subsection 602.C.2.(a), C.2.(b) and D herein shall be imposed for each date on which the OCSD conducts sampling as a result of a violation by a permittee.

D. Non-Compliance Sampling Fees for Grab Samples and Self-Monitoring Results

1. If analysis of any grab sample analysis of a permittee's discharge shows non-compliance with any concentration limits as set forth in the user's permit or in this Ordinance, the OCSD may impose non-compliance sampling fees, pursuant to fee schedules adopted by the OCSD Board of Directors, for sampling conducted by the OCSD as a result of a violation by the permittee.
2. If any self-monitoring analysis of a permittee's discharge shows non-compliance with any concentration limits or mass emission rates as set forth in the user's permit or in this Ordinance, the OCSD may impose non-compliance sampling fees, pursuant to fee schedules adopted by the OCSD Board of Directors, for sampling conducted by the OCSD as a result of a violation by the permittee.

**602.1 Probation Order**

A. Grounds

In the event the Division Head determines that a permittee has violated any provision of this Ordinance, or the terms, conditions and limits of its discharge permit, or has not made payment of all amounts owed to the OCSD for user charges, non-compliance fees or any other fees, the General Manager may issue a Probation Order, whereby the permittee must comply with all directives, conditions and requirements therein within the time prescribed.

B. Provisions

The issuance of a Probation Order may contain terms and conditions including, but not limited to, installation of pretreatment equipment and facilities, requirements for self-monitoring, submittal of drawings or technical reports, operator certification, audit of waste minimization practices, payment of fees, limits on rate and time of discharge, or other provisions to ensure compliance with this Ordinance.

C. Probation Order - Expiration

A Probation Order issued by the General Manager shall be in effect for a period not to exceed ninety (90) days.



## **602.2 Enforcement Compliance Schedule Agreement (ECSA)**

### **A. Grounds**

Upon determination that a permittee is in non-compliance with the terms, conditions or limits specified in its permit or any provision of this Ordinance, and needs to construct and/or acquire and install equipment related to pretreatment, the General Manager may require the permittee to enter into an ECSA which will, upon the effective date of the ECSA, amend the permittee's permit. The ECSA shall contain terms and conditions by which a permittee must operate during its term and shall provide specific dates for achieving compliance with each term and condition for construction and/or acquisition and installation of required equipment related to pretreatment.

### **B. Provisions**

The issuance of an ECSA may contain terms and conditions including but not limited to requirements for self-monitoring, installation of pretreatment equipment and facilities, submittal of drawings or reports, operator certification, audit of waste minimization practices, payment of fees, limits on rate and time of discharge, deposit of performance guarantee, interim limits, or other provisions to ensure compliance with this Ordinance.

### **C. ECSA - Payment of Amounts Owed**

The OCSD shall not enter into an ECSA until such time as all amounts owed to the OCSD, including user fees, non-compliance sampling fees, deposits, or other amounts due are paid in full, or an agreement for deferred payment secured by collateral or a third party, is approved by the General Manager. Failure to pay all amounts owed to the OCSD shall be grounds for permit suspension or permit revocation as set forth in Section 604 and 605.

### **D. ECSA - Permit Suspension/Revocation**

If compliance is not achieved in accordance with the terms and conditions of an ECSA during its term, the General Manager may issue an order suspending or revoking the discharge permit pursuant to Section 604 or 605 of this Ordinance.

### **603. REGULATORY COMPLIANCE SCHEDULE AGREEMENT (RCSA)**

#### **A. Grounds**

If at any time subsequent to the issuance of a Wastewater Discharge Permit to an industrial user, Federal Categorical Pretreatment Standards are adopted or revised by the United States Environmental Protection Agency, or in the event the OCSD enacts revised discharge limits, the General Manager, upon determination that an industrial user would not be in compliance with the adopted or revised limits, may require the industrial user to enter into a RCSA with the OCSD under terms and conditions that would provide for achieving compliance with all new standards by the industrial user on a specific date. The RCSA shall have a maximum term of two hundred-seventy (270) days.

#### **B. Provisions**

The issuance of a RCSA may contain terms and conditions including but not limited to requirements for installation of pretreatment equipment and facilities, submittal of drawings or reports, waste minimization practices or other provisions to ensure compliance with this Ordinance.

#### **C. RCSA - Non-Compliance Sampling Fee**

During the period said RCSA is in effect, any discharge by permittee in violation of the RCSA will require payment of non-compliance sampling fees in accordance with Article 6.

### **604. PERMIT SUSPENSION**

#### **A. Grounds**

The General Manager may suspend any permit when it is determined that a permittee:

1. Fails to comply with the terms and conditions of either an ECSA or RCSA.
2. Knowingly provides a false statement, representation, record, report, or other document to the OCSD.
3. Refuses to provide records, reports, plans, or other documents required by the OCSD to determine permit terms, conditions, or limits, discharge compliance, or compliance with this Ordinance.
4. Falsifies, tampers with, or knowingly renders inaccurate any monitoring device or sample collection method.

5. Fails to report significant changes in operations or wastewater constituents and characteristics.
6. Violates a Probation Order.
7. Refuses reasonable access to the permittee's premises for the purpose of inspection and monitoring.
8. Does not make timely payment of all amounts owed to the OCSD for user charges, non-compliance sampling fees, permit fees, or any other fees imposed pursuant to this Ordinance.
9. Violates any condition or limit of its discharge permit or any provision of the OCSD's Ordinance.

B. Notice/Hearing

When the General Manager has reason to believe that grounds exist for permit suspension, he shall give written notice thereof by certified mail to the permittee setting forth a statement of the facts and grounds deemed to exist, together with the time and place where the charges shall be heard by the General Manager's designee. The hearing date shall be not less than fifteen (15) calendar days nor more than forty-five (45) calendar days after the mailing of such notice.

1. At the suspension hearing, the permittee shall have an opportunity to respond to the allegations set forth in the notice by presenting written or oral evidence. The hearing shall be conducted in accordance with procedures established by the General Manager and approved by the OCSD's General Counsel.
2. After the conclusion of the hearing, the General Manager's designee shall submit a written report to the General Manager setting forth a brief statement of facts found to be true, a determination of the issues presented, conclusions, and a recommendation.

Upon receipt of the written report, the General Manager shall make his determination and should he find that grounds exist for suspension of the permit, he shall issue his decision and order in writing within thirty (30) calendar days after the conclusion of the hearing by his designee. The written decision and order of the General Manager shall be sent by certified mail to the permittee or its legal counsel/representative at the permittee's business address.

C. Effect

1. Upon an order of suspension by the General Manager becoming final, the permittee shall immediately cease and desist its discharge and shall have no right to discharge any industrial wastewater, directly or indirectly to the OCSD's system for the duration of the suspension. All costs for physically terminating and reinstating service shall be paid by the permittee.
2. Any owner or responsible management employee of the permittee shall be bound by the order of suspension.
3. An order of permit suspension issued by the General Manager shall be final in all respects on the sixteenth (16th) day after it is mailed to the permittee unless a request for hearing is filed with the Steering Committee pursuant to Section 618 no later than 5:00 p.m. on the fifteenth (15th) day following such mailing.

**605. PERMIT REVOCATION**

A. Grounds

The General Manager may revoke any permit when it is determined that a permittee:

1. Knowingly provides a false statement, representation, record, report, or other document to the OCSD.
2. Refuses to provide records, reports, plans, or other documents required by the OCSD to determine permit terms, conditions, or limits, discharge compliance, or compliance with this Ordinance.
3. Falsifies, tampers with, or knowingly renders inaccurate any monitoring device or sample collection method.
4. Fails to report significant changes in operations or wastewater constituents and characteristics.
5. Fails to comply with the terms and conditions of an ECSA, permit suspension, or probation order.

6. Discharges effluent to the OCSD's sewerage system while its permit is suspended.
7. Refuses reasonable access to the permittee's premises for the purpose of inspection and monitoring.
8. Does not make timely payment of all amounts owed to the OCSD for user charges, non-compliance sampling fees, permit fees, or any other fees imposed pursuant to this Ordinance.
9. Causes interference with the OCSD's collection, treatment, or disposal system.
10. Fails to submit oral notice or written report of bypass occurrence.
11. Violates any condition or limit of its discharge permit or any provision of the OCSD's Ordinance.

B. Notice/Hearing

When the General Manager has reason to believe that grounds exist for the revocation of a permit, he shall give written notice by certified mail thereof to the permittee setting forth a statement of the facts and grounds deemed to exist together with the time and place where the charges shall be heard by the General Manager's designee. The hearing date shall be not less than fifteen (15) calendar days nor more than forty-five (45) calendar days after the mailing of such notice.

1. At the hearing, the permittee shall have an opportunity to respond to the allegations set forth in the notice by presenting written or oral evidence. The revocation hearing shall be conducted in accordance with the procedures established by the General Manager and approved by the OCSD's General Counsel.
2. After the conclusion of the hearing, the General Manager's designee shall submit a written report to the General Manager setting forth a brief statement of facts found to be true, a determination of the issues presented, conclusions, and a recommendation.

Upon receipt of the written report, the General Manager shall make his determination and should he find that grounds exist for permanent revocation of the permit, he shall issue his decision and order in writing within thirty (30) calendar days after the conclusion of the hearing by his designee. The written decision and order of the General Manager shall be sent by certified mail to the permittee

or its legal counsel/representative at the permittee's business address.

In the event the General Manager determines to not revoke the permit, he may order other enforcement actions, including, but not limited to, a temporary suspension of the permit, under terms and conditions that he deems appropriate.

C. Effect

1. Upon an order of revocation by the General Manager becoming final, the permittee shall permanently lose all rights to discharge any industrial wastewater directly or indirectly to the OCSD system. All costs for physical termination shall be paid by the permittee.
2. Any owner or responsible management employee of the permittee shall be bound by the order of revocation.
3. Any future application for a permit at any location within the OCSD by any person subject to an order of revocation will be considered by the OCSD after fully reviewing the records of the revoked permit, which records may be the basis for denial of a new permit.
4. An order of permit revocation issued by the General Manager shall be final in all respects on the sixteenth (16th) day after it is mailed to the permittee unless a request for hearing is filed with the Steering Committee pursuant to Section 618 no later than 5:00 p.m. on the fifteenth (15th) day following such mailing.

**606. WASTEHAULER NON-COMPLIANCE WITH PERMIT CONDITIONS**

A Wastehauler's non-compliance with permit requirements shall be determined by an analysis of a sample of the discharge for any constituent or conditions specified in the Wastehauler's discharge permit or this Ordinance. If the discharge of a Wastehauler is found by the analysis to be in excess of the concentration limits specified in the Wastehauler's discharge permit or in this Ordinance, the Wastehauler shall, after receiving a demand from the OCSD, identify in writing, all sources of the discharge.

Even if it is established to the satisfaction of the General Manager that the origin of the discharge is domestic septage, or septic waste, the OCSD may still elect not to accept waste from that particular source.

If the discharge is industrial wastewater from an industrial source(s) and exceeds permit concentration limits or limits specified in this Ordinance, the following shall apply:

A. First Violation

1. The permittee shall pay a non-compliance sampling fee.
2. The Wastehauler permit for disposal privileges shall be suspended for five (5) days.

B. Second Violation

1. The permittee shall pay a non-compliance sampling fee.
2. The Wastehauler permit for disposal privileges shall be suspended for ten (10) days.
3. The Wastehauler permit may be revoked in accordance with Section 606.

**607. DAMAGE TO FACILITIES OR INTERRUPTION OF NORMAL OPERATIONS**

- A. Any person who discharges any waste which causes or contributes to any obstruction, interference, damage, or any other impairment to the OCSD sewerage facilities or to the operation of those facilities shall be liable for all costs required to clean or repair the facilities together with expenses incurred by the OCSD to resume normal operations. Such discharge shall be grounds for permit revocation. A service charge of twenty-five percent (25%) of OCSD costs shall be added to the costs and charges to reimburse the OCSD for miscellaneous overhead, including administrative personnel and record keeping. The total amount shall be payable within forty-five (45) days of invoicing by the OCSD.
- B. Any person who discharges a waste which causes or contributes to the OCSD violating its discharge requirements established by any Regulatory Agency incurring additional expenses or suffering losses or damage to the facilities, shall be liable for any costs or expenses incurred by the OCSD, including regulatory fines, penalties, and assessments made by other agencies or a court.

**608. INDUSTRIAL WASTE PASS THROUGH**

Any person whose discharge results in a pass through event affecting the OCSD or its sewerage facilities shall be liable for all costs associated with the event, including treatment costs, regulatory fines, penalties, assessments, and other indirect costs. The discharger shall submit to the OCSD plans to prevent future recurrences to the satisfaction of the OCSD.

**609. PUBLICATION OF VIOLATION**

Upon a determination in a permit suspension, permit revocation, or civil penalty proceedings that a user has discharged in violation of its permit or any provision under this Ordinance, the OCSD may require that the user notify the public and/or other users of the OCSD sewerage facilities of such violation, of actions taken to correct such violation, and of any administrative or judicial orders or penalties imposed as a result of such violation.

**610. PUBLISHED NOTICES FOR SIGNIFICANT NON-COMPLIANCE**

In accordance with Federal Regulations, the OCSD shall annually cause to be published the names of all industrial users in significant non-compliance. Upon a minimum of a thirty (30)-day notification to the user, said publication shall be made in the newspaper of the largest daily circulation published in the OCSD service area.

**611. PUBLIC NUISANCE**

Discharge of wastewater in any manner in violation of this Ordinance or of any order issued by the General Manager, as authorized by this Ordinance, is hereby declared a public nuisance and shall be corrected or abated as directed by the General Manager. Any person creating a public nuisance is guilty of a misdemeanor.

**612. TERMINATION OF SERVICE**

- A. The OCSD, by order of the General Manager, may physically terminate sewerage service to any property as follows:
  - 1. On a term of any order of emergency suspension or revocation of a permit; or
  - 2. Upon the failure of a person not holding a valid discharge permit to immediately cease discharge, whether direct or indirect, to the OCSD sewerage facilities.
- B. All costs for physical termination shall be paid by the user as well as all



costs for reinstating service.

**613. EMERGENCY SUSPENSION ORDER**

- A. The OCSD may, by order of the General Manager, suspend sewerage service or Wastehauler discharge service when the General Manager determines that such suspension is necessary in order to stop an actual or impending discharge which presents or may present an imminent or substantial endangerment to the health and welfare of persons, or to the environment, or may cause interference to the OCSD sewerage facilities, or may cause the OCSD to violate any State or Federal Law or Regulation. Any discharger notified of and subject to an Emergency Suspension Order shall immediately cease and desist the discharge of all industrial wastewater to the sewerage system.
  
- B. As soon as reasonably practicable following the issuance of an Emergency Suspension Order, but in no event more than five (5) days following the issuance of such order, the General Manager shall hold a hearing to provide the user the opportunity to present information in opposition to the issuance of the Emergency Suspension Order. Such a hearing shall not stay the effect of the Emergency Suspension Order. The hearing shall be conducted in accordance with procedures established by the General Manager and approved by the OCSD General Counsel. The General Manager shall issue a written decision and order within two (2) business days following the hearing, which decision shall be sent by certified mail to the user or its legal counsel/representative at that user's business address. The decision of the General Manager following the hearing shall be final and not appealable.

**614. INJUNCTION**

Whenever a discharger of wastewater is in violation of or has the reasonable potential to violate any provision of this Ordinance, permit condition, or any Federal Pretreatment Standard or requirement as set forth in 40 CFR Section 403.8 et seq., fails to submit required reports, or refuses to allow the OCSD entry to inspect or monitor the user's discharge, the OCSD may petition the Superior Court for the issuance of a preliminary or permanent injunction, or both, as may be appropriate to restrain the continued violation or to prevent threatened violations by the discharger.

## **615. CIVIL PENALTIES**

### **A. Authority**

All users of the OCSD's system and facilities are subject to enforcement actions administratively or judicially by the OCSD, U.S. EPA, State of California Regional Water Quality Control Board, or the County of Orange District Attorney. Said actions may be taken pursuant to the authority and provisions of several laws, including but not limited to: (1) Federal Water Pollution Control Act, commonly known as the Clean Water Act (33 U.S.C.A. Section 1251 et seq.); (2) California Porter-Cologne Water Quality Control Act (California Water Code Section 13000 et seq.); (3) California Hazardous Waste Control Law (California Health & Safety Code Sections 25100 to 25250); (4) Resource Conservation and Recovery Act of 1976 (42 U.S.C.A Section 6901 et seq.); and (5) California Government Code, Sections 54739-54740.

### **B. Recovery of Fines or Penalties**

In the event the OCSD is subject to the payment of fines or penalties pursuant to the legal authority and actions of other regulatory or enforcement agencies based on a violation of law or regulation or its permits, and said violation can be established by OCSD, as caused by the discharge of any user of the OCSD system which is in violation of any provision of the OCSD Ordinance or the user's permit, OCSD shall be entitled to recover from the user all costs and expenses, including, but not limited to, the full amount of said fines or penalties to which it has been subjected.

### **C. Ordinance**

Pursuant to the authority of California Government Code Sections 54739 - 54740, any person who violates any provision of this Ordinance; any permit condition, prohibition or effluent limit; or any suspension or revocation order shall be liable civilly for a sum not to exceed \$25,000.00 per violation for each day in which such violation occurs. Pursuant to the authority of the Clean Water Act, 33 U.S.C. Section 1251 et seq., any person who violates any provision of this Ordinance, or any permit condition, prohibition, or effluent limit shall be liable civilly for a sum not to exceed \$25,000.00 per violation for each day in which such violation occurs. The General Counsel of the OCSD, upon order of the General Manager, shall petition the Superior Court to impose, assess, and recover such penalties, or such other penalties as the OCSD may impose, assess, and recover pursuant to Federal and/or State legislative authorization.

D. Administrative Civil Penalties

1. Pursuant to the authority of California Government Code Sections 54740.5 and 54740.6, the OCSD may issue an administrative complaint to any person who violates:
  - a) any provision of this Ordinance;
  - b) any permit condition, prohibition, or effluent limit; or
  - c) any suspension or revocation order.
2. The administrative complaint shall be served by personal delivery or certified mail on the person and shall inform the person that a hearing will be conducted, and shall specify a hearing date within sixty (60) days following service. The administrative complaint will allege the act or failure to act that constitutes the violation of the OCSD requirements, the provisions of law authorizing civil liability to be imposed, and the proposed civil penalty. The matter shall be heard by the General Manager or his designee. The person to whom an administrative complaint has been issued may waive the right to a hearing, in which case a hearing will not be conducted.
3. At the hearing, the person shall have an opportunity to respond to the allegations set forth in the administrative complaint by presenting written or oral evidence. The hearing shall be conducted in accordance with the procedures established by the General Manager and approved by the OCSD's General Counsel.
4. After the conclusion of the hearing, the General Manager's designee shall submit a written report to the General Manager setting forth a brief statement of the facts found to be true, a determination of the issues presented, conclusions, and a recommendation.
5. Upon receipt of the written report, the General Manager shall make his determination and should he find that grounds exist for assessment of a civil penalty against the person, he shall issue his decision and order in writing within thirty (30) calendar days after the conclusion of the hearing by his designee.
6. If, after the hearing or appeal, if any, it is found that the person has violated reporting or discharge requirements, the General Manager or Steering Committee may assess a civil penalty against that person. In determining the amount of the civil penalty, the General Manager or Steering Committee may take into consideration all

relevant circumstances, including but not limited to the extent of harm caused by the violation, the economic benefit derived through any non-compliance, the nature and persistence of the violation, the length of time over which the violation occurs, and corrective action, if any, attempted or taken by the person involved.

7. Civil penalties may be assessed as follows:
  - a) In an amount which shall not exceed two thousand dollars (\$2,000.00) for each day for failing or refusing to furnish technical or monitoring reports;
  - b) In an amount which shall not exceed three thousand dollars (\$3,000.00) for each day for failing or refusing to timely comply with any compliance schedules established by the OCSD;
  - c) In an amount which shall not exceed five thousand dollars (\$5,000.00) per violation for each day of discharge in violation of any waste discharge limit, permit condition, or requirement issued, reissued, or adopted by the OCSD;
  - d) In any amount which does not exceed ten dollars (\$10.00) per gallon for discharges in violation of any suspension, revocation, cease and desist order or other orders, or prohibition issued, reissued, or adopted by the OCSD;
8. An order assessing administrative civil penalties issued by the General Manager shall be final in all respects on the thirty-first (31st) day after its is served on the person unless an appeal and request for hearing is filed with the Steering Committee pursuant to Section 618 no later than the thirtieth (30th) day following such mailing. An order assessing administrative civil penalties issued by the Steering Committee shall be final upon issuance.
9. Copies of the administrative order shall be served on the party served with the administrative complaint, either by personal service or by registered mail to the person at his business or residence address, and upon other persons who appeared at the hearing and requested a copy of the order.
10. Any person aggrieved by a final order issued by the Steering Committee, after granting review of the order of the General Manager, may obtain review of the order of the Steering Committee in the superior court, pursuant to Government Code Section 54740.6, by filing in the court a petition for writ of mandate within

thirty (30) days following the service of a copy of the decision or order issued by the Steering Committee.

11. Payment of any order setting administrative civil penalties shall be made within thirty (30) days of the date the order becomes final. The amount of any administrative civil penalties imposed which have remained delinquent for a period of sixty (60) days shall constitute a lien against the real property of the discharger from which the discharge resulting in the imposition of the civil penalty originated. The lien shall have no effect until recorded with the county recorder. The OCSD may record the lien for any unpaid administrative civil penalties on the ninety-first (91st) day following the date the order becomes final.
12. No administrative civil penalties shall be recoverable under Section 615.D for any violation for which the OCSD has recovered civil penalties through a judicial proceeding filed pursuant to Government Code Section 54740.

#### **616. CRIMINAL PENALTIES**

Any person who violates any provision of this Ordinance is guilty of a misdemeanor, which upon conviction is punishable by a fine not to exceed \$1,000.00, or imprisonment for not more than thirty (30) days, or both. Each violation and each day in which a violation occurs may constitute a new and separate violation of this Ordinance and shall be subject to the penalties contained herein.

#### **617. APPEALS TO GENERAL MANAGER**

##### **A. General**

Any user, permit applicant or permittee affected by any decision, action or determination made by the Division Head may file with the General Manager a written request for an appeal hearing. The request must be received by the OCSD within fifteen (15) days of mailing of notice of the decision, action, or determination of the OCSD to the appellant. The request for hearing shall set forth in detail all facts supporting the appellant's request.

##### **B. Notice**

The General Manager shall, within fifteen (15) days of receiving the request for appeal, and pursuant to Section 107, designate a Department Head or other person to hear the appeal and provide written notice to the appellant of the hearing date, time and place. The hearing date shall not be more than thirty (30) days from the mailing of such notice by certified mail to the appellant unless a

later date is agreed to by the appellant. If the hearing is not held within said time due to actions or inactions of the appellant, then the staff decision shall be deemed final.

C. Hearing

At the hearing, the appellant shall have the opportunity to present information supporting its position concerning the Division Head's decision, action or determination. The hearing shall be conducted in accordance with procedures established by the General Manager and approved by the OCSD's General Counsel.

D. Written Determination

After the conclusion of the hearing, the Department Head (or other designee) shall submit a written report to the General Manager setting forth a brief statement of facts found to be true, a determination of the issues presented, conclusions, and a recommendation whether to uphold, modify or reverse the Division Head's original decision, action or determination. Upon receipt of the written report, the General Manager shall make his determination and shall issue his decision and order within thirty (30) calendar days of the hearing by his designee. The written decision and order of the General Manager shall be sent by certified mail to the appellant or its legal counsel/representative at the appellant's business address.

The order of the General Manager shall be final in all respects on the sixteenth (16th) day after it is mailed to the appellant unless a request for hearing is filed with the Steering Committee pursuant to Section 618, no later than 5:00 p.m. on the fifteenth day following such mailing.

**618. APPEALS TO THE STEERING COMMITTEE**

A. General

Any user, permit applicant, or permittee adversely affected by a decision, action, or determination made by the General Manager may, prior to the date that the General Manager's order becomes final, file a written request for hearing before the Steering Committee of the Joint Boards of Directors accompanied by an appeal fee in the amount established by a fee ordinance of the OCSD Board of Directors. The request for hearing shall set forth in detail all the issues in dispute for which the appellant seeks determination and all facts supporting appellant's request.

No later than sixty (60) days after receipt of the request for hearing, the Steering Committee shall either set the matter for a hearing, or deny the request for a hearing.

A hearing shall be held by the Steering Committee within sixty-five (65) days from the date of determination granting a hearing, unless a later date is agreed to by the appellant and the Steering Committee. If the matter is not heard within the required time, due to actions or inactions of the appellant, the General Manager's order shall be deemed final.

B. Granting Request for Hearing

The Steering Committee shall grant all requests for a hearing on appeals concerning permit suspension, revocation, or denial. Whether to grant or deny the request for a hearing on appeals of other decisions of the General Manager shall be within the sole discretion of the Steering Committee.

C. Appeal Fee Refund

The appeal fee shall be refunded if the Steering Committee denies a hearing or reverses or modifies, in favor of the appellant, the order of the General Manager. The fee shall not be refunded if the Steering Committee denies the appeal.

D. Written Determination

After the hearing, the Steering Committee shall make a determination whether to uphold, modify, or reverse the decision, action, or determination made by the General Manager.

The decision of the Steering Committee shall be set forth in writing within sixty-five (65) days after the close of the hearing and shall contain a finding of the facts found to be true, the determination of issues presented, and the conclusions. The written decision and order of the Steering Committee shall be sent by certified mail to the appellant or its legal counsel/representative at the appellant's business address.

The order of the Steering Committee shall be final upon its adoption. In the event the Steering Committee fails to reverse or modify the General Manager's order, it shall be deemed affirmed.

**618.1 Appeal of Charges and Fees**

Any user, permit applicant, or permittee affected by any decision, action, or determination by the OCSD, relating to fiscal issues of the OCSD in which the user, applicant, or permittee is located, including but not limited to the imposition and collection of fees, such as connection charges, sewer use charges, special purpose discharge use charges and Wastehauler fees, may request that the OCSD reconsider imposition of such fees or charges. Following review of such a request, the OCSD shall notify the user, permit applicant, or permittee by certified

mail of the OCSD's decision on the reconsideration request. Any user, permit applicant, or permittee adversely affected by the OCSD's decision on the reconsideration request may file an appeal which shall be heard by the Board of Directors of the District in which the appellant's property is located. The notice of appeal must be received by the OCSD within thirty (30) days of the mailing of the OCSD's decision on the reconsideration request.

Notwithstanding the foregoing, appeals of non-compliance sampling fees shall be made pursuant to the appeal procedures set forth in Sections 617 and 618.

**619. PAYMENT OF CHARGES**

- A. Except as otherwise provided, all fees, charges and penalties established by this Ordinance are due and payable upon receipt of notice thereof. All such amounts are delinquent if unpaid forty-five (45) days after date of invoice.
- B. Any charge that becomes delinquent shall have added to it a penalty in accordance with the following:
  - 1. Forty-six (46) days after date of invoice, a basic penalty of ten percent (10%) of the base invoice amount, not to exceed a maximum of \$1,000.00; and
  - 2. A penalty of one and one-half percent (1.5%) per month of the base invoice amount and basic penalty shall accrue from and after the forty-sixth (46th) day after date of invoice.
- C. Any invoice outstanding and unpaid after ninety (90) days shall be cause for immediate initiation of permit revocation proceedings or immediate suspension of the permit.
- D. Penalties charged under this Section shall not accrue to those invoices successfully appealed, provided the OCSD receives written notification of said appeal prior to the payment due date.
- E. Payment of disputed charges is still required by the due date during OCSD review of any appeal submitted by permittees.



## **619.1 Collection of Delinquent Accounts**

Collection of delinquent accounts shall be in accordance with the OCSD's policy resolution establishing procedures for collection of delinquent obligations owed to the OCSD, as amended from time to time by the Board of Directors. Any such action for collection may include an application for an injunction to prevent repeated and recurring violations of this Ordinance.

## **620. RECOVERY OF COSTS INCURRED BY OCSD**

In the event permittee fails to comply with any of the terms and conditions of the OCSD's Ordinance, a probationary order, a permit suspension or revocation, an ECSA, RCSA, or a permit issued hereunder, the OCSD shall be entitled to reasonable attorney's fees and costs which may be incurred in order to enforce any of said terms and conditions, with or without filing proceedings in court.

## **621. FINANCIAL SECURITY/AMENDMENTS TO PERMIT**

### **A. Compliance Deposit**

Permittees that have been subject to enforcement and/or collection proceedings may be required to deposit with the OCSD an amount determined by the General Manager as necessary to guarantee payment to OCSD of all charges, fees, penalties, costs and expenses that may be incurred in the future, before permission is granted for further discharge to the sewer.

### **B. Delinquent Accounts**

The OCSD may require an amendment to the permit of any permittee who fails to make payment in full of all fees and charges assessed by the OCSD, including reconciliation amounts, delinquency penalties, and other costs or fees incurred by Permittee.

### **C. Bankruptcy**

Every Permittee filing any legal action in any court of competent jurisdiction, including the United States Bankruptcy Court, for purposes of discharging its financial debts or obligations or seeking court-ordered, protection from its creditors, shall, within ten (10) days of filing such action, apply for and obtain the issuance of an amendment to its permit.

### **D. Permit Amendments**

The OCSD shall review and examine Permittee's account to determine whether previously incurred fees and charges have been paid in accordance with time requirements prescribed by this Ordinance. The OCSD may thereafter issue an

amendment to the User's permit in accordance with the provisions of Article 3 and Section 621(E) of this Ordinance.

E. Security

An amendment to a waste discharge permit issued pursuant to Sections 621(B), (C), and (D), may be conditioned upon the Permittee depositing financial security in an amount equal to the average total fees and charges for two (2) calendar quarters during the preceding year. Said deposit shall be used to guarantee payment of all fees and charges incurred for future services and facilities furnished by OCSD and shall not be used by the OCSD to recover outstanding fees and charges incurred prior to the Permittee filing and receiving protection from creditors in the United States Bankruptcy Court.

F. Return of Security

In the event the Permittee makes payment in full within the time prescribed by this Ordinance of all fees and charges incurred over a period of two (2) years following the issuance of an amendment to the permit pursuant to Sections 621(B), (C), and (D), the OCSD shall either return the security deposit posted by the Permittee or credit their account.

**622. JUDICIAL REVIEW**

A. Purpose and Effect

Pursuant to Section 1094.6 of the California Code of Civil Procedure, the OCSD hereby enacts this part to limit to ninety (90) days following final decisions in adjudicatory administrative hearings the time within which an action can be brought to review such decisions by means of administrative mandamus.

B. Definitions

As used in this Section, the following terms and words shall have the following meanings:

1. Decision shall mean and include adjudicatory administrative decisions that are made after hearing, or after revoking, suspending, or denying an application for a permit or a license.
2. Complete Record shall mean and include the transcript, if any exists, of the proceedings, all pleadings, all notices and orders, any proposed decision by the General Manager, the final decision, all admitted exhibits, all rejected exhibits in the possession of the OCSD or its offices or agents, all written evidence, and any other papers in the case.

3. Party shall mean a person whose permit has been denied, suspended, or revoked.

C. Time Limit for Judicial Review

Judicial review of any decision of the OCSD or its officer or agent may be made pursuant to Section 1094.5 of the Code of Civil Procedure only if the petition for writ of mandate is filed not later than the ninetieth (90th) day following the date on which the decision becomes final. If there is no provision for reconsideration in the procedures governing the proceedings or if the date is not otherwise specified, the decision is final on the date it is made. If there is provision for reconsideration, the decision is final upon the expiration of the period during which such reconsideration can be sought; provided that if reconsideration is sought pursuant to such provision the decision is final for the purposes of this Section on the date that reconsideration is rejected.

D. Preparation of the Record

The complete record of the proceedings shall be prepared by the OCSD officer or agent who made the decision and shall be delivered to the petitioner within ninety (90) days after he has filed written request therefor. The OCSD may recover from the petitioner its actual costs for transcribing or otherwise preparing the record.

E. Extension

If the petitioner files a request for the record within ten (10) days after the date the decision becomes final, the time within which a petition, pursuant to Section 1094.5 of the Code of Civil Procedure, may be filed shall be extended to not later than the thirtieth (30th) day following the date on which the record is either personally delivered or mailed to the petitioner or the petitioner's attorney of record, if appropriate.

F. Notice

In making a final decision, the OCSD shall provide notice to the party that the time within which judicial review must be sought is governed by Section 1094.6 of the Code of Civil Procedure.

G. Administrative Civil Penalties

Notwithstanding the foregoing in Section 622, and pursuant to Government Code Section 54740.6, judicial review of an order of the Steering Committee imposing administrative civil penalties pursuant to Section 615.D may be made only if the petition for writ of mandate is filed not later than the thirtieth (30th) day following the day on which the order of the Steering Committee becomes final.

**ARTICLE 7**

**SEWER SERVICE CHARGES - CONNECTION CHARGES**

**701. SANITARY SEWER SERVICE CHARGE**

Every parcel of real property located within the OCSD which is improved with structures designed for residential, commercial, or industrial use, and connected to the OCSD system, shall pay a sanitary sewer service charge in an amount adopted by the Board of Directors by separate Ordinance.

**702. CAPITAL FACILITIES CONNECTION CHARGE**

Every parcel of real property located within the OCSD which is improved with structures designed for residential, commercial, or industrial use, and connected to the OCSD system, shall pay a capital facilities connection charge in an amount adopted by the Board of Directors by separate Ordinance.

**ARTICLE 8**

**SEVERABILITY**

**801. SEVERABILITY**

If any provision of these Regulations or the application to any or circumstances is held invalid, the remainder of the regulations or the application of such provision to other persons or other circumstances shall not be affected.

**802. GENERAL APPLICATION**

The provisions of this Ordinance shall apply to all properties within the OCSD including those properties otherwise deemed exempt from payment of taxes or assessments by provisions of the State Constitution or statute, including properties owned by other public agencies or tax-exempt organizations.

Section II: This Ordinance is enacted in order to preserve the public

health and safety, and in order to continue the provision of sewer services by the OCSD. The facts requiring the public health and safety to be preserved are that the regulation of the discharge of industrial and sanitary sewage is regulated by Federal and State law, and protection of individuals' health and the environment require that no discharges of untreated sewage/wastewater are allowed to occur that are not in accord with technical specifications and requirements.

Section III: Effective Date. This Ordinance shall take effect July 1, 2008.

Section IV: Repeal. Ordinance No. OCSD-31 is hereby repealed.

Section V: The Clerk of the Board shall certify to the adoption of this Ordinance and shall cause a summary to be published in a newspaper of general circulation as required by law.

PASSED AND ADOPTED by a vote of not less than two-thirds of the Board of Directors of the Orange County Sanitation District at a Regular Meeting held the 28 day of May, 2008.

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Chair, Board of Directors  
Orange County Sanitation District

ATTEST:

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Clerk of the Board  
Orange County Sanitation District

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Bradley R. Hogin, General Counsel

# BOARD OF DIRECTORS

## AGENDA REPORT

Meeting Date	To Bd. of Dir. 05/28/08
Item Number	Item Number 15

Orange County Sanitation District

**FROM:** James D. Ruth, General Manager  
Originator: Lorenzo Tyner, Director of Finance and Administrative Services

**SUBJECT:** ESTABLISH LOCAL SEWER SERVICE USER FEE PROGRAM FOR SERVICE PROVIDED IN AREAS LOCATED IN THE CITY OF TUSTIN AND UNINCORPORATED AREAS NORTH OF THE CITY OF TUSTIN

### GENERAL MANAGER'S RECOMMENDATION

Ordinance No. 38, An Ordinance of the Board of Directors of Orange County Sanitation District, Establishing Local Sanitary Sewer Service Charges for Customers Receiving Local Sanitary Sewer Service in Former Revenue Area 7.

Adopting Table A re Residential Local Sewer Service Fees and Table B re Property Use Classifications for Local Sewer Service Charges for Commercial or Industrial Users.

- a) Motion to read Ordinance No. OCSD-38 by title only and waive reading of said entire ordinance.
- b) Motion to introduce Ordinance No. OCSD-38, and pass to second reading and public hearing on June 25, 2008.

### SUMMARY

The District currently provides regional sewage collection, treatment, and disposal services in central and northwest Orange County, and maintains local sewers on approximately 18,000 parcels located in Revenue Area 7. All other wastewater is collected from residential, commercial, and industrial properties through local sewer lines that are owned and maintained by local cities and special districts located within the District's overall service area. Each of these local cities and special districts charge a fee to the property owners they serve for the maintenance of these local sewers. Since the District does not collect a local sewer user fee to recover the costs to operate, maintain, and replace the local collection system in Revenue Area 7, revenues from the regional user fee have had to subsidize these costs.

At the direction of the Board, staff contracted with Carollo Engineers to complete a five-year rate study to determine a fair and equitable local sewer user fee that will support the cost of operating, maintaining, and replacing the local sewers in Revenue Area 7.

The findings of the study indicate that the local sewer service in Revenue Area 7 is currently underfunded and that the dedicated ad valorem taxes of \$230,000 are not sufficient alone to fund the estimated \$6.5 million annual revenue needs. Absent the implementation of a local sewer fee, the remaining deficiency would continue to be funded using regional sewer treatment user fees.

Based on the rate study results, it is recommended that the District adopt an equitable local sewer user fee that will allow the local sewers to be self-supporting. This fee should be increased annually commensurate with the schedule shown below.

**PROPOSED ANNUAL LOCAL SEWER SERVICE FEE SCHEDULE**

<b>FY 2007-08</b>	<b>FY 2008-09</b>	<b>FY 2009-10</b>	<b>FY 2010-11</b>	<b>FY 2011-12</b>
<b>\$199</b>	<b>\$204</b>	<b>\$208</b>	<b>\$212</b>	<b>\$216</b>

Sewer service user fees are specifically exempted from some of the requirements of Proposition 218. Most notably, they are exempt from the election requirements, but not the requirement that fees cannot exceed the reasonable cost of service. A notice of the proposed new fee was mailed to every property owner in the OCSD local sewer service area on May 9, 2008. These Proposition 218 Notices notified the property owners of the public hearing that coincides with the second reading of the ordinance. Notices must be mailed to property owners 45 days before the public hearing. All comments received by telephone, and all written comments received by letter or e-mail will be recorded and made available to all Directors prior to the public hearing.

Based upon these requirements, the adoption schedule is as follows:

**Local Sewer Service User Fee Adoption Schedule 08-09**

<u>Description</u>	<u>Date</u>
-Board 1st reading of rate Ordinance	5/28/2008
-Board 2nd reading & adoption of Ordinance	6/25/2008
-Fiscal year begins	7/1/2008
-Fees per parcel sent to Auditor/ Controller	8/11/2008

**PRIOR COMMITTEE/BOARD ACTIONS**

September 2007 - Board directed staff to perform a comprehensive rate study for local sewers, establish a local sewer user fee structure, and initiate the appropriate Proposition 218 notifications and actions.

July 18, 2007 - FY 2006-07 Steering Committee Considered Strategic initiatives – Local Sewer Service Staff Report

October 25, 2006 - Board Approved compliance with new Statewide WDR Order for Sanitary Sewers.

## ADDITIONAL INFORMATION

Below is a comparison of local sewer service fee from the other local cities and special districts providing this service within the District's overall service area. It should be noted that most if these other agencies have not included full capital replacement costs or meet the new sanitary sewers service requirements now required by the California State Water Discharge Requirements Order in their rate model.

	<u>Annual</u>
Anaheim	\$55.44 - \$83.51
Brea	\$83.64 - \$127.20
Buena Park	\$106.92
CMSD	\$33.68
Cypress	\$14.40
Fountain Valley	\$48.00
GGSD	\$73.80
Huntington Beach	\$85.32
Fullerton	\$66.12
IRWD	\$117.60
La Habra	\$61.20
La Palma	\$303.84
MCSD	\$87.00
Newport Beach	\$75.00 - \$89.88
Orange	\$6.72
Placentia	\$35.88
Rossmoor/Los Alamitos	\$0.00
Santa Ana	\$24.36
Seal Beach	\$84.00
Stanton	\$28.25
SSBSD	\$148.76
Villa Park	\$193.80
Yorba Linda	\$19.47
Yorba Linda Water District	\$42.00
<b>Average</b>	<b>\$81.46</b>
<b>OCSD</b>	<b>\$199.00</b>

## ATTACHMENTS

1. Local Sewer Service Fee Rate Report prepared by Carollo Engineers.
2. Ordinance No. OCSD-38

JDR:LT:MW:AB



# BOARD OF DIRECTORS

## AGENDA REPORT

Meeting Date	To Bd. of Dir. 05/28/08
Item Number	Item Number 15

Orange County Sanitation District

**FROM:** James D. Ruth, General Manager  
Originator: Lorenzo Tyner, Director of Finance and Administrative Services

**SUBJECT:** ESTABLISH LOCAL SEWER SERVICE USER FEE PROGRAM FOR SERVICE PROVIDED IN AREAS LOCATED IN THE CITY OF TUSTIN AND UNINCORPORATED AREAS NORTH OF THE CITY OF TUSTIN

### GENERAL MANAGER'S RECOMMENDATION

Ordinance No. 38, An Ordinance of the Board of Directors of Orange County Sanitation District, Establishing Local Sanitary Sewer Service Charges for Customers Receiving Local Sanitary Sewer Service in Former Revenue Area 7.

Adopting Table A re Residential Local Sewer Service Fees and Table B re Property Use Classifications for Local Sewer Service Charges for Commercial or Industrial Users.

- a) Motion to read Ordinance No. OCSD-38 by title only and waive reading of said entire ordinance.
- b) Motion to introduce Ordinance No. OCSD-38, and pass to second reading and public hearing on June 25, 2008.

### SUMMARY

The District currently provides regional sewage collection, treatment, and disposal services in central and northwest Orange County, and maintains local sewers on approximately 18,000 parcels located in Revenue Area 7. All other wastewater is collected from residential, commercial, and industrial properties through local sewer lines that are owned and maintained by local cities and special districts located within the District's overall service area. Each of these local cities and special districts charge a fee to the property owners they serve for the maintenance of these local sewers. Since the District does not collect a local sewer user fee to recover the costs to operate, maintain, and replace the local collection system in Revenue Area 7, revenues from the regional user fee have had to subsidize these costs.

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The findings of the study indicate that the local sewer service in Revenue Area 7 is currently underfunded and that the dedicated ad valorem taxes of \$230,000 are not sufficient alone to fund the estimated \$6.5 million annual revenue needs. Absent the implementation of a local sewer fee, the remaining deficiency would continue to be funded using regional sewer treatment user fees.

Based on the rate study results, it is recommended that the District adopt an equitable local sewer user fee that will allow the local sewers to be self-supporting. This fee should be increased annually commensurate with the schedule shown below.

**PROPOSED ANNUAL LOCAL SEWER SERVICE FEE SCHEDULE**

<b>2008-09</b>	<b>2009-10</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>
<b>\$199</b>	<b>\$204</b>	<b>\$208</b>	<b>\$212</b>	<b>\$216</b>

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## ATTACHMENTS

1. Local Sewer Service Fee Rate Report prepared by Carollo Engineers.
2. Ordinance No. OCSD-38

JDR:LT:MW:AB

Orange County Sanitation District  
**Local Sewer Fee Analysis**  
**FINAL - Amended**

May 2008



# ORANGE COUNTY SANITATION DISTRICT

Local Sewer Fee Analysis

FINAL Report - Amended

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May 19, 2008

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# ORANGE COUNTY SANITATION DISTRICT

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## LOCAL SEWER FEE ANALYSIS

### 1.0 INTRODUCTION

#### 1.1 Background

The Orange County Sanitation District (OCSD) is a publicly owned regional wastewater treatment agency providing regional sewage collection, treatment, and disposal services in central and northwest Orange County. Local cities and special districts in the OCSD service area collect wastewater from residential, commercial, and industrial properties through local sewer lines. These local sewers are a system of connecting pipes that discharge into OCSD regional interceptors, pumping facilities and trunk lines. Each city or special district establishes its own local sewer user fee depending on its site-specific costs to own, manage, operate, and maintain its local wastewater collection system.

The current service area of OCSD is organized into nine "Revenue Areas" representing distinct geographic regions in Orange County. The focus of this study is Revenue Area 7, which includes unincorporated areas of Orange County and a portion of the city of Tustin. Since the mid-1960's OCSD has provided regional sewer services and maintained the local sewers to approximately 18,000 parcels located in Revenue Area 7. OCSD charges an annual regional sewer user fee to its customers, which appears as a special assessment on the annual property tax bill. However, OCSD does not currently bill its customers in Revenue Area 7 for the local sewer services it provides.

#### Key Issues

Currently, dedicated ad valorem taxes are insufficient to meet the total expenditure needs to maintain the local collection system in Revenue Area 7. Consequently, the District's regional user fee revenues have been used to meet this shortfall. The purpose of this study is to determine a fair and equitable local sewer user fee that will support the cost of operating and maintaining the local sewers in Revenue Area 7.

### 2.0 METHODOLOGY

#### 2.1 Introduction

The first part of the study is a revenue requirement analysis, which calculates an annual target that must be met with local sewer user fee revenues. The target accounts for annual operating and maintenance expenditures, capital projects costs, and other revenue sources that may be used to offset the revenue requirement from user fees.

## **2.2 Assumptions**

### **Study Period**

Local sewer user fees were forecasted from FY 2008/09 through 2029/30.

### **Operations and Maintenance (O&M) Expenses**

Total O&M expenses for the first five years of the study, from FY 2008/09 through FY 2012/13, were provided by the District. Thereafter, O&M expenditures were subject to general cost inflation. The general cost inflation escalator was assumed to be 4 percent per year.

### **Offsetting Revenues**

In servicing the local sewers, OCSD currently receives a share of the basic one percent ad valorem tax levy apportionment. However, this ad valorem tax revenue is insufficient to meet all of the operating and capital costs associated with maintaining these local sewers.

Irvine Ranch Water District (IRWD) provides local sewer service to part of Revenue Area 7. As a result, OCSD remits a portion of the Revenue Area 7 local property tax revenue to IRWD relative to the portion of the system served. The remaining property tax revenues collected for local sewer service are available to offset costs incurred by the District to provide local sewer service. The net difference is then assumed to be recovered through a local sewer fee.

The property tax available for the District to maintain local sewer lines totals approximately \$230,000 in FY 2007/08. As a conservative assumption, this amount was not escalated in future years.

### **Capital Replacement**

GHD Management, Engineering and Environmental Consultants conducted a condition assessment study on the local sewers and prepared a report for OCSD in September 2007 titled "Local Sewer Service Study: Cost Projection of Rehabilitation and Replacement over 100 years." This report contains a detailed projection of annual capital projects from 2009-2107 that will be required to maintain the local sewer system in Revenue Area 7.

The capital cost projections during this planning period fluctuate substantially by year; for example, over a twenty year snap shot, capital costs range from no annual need up to \$77 million in a given year (with the majority of expenses occurring around year ten). This largely reflects a roughly 50 year replacement cycle for these assets and is based on approximated useful lives. To encourage a fiscally proactive approach to capital funding and to avoid undue spike in user fees, we recommend that OCSD implement a "sinking fund" type capital replacement approach to plan for future capital projects. As such, the

District would implement an annual replacement program, attenuating the projected spike in capital needs.

The sinking fund is a technique in which OCSD sets aside a specific dollar amount each year to a reserve, which is then drawn down to fund annual capital expenditures. Ideally, funds will accumulate in years of smaller capital expenditures so that existing reserves could support larger capital expenditures in future years. This proactive capital funding strategy minimizes impacts to user fees. If there is a capital funding shortfall, it is assumed that the District would fund it as part of its District wide-capital funding program, and would then be reimbursed with future sinking fund contributions. It was assumed that the sinking fund approach will recover costs over a twenty year period, starting in fiscal year 2008/09 through fiscal year 2027/28. In order to fund the estimated replacements, the sinking fund contributions start at \$4.6 million per year in fiscal year 2008/09 and gradually increase to \$6.0 million per year in fiscal year 2027/28. It is assumed that the District will continue to use these annual funding amounts as a guideline for future capital replacement funding in subsequent years.

### **Debt Service**

Any debt service obligations specifically attributable to OCSD owned local sewers in Revenue Area 7 would be included in the analysis. However, there are no outstanding debt issues to be considered. In addition, it is assumed that the local users will contribute to the sinking fund through payment of the user fee. OCSD will fund any spikes in capital costs from existing regional sewer reserves and be reimbursed through future local sewer service fees.

### **Customer Base**

Customer base growth projections were calculated on a per-parcel and per-Equivalent Dwelling Unit (EDU) basis.

### **Parcels**

Current parcels: the current parcel list was obtained from the OCSD customer database

- Parcels at beginning of FY 2008/09 = 18,030 parcels

### **EDUs**

The calculation of EDUs was a multi-step process:

*Parcel List* – A list of all parcels in Revenue Area 7 was obtained from OCSD. This data contained square footage measurements for each commercial parcel.

- Parcels in Revenue Area 7 were then grouped into customer classes based on billing information provided by OCSD.



*Flow Factors* – OCSD provided documentation of flows (in 1,000 gallons per day) for each of their customer classes.

- Flow factors were developed for the customer classes based on the flows in gallons per day for each class relative to the single family customer flow.

*Loading Factors* – OCSD provided documentation of Biochemical Oxygen Demand (BOD<sub>5</sub>) and Total Suspended Solids (TSS) (in pounds) for each commercial customer class.

- Loading factors were developed for the customer classes based on the pounds of BOD<sub>5</sub> and TSS produced per 1,000 square feet for each class relative to the single family customer.

The square footage in each customer class was then multiplied by the flow factor of the class to determine EDUs. This methodology is consistent with the District-wide EDU factor calculations. For the purposes of the local sewer fee, 90 percent of the total annual costs are assumed to be attributable to flow, and 6 percent and 4 percent attributable to BOD<sub>5</sub> and TSS, respectively.

Total current EDUs at the beginning of 2008/09 = 32,719 EDUs. It is recommended that local sewer will be charged on an EDU basis. As part of this analysis, a rate per parcel was also evaluated. However, a parcel based rates does not recognize the differing loads paced on the system based on the size and type of property.

### **Customer Growth**

To calculate the local sewer user fee in future years, it is assumed that the population growth in Revenue Area 7 is commensurate with OCSD-wide growth:

1. OCSD-wide annual growth rate – Based on population projection.
  - a. The following populations were provided by the District:
    - 1) 2005 = 2,243,540
    - 2) 2010 = 2,362,654
    - 3) 2015 = 2,424,156
    - 4) 2020 = 2,500,188
  - b. A smoothed growth rate was extrapolated from the data above:
    - 1) 2007-2020 = 0.652% per year growth

### 3.0 FEE CALCULATION

#### 3.1 Introduction

The calculation of the local sewer user fee was comprised of two steps: first, the annual revenue requirement was calculated. As discussed above, the revenue requirement includes annual O&M expenditures attributable to Revenue Area 7, capital replacement expenses, and any offsetting revenue sources.

The annual revenue requirement was then divided by the customer base in each year of the study period. Summaries of each component of the calculation are provided below.

#### 3.2 Annual Revenue Requirement

A summary of the annual revenue requirement for the first seven years of the study period is provided below:

<b>Table 1 Revenue Requirement Analysis Revenue Program and Rate Update Orange County Sanitation District</b>							
<b>Year</b>	<b>FY 2008 2009</b>	<b>FY 2009 2010</b>	<b>FY2010 2011</b>	<b>FY 2011 2012</b>	<b>FY 2012 2013</b>	<b>FY 2013 2014</b>	<b>FY 2014 2015</b>
O&M Expenses	\$2,130,019	\$2,172,497	\$2,215,253	\$2,258,288	\$2,301,603	\$2,413,517	\$2,510,058
Capital Replacement	\$4,611,094	\$4,732,945	\$4,820,752	\$4,989,348	\$5,077,267	\$5,185,945	\$5,237,805
Debt Service	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total Expenses:</b>	<b>\$6,741,113</b>	<b>\$6,948,254</b>	<b>\$7,124,674</b>	<b>\$7,303,109</b>	<b>\$7,483,579</b>	<b>\$7,688,510</b>	<b>\$7,840,472</b>
Less: Offsetting Tax Revenues	(\$230,021)	(\$230,021)	(\$230,021)	(\$230,021)	(\$230,021)	(\$230,021)	(\$230,021)
<b>Revenue Requirement</b>	<b>\$6,511,092</b>	<b>\$6,718,233</b>	<b>\$6,894,653</b>	<b>\$7,073,088</b>	<b>\$7,253,558</b>	<b>\$7,458,489</b>	<b>\$7,610,451</b>

The total annual revenue requirement ranges from \$6.5 million to \$7.6 million from FY 2008/09 to FY 2013/14. The capital replacement expense is the largest portion of the annual expenditures, comprising approximately 70 percent of the total in each year. This is an expected outcome considering the significant costs contained in the capital projects schedule provided by GHD.

#### 3.3 Fee Calculation

As discussed in the “Methodology” section, customer growth projections were calculated for parcels and EDUs in Revenue Area 7. For the purposes of this study, the recommended local sewer user fee schedule has been prepared on a per-EDU basis.

A summary of the projected fee in the first seven years of the study period is provided below:

<b>Table 2 Annual Local Sewer Fees Revenue Program and Rate Update Orange County Sanitation District</b>							
<b>Year</b>	<b>FY 2008 2009</b>	<b>FY 2009 2010</b>	<b>FY 2010 2011</b>	<b>FY 2011 2012</b>	<b>FY 2012 2013</b>	<b>FY 2013 2014</b>	<b>FY 2014 2015</b>
Revenue Requirement	\$6,511,092	\$6,718,233	\$6,894,653	\$7,073,088	\$7,253,558	\$7,458,489	\$7,610,451
EDUs	32,719	32,933	33,147	33,364	33,581	33,800	34,021
<b>Annual Fee per EDU<sup>1</sup></b>	<b>\$199.00</b>	<b>\$204.00</b>	<b>\$208.00</b>	<b>\$212.00</b>	<b>\$216.00</b>	<b>\$220.75</b>	<b>\$223.75</b>
(1) Sewer fees have been rounded up to the nearest \$0.25.							

The user fee was calculated by dividing the total annual revenue requirement by the number of EDUs served. Based on this calculation, the District's local sewer fee per EDU equates to \$199 per year in FY 2008/09.

### 3.4 User Rate Categories

As with the regional sewer service fee program, users will be billed a flat wastewater service charge based on the property use classification maintained by the County Assessor. The District maintains a listing of average flow and wastewater strength discharges for each property type, which will be used to develop the user rates. The single-family residential (SFR) user rate will be based on typical flow and loadings for an average 3-bedroom home and will serve as the base rate to calculate rates for other users. Multi-family residential users will be charged 70 percent per unit of the SFR rate. Commercial users will be charged a percentage of the SFR rate as specified in Appendix B of this memorandum. These use factors are based on the average flow and strength characteristics for the type of property, charged on a 1,000 square-foot basis.

See Appendix B for a complete listing of user rate categories.

## 4.0 RECOMMENDATIONS

The findings of the study indicate that the local sewer service in Revenue Area 7 is currently underfunded. Moreover, the dedicated ad valorem taxes of \$230,000 (annually) are not sufficient alone to fund the estimated \$6.5 million annual revenue needs. Absent the implementation of a local sewer fee, the remaining deficiency would continue to be funded using regional sewer treatment user fees.

Based on the study results, it is recommended that OCSD adopt an equitable local sewer user fee that will allow the local sewers to be self-supporting. This fee should be increased annually commensurate with the schedule outlined in the table provided above. It is also recommended that OCSD establish a sinking fund to ensure that capital projects are

sufficiently funded through user fees and that adequate planning is undertaken for the repair and replacement of the system.

**Appendix A**

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**CALCULATIONS**

May 19, 2008

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# ORANGE COUNTY SANITATION DISTRICT

## RATE STUDY ANALYSIS

### LOCAL SEWER FEE ANALYSIS

Year	FYE 2009	FYE 2010	FYE 2011	FYE 2012	FYE 2013	FYE 2014	FYE 2015	FYE 2016	FYE 2017
O&M Expenses	\$ 1,367,505	\$ 1,422,206	\$ 1,479,094	\$ 1,538,258	\$ 1,599,788	\$ 1,663,779	\$ 1,730,331	\$ 1,799,544	\$ 1,871,525
Additional O&M Expenditures	\$ 762,500	\$ 793,000	\$ 824,720	\$ 775,425	\$ 806,442	\$ 838,700	\$ 872,248	\$ 907,138	\$ 943,423
Capital Replacement	1								
	\$ 4,611,094	\$ 4,732,945	\$ 4,820,752	\$ 4,989,348	\$ 5,077,267	\$ 5,185,945	\$ 5,237,805	\$ 5,290,183	\$ 5,343,085
Debt Service	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total Expenses:</b>	<b>6,741,100</b>	<b>6,948,150</b>	<b>7,124,566</b>	<b>7,303,030</b>	<b>7,483,497</b>	<b>7,688,425</b>	<b>7,840,383</b>	<b>7,996,864</b>	<b>8,158,033</b>
Less: Offsetting Tax Revenues	(230,021)	(230,021)	(230,021)	(230,021)	(230,021)	(230,021)	(230,021)	(230,021)	(230,021)
<b>Total Offsetting Revenues:</b>	<b>(230,021)</b>	<b>(230,021)</b>	<b>(230,021)</b>	<b>(230,021)</b>	<b>(230,021)</b>	<b>(230,021)</b>	<b>(230,021)</b>	<b>(230,021)</b>	<b>(230,021)</b>
<b>Revenue Requirement</b>	<b>6,511,079</b>	<b>6,718,129</b>	<b>6,894,545</b>	<b>7,073,009</b>	<b>7,253,476</b>	<b>7,458,404</b>	<b>7,610,362</b>	<b>7,766,843</b>	<b>7,928,012</b>
EDUs	32,719	32,933	33,147	33,364	33,581	33,800	34,021	34,243	34,466
Annual Fee per EDU*	\$199.00	\$204.00	\$208.00	\$212.00	\$216.00	\$220.75	\$223.75	\$227.00	\$230.25
Monthly Equivalent Rate	\$16.58	\$17.00	\$17.33	\$17.67	\$18.00	\$18.40	\$18.65	\$18.92	\$19.19

\*Annual Fee is rounded up to the nearest \$0.25



**ORANGE COUNTY SANITATION DISTRICT**  
**RATE STUDY ANALYSIS**  
**LOCAL SEWER FEE ANALYSIS**

		Escalation		5.00%	
Year	Rehab	Replace	Total	Escalated	
2008					
2009		\$ 492,229	\$ 492,229	\$ 516,840	
2010	\$ 2,280,765		\$ 2,280,765	\$ 2,514,543	
2011	\$ 911		\$ 911	\$ 1,055	
2012	\$ -		\$ -	\$ -	
2013	\$ 1,391	\$ 37,657	\$ 39,048	\$ 49,836	
2014	\$ -		\$ -	\$ -	
2015	\$ -		\$ -	\$ -	
2016	\$ 369,794		\$ 369,794	\$ 546,354	
2017	\$ 77,641,797	\$ 20,914	\$ 77,662,711	\$ 120,480,355	
2018	\$ 19,139,350		\$ 19,139,350	\$ 31,175,984	
2019	\$ 275,164	\$ 62,389	\$ 337,553	\$ 577,330	
2020	\$ 404,955		\$ 404,955	\$ 727,241	
2021	\$ 311,136		\$ 311,136	\$ 586,693	
2022	\$ 31,253		\$ 31,253	\$ 61,879	
2023	\$ 56,994		\$ 56,994	\$ 118,486	
2024	\$ 45,130		\$ 45,130	\$ 98,513	
2025	\$ 99,784		\$ 99,784	\$ 228,707	
2026	\$ 21,315		\$ 21,315	\$ 51,297	
2027	\$ 15,465		\$ 15,465	\$ 39,079	
2028	\$ 13,960		\$ 13,960	\$ 37,040	
			<b>Total: \$ 101,322,353</b>	<b>\$ 157,811,234</b>	
			<b>Annual Average: \$ 5,066,118</b>	<b>\$ 7,890,562</b>	

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**USER RATE CATEGORIES**





# ORANGE COUNTY SANITATION DISTRICT

## RATE STUDY ANALYSIS

### USER RATE CATAGORIES

FY 2008/2009 ▼

EDU Annual Rate \$199.00

Use Codes	Description	Percentage of SFR Per 1,000 SF or Unit	User Rates
5	COMMON AREA PARCEL	0%	\$0.00
6	"HOLD" PARCEL	0%	\$0.00
8	EQUIV TO VACANT	0%	\$0.00
121	PARCEL OF MINIMAL OR NO VALUE	0%	\$0.00
122	SUBSURFACE PARCELS	0%	\$0.00
124	OIL/MINERAL RIGHTS	0%	\$0.00
125	MINERAL RIGHTS EQUIPMENT	0%	\$0.00
126	VACANT COMMON AREA-IMP ALLOC	0%	\$0.00
201	HOME OWNERS EXEMPTION ADD'N	0%	\$0.00
666	UNASSIGNED VACANT	0%	\$0.00
112	STEEL BUILDING	5%	\$9.95
113	MINI-WAREHOUSE	5%	\$9.95
58	NURSERIES (PLANTS)	9%	\$17.91
100	DRIVE-IN THEATER	9%	\$17.91
110	WAREHOUSE - SINGLE TENANT	11%	\$21.89
111	WAREHOUSE - MULTI TENANT	11%	\$21.89
115	RECREATIONAL VEHICLE STORAGE	11%	\$21.89
116	TRUCK TERMINAL	11%	\$21.89
44	LUMBER/CONSTR MATL YARD	18%	\$35.82
71	PARKING GARAGE	18%	\$35.82
72	PAVED PARKING LOT	18%	\$35.82
33	CHURCH BUILDINGS	20%	\$39.80
94	DEPARTMENT STORE	22%	\$43.78
95	DISCOUNT STORE	22%	\$43.78
96	UNATTACHED SINGLE STORE	22%	\$43.78
97	STRIP STORE	22%	\$43.78
74	RECREATION VEHICLE PARK	23%	\$45.77
225	UNITED STATES POST OFFICE	28%	\$55.72
107	LIGHT INDUSTRIAL - SINGLE TENANT	30%	\$59.70
108	LIGHT INDUSTRIAL - MULTI TENANT	30%	\$59.70
109	RESEARCH AND DEVELOPMENT	30%	\$59.70
114	INDUSTRIAL PARK	30%	\$59.70
40	HEALTH CLUB	33%	\$65.67
88	CONVENIENCE SHOPPING CENTER	36%	\$71.64
36	FINANCIAL BUILDINGS	39%	\$77.61
68	HIGH RISE OFFICE	39%	\$77.61
21	AUTOMOBILE DEALERSHIP	39%	\$77.61
22	AUTO REPAIR SHOP	39%	\$77.61
23	AUTOMOTIVE SERVICE	39%	\$77.61
24	USED CAR LOT	39%	\$77.61
39	GOLF COURSE	39%	\$77.61
57	MOTORCYCLE/SMALL VEHICLE BLDG	39%	\$77.61
83	AUTOMOTIVE SERVICE STATION	39%	\$77.61
84	MARINE SERVICE STATION	39%	\$77.61
86	COMBIN:SERVICE STN/CONVIENCE MKT	39%	\$77.61
65	SINGLE OFFICE BLDGS TO 3 STORIES	40%	\$79.60
66	SMALL OFFICE CENTER	40%	\$79.60



# ORANGE COUNTY SANITATION DISTRICT

## RATE STUDY ANALYSIS

### USER RATE CATAGORIES

FY 2008/2009

EDU Annual Rate \$199.00

Use Codes	Description	Percentage of SFR Per 1,000 SF or Unit	User Rates
67	OFFICE COMPLEX	40%	\$79.60
69	CONVERTED RESIDENCE TO OFFICE	40%	\$79.60
85	COMBIN: SERV STN/RESTAURANT	42%	\$83.58
48	CONVENIENCE MARKET	44%	\$87.56
37	FRATERNAL BUILDINGS	49%	\$97.51
101	UNATTACHED THEATER	49%	\$97.51
7	MOBILEHOME	50%	\$99.50
55	MOBILE HOME PARK	52%	\$103.48
26	AIRPORT AND RELATED	56%	\$111.44
45	MARINAS	56%	\$111.44
32	CEMETERY & RELATED	56%	\$111.44
38	FUNERAL HOME	56%	\$111.44
3	TWO OR MORE SFR	70%	\$139.30
10	DUPLEX ONLY	70%	\$139.30
11	TRIPLEX ONLY	70%	\$139.30
12	04-UNITS ONLY	70%	\$139.30
13	5 TO 16 UNITS	70%	\$139.30
14	17 TO 25 UNITS	70%	\$139.30
15	26-40 UNITS ONLY	70%	\$139.30
16	41-99 UNITS ONLY	70%	\$139.30
17	100 OR MORE UNITS	70%	\$139.30
18	A MIX OF FORMS	70%	\$139.30
19	SFR WITH 1 OR 2 RENTALS	71%	\$141.29
28	BOWLING ALLEYS	71%	\$141.29
92	SKATING RINKS	71%	\$141.29
4	MISC IMPROVEMENT	71%	\$141.29
118	GOVERNMENTAL USE	79%	\$157.21
81	PRE-SCHOOLS, NURSERY OR CARE	80%	\$159.20
82	PRIVATE SCHOOLS	80%	\$159.20
98	STORE WITH OFFICES OR LIV QTR	80%	\$159.20
99	STORE W/ OFFICE UPSTAIRS	80%	\$159.20
47	SUPERMARKET	84%	\$167.16
89	NEIGHBORHOOD SHOPPING CENTER	92%	\$183.08
61	CONVALESCENT HOSPITALS	99%	\$197.01
34	DORMITORY	99%	\$197.01
42	HOSPITAL	100%	\$199.00
2	ONE RESIDENCE	100%	\$199.00
103	CHEMICAL TANK AND BULK STORAGE	100%	\$199.00
104	FOOD PROCESSING PLANT	100%	\$199.00
105	COLD STORAGE PLANT	100%	\$199.00
106	FACTORY	100%	\$199.00



**ORANGE COUNTY SANITATION DISTRICT**  
**RATE STUDY ANALYSIS**  
**USER RATE CATAGORIES**

FY 2008/2009 ▼

**EDU Annual Rate** \$199.00

<b>Use Codes</b>	<b>Description</b>	<b>Percentage of SFR Per 1,000 SF or Unit</b>	<b>User Rates</b>
119	PUBLIC UTILITY	100%	\$199.00
120	WATER MUTUAL OR COMPANY	100%	\$199.00
888	CONVERSION-COMPOSITE PROP	100%	\$199.00
60	NURSING HOME	103%	\$204.97
62	CONVERTED RES USED AS NURSING	103%	\$204.97
63	LOW RISE RETIREMENT BUILDING	108%	\$214.92
64	HIGH RISE RETIREMENT BUILDING	108%	\$214.92
43	HOTEL	109%	\$216.91
56	MOTELS AND MOTOR HOTELS	109%	\$216.91
50	SINGLE MEDICAL BLDGS TO 3 STORIES	118%	\$234.82
51	SMALL MEDICAL CENTER	118%	\$234.82
52	MEDICAL CENTER COMPLEX	118%	\$234.82
53	HIGH RISE MEDICAL	118%	\$234.82
54	CONVERTED RESIDENCE TO MEDICAL	118%	\$234.82
20	AMUSEMENT PARKS	138%	\$274.62
35	ENTERTAINMENT CENTER	138%	\$274.62
73	RECREATION	138%	\$274.62
224	NIGHTCLUB	146%	\$290.54
90	COMMUNITY SHOPPING CENTER	149%	\$296.51
76	RESTAURANT - TAKE OUT	212%	\$421.88
30	COIN OPERATED CAR WASH	252%	\$501.48
77	RESTAURANT - COFFEE SHOP	424%	\$843.76
78	RESTAURANT - DINNER HOUSE	424%	\$843.76
79	RESTAURANT - CONVERSION FROM SFR	424%	\$843.76
29	CONVENTIONAL CAR WASH	1425%	\$2,835.75
223	LAUNDROMAT	1563%	\$3,110.37

ORDINANCE NO. OCSD-38

AN ORDINANCE OF THE BOARD OF DIRECTORS OF ORANGE COUNTY SANITATION DISTRICT ESTABLISHING LOCAL SANITARY SEWER SERVICE CHARGES FOR CUSTOMERS RECEIVING LOCAL SANITARY SEWER SERVICE IN FORMER REVENUE AREA 7

ADOPTING TABLE A RE RESIDENTIAL LOCAL SEWER SERVICE FEES AND TABLE B RE PROPERTY USE CLASSIFICATIONS FOR LOCAL SEWER SERVICE CHARGES FOR COMMERCIAL OR INDUSTRIAL USERS

WHEREAS, for purposes of improved efficiency and effectiveness of the District's operations, it is the intent, by the adoption of this Ordinance, to establish local sanitary sewer service charges for customers receiving local sanitary sewer service in former Revenue Area 7.

NOW, THEREFORE, the Board of Directors of the Orange County Sanitation District does hereby ORDAIN:

Section I. Fees and Charges Ordinance – Adopted

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Section 3.01, Application of Ordinance

Section 3.02, Exceptions

ARTICLE I

RECITAL OF FINDINGS

Section 1.01. Findings – Declaration of Intent. The Board of Directors of the District hereby adopts the following Findings supporting the amounts of charges and fees adopted pursuant to this Ordinance.

A. That the District previously was organized into nine “Revenue Areas” representing distinct geographic regions within the District’s jurisdiction. Revenue Area 7 included unincorporated areas of Orange County and a portion of the City of Tustin.

B. That since the mid-1960s, the District has maintained the local sewers of approximately 18,000 parcels located in former Revenue Area 7 and that the District charges an annual regional sewer user fee to its customers, which appears as a special assessment on the annual property tax bill, but does not currently bill its customers in former Revenue Area 7 for the local sewer service it provides.

C. That, currently, dedicated ad valorem taxes are insufficient to meet the total expenditure needs to maintain the local collection system in former Revenue Area 7 and regional user fee revenues have been used to meet shortfalls.

D. That the District has completed a study to determine a fair and equitable local sewer use fee that will support the cost of operating and maintaining the local sewers in former Revenue Area 7.

E. That the revenues derived under the provisions of this Ordinance will be used for the acquisition, construction, reconstruction, maintenance, and operation of the local sewer system facilities of the District; together with costs of administration.

F. That the owners or occupants of properties upon which all fees and charges established by this Ordinance are levied, discharge wastewater to the local sewer system operated and maintained by OCSD.

G. That the Local Sanitary Sewer Service Charges established and levied by this Ordinance are to allow the District to recover the reasonable costs to provide a service to individual properties which have been improved for any of numerous types of uses. The basis for the respective charge is the request of the owner of property or a structure thereon, for the benefit of him/her/itself, or

the occupants of the property, to receive a service based upon the connection to the local sewer line maintained by the District.

H. That the Local Sanitary Sewer Service Charges established by this Ordinance are not imposed as a condition of approval of a development project, as defined in California Government Code Section 66001, and do not exceed the estimated reasonable cost to provide the sewer service for which the fee is levied, as provided in Government Code Sections 66013 and 66016 and California Constitution Article XIID.

I. That the Local Sanitary Sewer Service Charges adopted herein will not foreseeably result in an expansion of facilities to provide for growth outside the existing service area. The adoption of these Local Sanitary Sewer Service Charges will not result in any specific project, nor result in a direct physical change in the environment.

J. That the Local Sanitary Sewer Service Charges adopted herein are established upon a rational basis between the fees charged each customer and the service and facilities provided to each customer of the local sewer service area of the District.

K. That all fees and charges established herein have been approved by the District's Board of Directors at a noticed public meeting, all in accordance with applicable provisions of law.

L. That the adoption of this Ordinance is statutorily exempt under the California Environmental Quality Act pursuant to the provisions of Public Resources Code Section 21080(b)(8) and California Code of Regulations Section 15273(a).

## ARTICLE II

### LOCAL SEWER SERVICE CHARGES

Section 2.01. Purpose and Scope. The purpose of this Ordinance is to establish Local Sanitary Sewer Service Charges required to be paid by property owners for the services and facilities furnished by the District in connection with the local sewage collection system. Revenues derived under the provisions of this Ordinance shall be used for the acquisition, construction, reconstruction, maintenance, and operation of the local sewer system together with costs of administration.

Section 2.02. Annual Local Sewer Service Charge. Commencing with the effective date of this Ordinance, the owner of each parcel of real property located within the local sewer service area operated and maintained by the District which is improved with structures designed for residential, commercial, or industrial use and which, at the request of the owner or the owner's predecessor-in-interest, is connected to the District's system, shall pay an annual Local Sewer Service Charge based on the respective class of

users, in the sum or sums, as set forth in Tables A and B of this Ordinance, below. The annual Local Sewer Service Charges for residential users are set forth in Table A. The applicable single family residential rate shown in Table A is multiplied by the applicable percentage figure shown on Table B with respect to the particular use classification to arrive at the annual Local Sewer Service Charge rate per 1,000 square feet for the commercial or industrial user. The annual Local Sewer Service Charges for commercial or industrial users are dependent upon the respective classifications of property use, determined by reference to Table B.

Section 2.03. A. Exemptions. It is the intent of the District that the legal owner(s) of parcels of real property, otherwise subject to the levy and payment of the Local Sewer Service Charges, as prescribed herein, be relieved, in whole or in part, from the payment of said charges, in certain circumstances and under conditions prescribed herein, and be entitled to either a rebate or a refund with respect to charges paid, as more specifically set forth in Subparagraphs 2.03B and 2.03C below, provided an inequity is established or a billing error is proven, as specified in Subparagraphs B or C.

B. Application for Rebate. Any property owner may apply to the District for a rebate of Local Sewer Service Charges paid to the District by establishing that an unfair valuation of the property has been made by the District. An applicant for a rebate must establish, by proof satisfactory to the General Manager of the District, or his designee, that an inequity exists between the amount of the charge paid and the amount of wastewater discharged to the District's system, resulting in an unfair valuation. Satisfactory proof shall establish that either:

(1) The principal water use is agricultural or horticultural; or

(2) The property is devoted to any other use wherein the amount of wastewater discharged to the District's system is significantly less on a regular basis than the amount that would normally be expected to be discharged by the class of property in question.

Satisfactory proof shall include, but not be limited to, documentation showing actual water usage for each billing cycle during the entire period for which the rebate is sought.

The amount of any rebate shall not reduce the charge payable by any property owner, whose property is connected to the District's system, to less than the single family residential charge shown on the applicable Table attached hereto.

C. Application for Refund. Any property owner may apply to the District for a refund of Local Sewer Service Charges paid to the District by establishing that the amount paid was pursuant to an error in the amount billed or the amount paid. The applicant for a refund must submit proof satisfactory to the General Manager of the District, or his designee, that a billing

error has been made by the District, or the County Tax Collector. Such proof shall include, but not be limited to, proof that:

(1) The owner's parcel of property is not connected to the District's system; or

(2) The property has not been classified in the proper property use classification code; or

(3) A clerical error has been made.

D. Limitations Period. Applications for refunds shall be deemed to be governed by the provisions of California Revenue & Taxation Code Sections 5096 and 5097. Applications for rebates shall be deemed a claim and be governed by the provisions of California Government Code Sections 935 et seq., and shall be presented to the District as provided in the Government Tort Claims Act, Government Code Sections 915 et seq., not later than four (4) years after the submission of the roll to the County Auditor/Controller, and the claim for rebate may only be made with respect to amounts paid or payable under such property tax bill. A claim for rebate is not deemed a claim for refund, and California Revenue & Taxation Code Sections 5096 and 5097 are not applicable.

E. Determination. All applications for rebates or refunds of the Local Sewer Service Charge will be determined by the General Manager of the District, or his designee, who, based on the submitted proof, may grant a full or partial rebate or refund.

F. Administrative Fee. At the time of filing the application for rebate or refund, the property owner shall pay District an administrative fee for the processing of such application. The amount of the fee shall be equal to the total of all fees and charges imposed on the District by any other public entity, such as the Orange County Tax Collector, the Orange County Auditor, or the Orange County Recorder, in connection with the rebate or refund.

Section 2.04. Annual Charge. The Local Sewer Service Charges established by this Ordinance shall be as set forth in Tables A and B, attached hereto, and shall remain in effect until such time as the rates adopted herein are changed by District Ordinance. There shall be no proration of such charges in any fiscal year.

Section 2.05. Method of Collection.

A. Pursuant to the authority granted by California Health & Safety Code Section 5473, and except as otherwise provided in Subparagraph 2.05B below, all local sewer service charges established herein shall be collected on the County Tax Roll in the same manner, by the same persons, and at the same time as, together with, and not separately from, its general taxes. The County Tax Collector is authorized and hereby ordered to make said collections in accordance with the terms and conditions of agreements between the County of Orange and the District.



B. In the event District determines that, due to billing or payment error, or to inequity in the amount billed, a property owner has underpaid annual Local Sewer Service Charges payable to District, District, within four (4) years after the date of mailing of the tax bill, may:

(1) collect the amount of any deficiency directly on the County Tax Roll;

(2) off-set the amount of any deficiency against any amounts that District determines is owing, by District, to the property owner, as a rebate or refund under this Ordinance; or

(3) submit, directly to the property owner, a bill for the amount of any deficiency, which shall be due and payable within thirty (30) days of the invoice date and which, if not paid, shall become a lien on said property.

**TABLE A**

**ANNUAL LOCAL SEWER SERVICE FEES**  
**RESIDENTIAL USERS**

YEAR	2008-09	2009-10	2010-11	2011-12	2012-13
SFR*	\$199.00	\$204.00	\$208.00	\$212.00	\$216.00
MFR	\$139.30	\$142.80	\$145.60	\$148.40	\$151.20

SFR = SINGLE FAMILY RESIDENTIAL

MFR = MULTI FAMILY RESIDENTIAL

\* The SFR fee is the minimum local sewer service charge any user must pay.

**TABLE B**

**ANNUAL LOCAL SEWER SERVICE CHARGES**

**PROPERTY USE CLASSIFICATIONS FOR  
COMMERCIAL OR INDUSTRIAL USERS**

<u>Assessor Use Code</u> <u>Unit</u>	<u>Description</u>	<u>Percentage of SFR</u> <u>Per 1,000 SF or</u>
1	VACANT LAND PARCEL	0%
5	COMMON AREA PARCEL	0%
6	"HOLD" PARCEL	0%
8	EQUIV TO VACANT	0%
121	PARCEL OF MINIMAL OR NO VALUE	0%
122	SUBSURFACE PARCELS	0%
124	OIL/MINERAL RIGHTS	0%
125	MINERAL RIGHTS EQUIPMENT	0%
	VACANT COMMON AREA-IMP	
126	ALLOC	0%
201	HOME OWNERS EXEMPTION ADD'N	0%
666	UNASSIGNED VACANT	0%
777	SEPTIC TANK PROPERTY	0%
112	STEEL BUILDING	5%
113	MINI-WAREHOUSE	5%
58	NURSERIES (PLANTS)	9%
100	DRIVE-IN THEATER	9%
110	WAREHOUSE - SINGLE TENANT	11%
111	WAREHOUSE - MULTI TENANT	11%
	RECREATIONAL VEHICLE	
115	STORAGE	11%
116	TRUCK TERMINAL	11%
44	LUMBER/CONSTR MATL YARD	18%
71	PARKING GARAGE	18%
72	PAVED PARKING LOT	18%
33	CHURCH BUILDINGS	20%
94	DEPARTMENT STORE	22%
95	DISCOUNT STORE	22%
96	UNATTACHED SINGLE STORE	22%
97	STRIP STORE	22%
74	RECREATION VEHICLE PARK	23%
225	UNITED STATES POST OFFICE	28%
	LIGHT INDUSTRIAL – SINGLE TENANT	
107		30%

**TABLE B (CONTINUED)**

**ANNUAL LOCAL SEWER  
SERVICE CHARGES**

**PROPERTY USE CLASSIFICATIONS  
FOR  
COMMERCIAL OR INDUSTRIAL  
USERS**

108	LIGHT INDUSTRIAL - MULTI TENANT	30%
109	RESEARCH AND DEVELOPMENT	30%
114	INDUSTRIAL PARK	30%
40	HEALTH CLUB	33%
88	CONVENIENCE SHOPPING CENTER	36%
36	FINANCIAL BUILDINGS	39%
68	HIGH RISE OFFICE	39%
21	AUTOMOBILE DEALERSHIP	39%
22	AUTO REPAIR SHOP	39%
23	AUTOMOTIVE SERVICE	39%
24	USED CAR LOT	39%
39	GOLF COURSE	39%
	MOTORCYCLE/SMALL VEHICLE	
57	BLDG	39%
83	AUTOMOTIVE SERVICE STATION	39%
84	MARINE SERVICE STATION	39%
	COMBIN:SERVICE STN/CONVIENCE	
86	MKT	39%
	SINGLE OFFICE BLDGS TO 3	
65	STORIES	40%
66	SMALL OFFICE CENTER	40%
67	OFFICE COMPLEX	40%
	CONVERTED RESIDENCE TO	
69	OFFICE	40%
85	COMBIN: SERV STN/RESTAURANT	42%
48	CONVENIENCE MARKET	44%
37	FRATERNAL BUILDINGS	49%
101	UNATTACHED THEATER	49%
7	MOBILEHOME	50%
55	MOBILE HOME PARK	52%
26	AIRPORT AND RELATED	56%
45	MARINAS	56%
32	CEMETERY & RELATED	56%

**TABLE B (CONTINUED)**

**ANNUAL LOCAL SEWER  
SERVICE CHARGES**

**PROPERTY USE CLASSIFICATIONS  
FOR  
COMMERCIAL OR INDUSTRIAL  
USERS**

38	FUNERAL HOME	56%
3	TWO OR MORE SFR	70%
10	DUPLEX ONLY	70%
11	TRIPLEX ONLY	70%
12	04-UNITS ONLY	70%
13	5 TO 16 UNITS	70%
14	17 TO 25 UNITS	70%
15	26-40 UNITS ONLY	70%
16	41-99 UNITS ONLY	70%
17	100 OR MORE UNITS	70%
18	A MIX OF FORMS	70%
19	SFR WITH 1 OR 2 RENTALS	71%
4	MISC IMPROVEMENT	71%
28	BOWLING ALLEYS	71%
92	SKATING RINKS	71%
118	GOVERNMENTAL USE	79%
	PRE-SCHOOLS, NURSERY OR	
81	CARE	80%
82	PRIVATE SCHOOLS	80%
98	STORE WITH OFFICES OR LIV QTR	80%
99	STORE W/ OFFICE UPSTAIRS	80%
47	SUPERMARKET	84%
	NEIGHBORHOOD SHOPPING	
89	CENTER	92%
34	DORMITORY	99%
61	CONVALESCENT HOSPITALS	99%
42	HOSPITAL	100%
2	ONE RESIDENCE	100%
	CHEMICAL TANK AND BULK	
103	STORAGE	100%
104	FOOD PROCESSING PLANT	100%
105	COLD STORAGE PLANT	100%

**TABLE B (CONTINUED)**

**ANNUAL LOCAL SEWER  
SERVICE CHARGES**

**PROPERTY USE CLASSIFICATIONS  
FOR  
COMMERCIAL OR INDUSTRIAL  
USERS**

106	FACTORY	100%
119	PUBLIC UTILITY	100%
120	WATER MUTUAL OR COMPANY	100%
888	CONVERSION-COMPOSITE PROP	100%
60	NURSING HOME	103%
	CONVERTED RES USED AS	
62	NURSING	103%
63	LOW RISE RETIREMENT BUILDING	108%
64	HIGH RISE RETIREMENT BUILDING	108%
43	HOTEL	109%
56	MOTELS AND MOTOR HOTELS	109%
	SINGLE MEDICAL BLDGS TO 3	
50	STORIES	118%
51	SMALL MEDICAL CENTER	118%
52	MEDICAL CENTER COMPLEX	118%
53	HIGH RISE MEDICAL	118%
	CONVERTED RESIDENCE TO	
54	MEDICAL	118%
20	AMUSEMENT PARKS	138%
35	ENTERTAINMENT CENTER	138%
73	RECREATION	138%
224	NIGHTCLUB	146%
90	COMMUNITY SHOPPING CENTER	149%
76	RESTAURANT - TAKE OUT	212%
30	COIN OPERATED CAR WASH	252%
77	RESTAURANT - COFFEE SHOP	424%
78	RESTAURANT - DINNER HOUSE	424%
	RESTAURANT - CONVERSION	
79	FROM SFR	424%
29	CONVENTIONAL CAR WASH	1425%
223	LAUNDROMAT	1563%

**NOTE:** Multiply the Table A Single Family Residential Rate by the percentage figure above in order to determine the rate per 1,000 square feet for the commercial or industrial user.

MISCELLANEOUS

Section 3.01. Application of Ordinance. The provisions of this Ordinance shall be in addition to the provisions of the District's Wastewater Discharge Regulations for use of District's sewage facilities, including provisions for payment of charges or fees related thereto; District's ordinance establishing Sanitary Sewer Service Charges; District's ordinance establishing Fees Concerning Annexations of Territory to the District; and any other District Ordinances and Resolutions not in conflict herewith.

Section 3.02. Exceptions. The provisions of this Ordinance shall apply to all owners of properties within the local sewer service area maintained by the District, including those properties otherwise deemed exempt from payment of taxes or assessments by provisions of the State Constitution or statute, including properties owned by other public agencies or tax-exempt organizations, except as expressly provided herein.

The Board of Directors of the Orange County Sanitation District does further hereby ORDAIN:

Section II. Severability. If any provision of this Ordinance, or the application to any person or circumstances is held invalid by order of Court, the remainder of the Ordinance, or the application of such provision to other persons or other circumstances, shall not be affected.

Section III. Effective Date. This Ordinance shall take effect July 25, 2008.

Section IV. Certification and Publication. The Clerk of the Board shall certify to the adoption of this Ordinance, and shall cause a summary to be published in a newspaper of general circulation as required by law.

PASSED AND ADOPTED by a vote of not less than two-thirds of the Board of Directors of the Orange County Sanitation District at a Regular Meeting held June 25, 2008.

\_\_\_\_\_  
CHAIR, BOARD OF DIRECTORS  
ORANGE COUNTY SANITATION DISTRICT

ATTEST:

\_\_\_\_\_  
CLERK OF THE BOARD  
ORANGE COUNTY SANITATION DISTRICT

\_\_\_\_\_  
BRADLEY R. HOGIN  
GENERAL COUNSEL