General
1. Stormwater requirements, which were previously included in the Sewer Use Ordinance (SUO), have been removed from the SUO and a new Stormwater Ordinance has been created by the Watershed Protection Group (WPG) to be codified at Palo Alto Municipal Code (PAMC) Chapter 16.11. The majority of stormwater requirements were previously included in 16.09.165 and 16.09.170 – both sections have been completely removed from SUO.

2. Fats, Oil and Grease (FOG) requirements, which were previously included in SUO, have been removed and a new FOG Ordinance has been created by WPG to be codified at PAMC Chapter 16.13. FOG requirements were previously included in 16.09.075, which has been completely removed from SUO.

3. Waste Hauler requirements, which were previously included in SUO, have been removed and a new Waste Hauler Ordinance has been created by WPG and will be codified in another Chapter of PAMC. Waste Hauler requirements were previously included in 16.09.070, which has been completely removed from SUO.

16.09.005 Purpose and Applicability.
1. Re-established the purpose of SUO to better align with EPA’s Model Pretreatment Ordinance (Model).

2. Added provisions for SUO applicability consistent with Model.

16.09.010 Abbreviations.
New section added to SUO consistent with Model.

16.09.015 Definitions.
1. Renumbered definitions for stylistic consistency with SUO and other definitions sections in PAMC.

2. Added definitions:
   a. Categorical industrial user
   b. Clean Water Act
   c. Composite sample
   d. Detection limit
   e. Director
   f. Discharge permit
   g. Existing source
   h. Grab sample
   i. Industrial user
   j. Local limit
   k. Multiple-family use
   l. Noncontact cooling water
m. Pretreatment  
  n. Publicly Owned Treatment Works (POTW)  
  o. Reasonable Control Measures (RCMs)  
  p. Sewage  
  q. Treatment plant

3. Removed definitions:
   a. Average concentration  
   b. Categorical discharger  
   c. Cesspool  
   d. Contaminated groundwater  
   e. Contaminated water  
   f. County  
   g. Discharge  
   h. Discharger  
   i. Domestic waste  
   j. Enforcement response plan  
   k. Grease  
   l. Metal fabrication facility  
   m. Plant  
   n. Point of discharge  
   o. Root control chemicals  
   p. Sanitary sewage (Sewage)  
   q. Sanitary sewer overflow (SSO)  
   r. Seepage pit  
   s. Sewage treatment plant  
   t. Significant noncompliance  
   u. Storm drains (storm drain system)  
   v. Superintendent

4. Significant changes to existing definitions:
   a. Authorized representative  
   b. Biochemical oxygen demand (BOD)  
   c. Categorical pretreatment standard  
   d. Collection system  
   e. Environmental Protection Agency (EPA)  
   f. Industrial waste  
   g. Interference  
   h. New Source  
   i. Person  
   j. Significant Industrial User  
   k. Wastewater

16.09.020 Responsibility of the Director.
Corrections made to regulatory agency names as follows:
1. “State Department of Health Services” changed to “California Department of Public Health.”
2. “California Regional Water Quality Control Board for the San Francisco Bay Region” changed to “San Francisco Bay Regional Water Quality Control Board.”

16.09.025 Confidentiality
1. Removed temporary language needed when first promulgated to address submissions prior to the SUO effective date.
2. Added provision prohibiting a discharger from disclosing information required pursuant to the SUO.

16.09.030 Alternate Materials and Methods.
Minor changes.
16.09.035 Limitations on Point of Discharge.
Minor changes.

16.09.040 Prohibited Discharge Standards.
1. This was previously 16.09.035 – Prohibitions. Replaced existing prohibitions with “General prohibitions” and “Specific prohibitions” sections to match with the Model.
2. 16.09.040(b)(1)-(8) are mandatory National Pretreatment Standards and must be included in SUO.
3. 16.09.040(b)(9)-(17) are optional provisions that have been included in the SUO. Optional provisions not included in Model that have been included in SUO are:

   (b)(13) – pharmaceuticals;
   (b)(16) – hazardous waste; and
   (b)(17) – wastewater which may have an adverse effect on the POTW, its treatment processes or operations or its sludge processes, use or disposal.

16.09.045 National Categorical Pretreatment Standards.
1. This was previously 16.09.130 – Compliance with the Pretreatment Requirements. Title changed and section moved here to match with the order of sections in the Model.
2. Added provision allowing for the use of alternative limits (combined wastestream formula) when applicable, per Model.

16.09.050 Standards for Other Wastes.
Moved here from 16.09.060. Minor changes.

16.09.055 Local Limits.
1. This was previously 16.09.040 – Standards. 16.09.040 rewritten as follows:

   a. 16.09.040(a) removed. Dilution is now 16.09.070.
   b. 16.09.040(b) removed. Pollutant limits are now 16.09.055(c). Provision allowing the director to implement mass limits is now 16.09.055(d).
   c. 16.09.040(c) moved to 16.09.045.
   d. 16.09.040(d) replaced with 16.09.055(a)-(c) to match Model provisions.
   e. 16.09.040(e) is now included in 16.09.055(c). This moves all local limits into one table, rather than multiple tables.
   f. 16.09.040(f)-(i), (k)-(p) moved to specific prohibons in 16.09.040(b) to match Model.
   g. 16.09.040(j) removed. Retention of Records is now 16.09.185.
   h. 16.09.040(q) is now 16.09.055.

16.09.060 Alternative Copper Limitations.
1. Changed to allow alternative copper limits for discharges from process operations involving copper solutions only (removed nickel).
2. Clarified the procedure for calculating the annual average mass of copper discharged.
16.09.065  City’s Right of Revision.
New section added to SUO consistent with Model. Allows the City to establish more stringent requirements on a permit-by-permit basis as needed to comply with new requirements or newly promulgated regulations.

16.09.070  Dilution.
This was previously 16.09.115 – Prohibition Against Dilution. Title changed and section moved here to match with the order of sections in the Model.

16.09.075  Unpolluted Water.
Minor changes.

16.09.080  Discharge Permit Required.
1. Aligned closer to Model by only requiring SIUs to obtain wastewater discharge permits.
3. Director given the authority to use general permits as a control mechanism (optional National Pretreatment Program Streamlining Rule).
4. Added provision 16.09.080(k) granting director authority to decline permit issuance/reissuance for outstanding fees, fines, or penalties.

16.09.085  Discharge Permit Application Procedure.
1. Removed public notification for receipt of applications to be consistent with Model.
2. Changed filing requirement for submission of applications from 60 days in advance to 90 days in advance to be consistent with 40 CFR 403.12(b). Exceptional waste, root and pest control permits are exempt from the 90 day requirement (16.09.085(b)).
3. IUUs with expiring wastewater discharge permits are required to submit an application for renewal 90 days prior to permit expiration (16.09.085(c)).
4. Established provision allowing director to deny any permit application (16.09.085(d)) and to not process inaccurate/incomplete applications (16.09.085(f)).

16.09.090  Exceptional Waste.
New section added for exceptional waste requirements which were previously contained in 16.09.080(b)-(c). to be consistent with structure and requirements of Model.

16.09.095  Discharge Permit Modification.
1. Previous section 16.09.095 was split into multiple sections: 16.09.095, 16.09.100 and 16.09.290 to match with the order of sections in the Model.
2. Minor changes to “Discharge Permit Modification” section.
16.09.100 **Discharge Permit Revocation.**
Previous section 16.09.095 was split into multiple sections: 16.09.095, 16.09.100 and 16.09.290 to match with the order of sections in the Model.

16.09.105 **Reports of Changed Conditions.**
New section added to SUO consistent with Model.

16.09.110 **Reports of Potential Problems.**
New section added to SUO consistent with Model.

16.09.115 **Permit Issuance, Denial, Modification, Suspension, or Revocation Hearing.**
Minor changes made to ensure consistency with 16.09.080, 16.09.085, 16.09.095, 16.09.100, and 16.09.290.

16.09.120 **Waste Sampling Locations.**
1. Minor changes.

2. Added requirement for sampling locations to be located so they are safe and accessible to the director at any reasonable time which discharge may occur.

16.09.125 **Inspection and Sampling.**
1. Added provision allowing director to seek a search warrant through appropriate courts when denied access to a discharger’s premises, consistent with Model.

2. Added provision requiring dischargers with security personnel to make appropriate accommodations for the director, consistent with Model.

3. Added provision granting director authority to set up sampling equipment on discharger premises for compliance monitoring.

4. Added provision granting director authority to collect samples and perform analysis for only those toxic organic compounds reasonably expected to be present in an IU’s discharge.

16.09.130 **Self-Monitoring.**
1. Added requirement for IUs to maintain and keep in good working order all wastewater and flow monitoring facilities.

2. Clarified when flow-proportional, time-proportional, and grab sampling is required and established the minimum number of samples required for baseline monitoring and 90-day compliance reports.

3. Added provision authorizing director to require an IU to sample for a subset of toxic organic compounds for TTO monitoring.
16.09.135 Monitoring Waiver.
   1. New optional National Pretreatment Program Streamlining Rule section added to SUO.

16.09.140 Pretreatment Facilities.
   1. Added provision requiring necessary pretreatment facilities be operated and maintained at IU’s expense.
   
   2. Added authority of the director to restrict IU flow and/or install flow equalization equipment as necessary to protect the POTW.
   
   3. Added provisions requiring settling chambers or equivalent for protection against inert solids, and grease control devices, as necessary.

16.09.145 Reporting and Certification Requirements for Industrial Users.
   1. Added provision subjecting IUs to all reporting requirements contained in 40 CFR.
   
   2. Added provisions allowing the director to establish an electronic submittal program for IU reports, documents and data.

16.09.150 Reports from Unpermitted Users.
   New section added to SUO consistent with Model.

16.09.155 Requirements for Reporting Noncompliance, Increased Loading, Slug Discharges, and Accidental Discharges.
   Minor changes.

   New section added to SUO consistent with Model.

16.09.165 Affirmative Defenses to Discharge Violations: Prohibited Discharge Standards.
   New section added to SUO consistent with Model.

16.09.170 Affirmative Defenses to Discharge Violations: Bypass.
   New section added to SUO consistent with Model.

16.09.175 Falsification of Information.
   Minor changes.

16.09.180 Date of Receipt of Reports.
   Minor changes.

16.09.185 Retention of Records.
   Added provision relating to the retention of electronic records and data submitted in accordance with 16.09.145.
16.09.190  Process Area Sinks and Floor Drains.
   1. Added prohibition of drain connection to sanitary sewer system from secondary
      containment areas used for hazardous materials storage.

   2. Added provisions for air conditioning and compressed air system condensate.

16.09.195  Loading Docks.
   This section was previously codified in 16.09.175(k). New section created for clarity.

16.09.200  Requirements for Newly Constructed, Remodeled or Converted Commercial
           and Industrial Facilities.
   Previous 16.09.180 applied to residential, commercial, and industrial facilities. Split into two
   sections 16.09.200 and 16.09.205 to clarify which requirements are applicable to residential
   properties and which requirements are applicable to commercial/industrial facilities.

16.09.205  Requirements for Newly Constructed, Remodeled or Converted Multiple-
           Family Use Residential Properties.
   Previous 16.09.180 applied to residential, commercial, and industrial facilities. Split into two
   sections 16.09.200 and 16.09.205 to clarify which requirements are applicable to residential
   properties and which requirements are applicable to commercial/industrial facilities.

   Minor changes.

16.09.215  Accidental Discharge Prevention.
   Added provision requiring IUs to notify City of any changes affecting the potential for a slug
   discharge and requirements for slug control plans.

16.09.220  Zinc-Containing Floor Finishes.
   Minor changes.

16.09.225  Requirements for Cooling Systems, Pools, Spas, Fountains, Boilers and Heat
           Exchangers.
   Minor changes.

16.09.230  Root and Pest Control Chemical Use.
   Minor changes.

16.09.235  Requirements for Photographic Materials Processing.
   Minor changes.

16.09.240  Requirements for Dental Facilities.
   1. Added provisions to make the dental section consistent with recently promulgated Dental
      Office Point Source Category (40 CFR 441).

   2. Requires dental facilities to install and maintain an approved amalgam separator in
      addition to implementation of required BMPs.
16.09.245 Requirements for Vehicle Service Facilities.
   1. Added requirement for vehicle washing to be conducted in a bermed or sloped wash pad area.
   2. Added clarification that implementation of wastewater treatment as necessary is at the discharger’s expense.

16.09.250 Requirements for Machine Shops.
Minor changes.

Previously 16.09.235 – Annual Publication of Significant Noncompliant Dischargers. Replaced entire section with Model language. The Model language can also be found at 40 CFR 403.8. RWQCP previously included this language in IU discharge permits as Attachment 6, but intends to remove Attachment 6 from future permits with reference to this Section.

Minor changes.

Minor changes.

16.09.270 Enforcement: Continued Noncompliance.
This section was previously 16.09.245(b). New section created to match order of sections in Model.

16.09.275 Enforcement: Cease and Desist Orders.
New section added to SUO consistent with Model.

16.09.280 Enforcement: Administrative Compliance Order.
New section added to SUO consistent with Model.

16.09.285 Enforcement: Administrative Citation.
Minor changes.

New section added to SUO consistent with Model. Replaces the suspension provisions previously included in 16.09.095.

16.09.295 Enforcement: Termination of Discharge.
Minor changes.

16.09.300 Enforcement: Injunctive Relief.
New section added to SUO consistent with Model.
16.09.305 Enforcement: Civil Penalties.
Minor changes.

16.09.310 Enforcement: Criminal Penalties.
Minor changes.

16.09.315 Enforcement: Remedies Nonexclusive.
Minor changes.

16.09.320 Pretreatment Charges and Fees.
New section added to SUO consistent with Model.

16.09.325 Obstruction, Damage or Impairment to POTW.
New section added to SUO consistent with Model.