

# Napa Sanitation District Code

## Title 1 – General Provisions

### 1.01 Code Adoption

#### 1.01.010 Adoption

Pursuant to the provisions of Sections 50022.1 through 50022.8 and 50022.10 of the California Government Code, there is adopted the “Napa Sanitation District Code,” together with those secondary codes adopted by reference as authorized by the California State Legislature, save and except those portions of the secondary codes as are deleted or modified by the provisions of the “Napa Sanitation District Code.”

#### 1.01.020 Title—Citation—Reference

This code shall be known as the “Napa Sanitation District Code” and it shall be sufficient to refer to said code as the “Napa Sanitation District Code” or “NSD Code,” or sometimes referred to as “this code” or “the code,” in any prosecutions for the violation of any provisions thereof or in any proceedings at law or equity. It shall be sufficient to designate any ordinance adding to, amending, correcting or repealing all or any part or portion thereof as an addition to, amendment to, correction or repeal of the “Napa Sanitation District Code.” Further reference may be had to the titles, chapters, sections and subsections of the “Napa Sanitation District Code” and such references shall apply to that numbered title, chapter, section or subsection as it appears in the code.

#### 1.01.030 Codification authority

This code consists of all the regulatory, penal ordinances and administrative ordinances of the Napa Sanitation District, California, codified pursuant to the provisions of Sections 50022.1 through 50022.8 and 50022.10 of the California Government Code.

#### 1.01.040 Ordinances passed prior to adoption of the code

The last ordinance included in the initial code is Ordinance 93, passed September 19, 2012. The following ordinances, passed subsequent to Ordinance 93, but prior to adoption of this code, are adopted and made a part of this code: Ordinance 94.

#### 1.01.050 Subsequent Ordinances

Ordinances passed after the effective date of this ordinance shall be passed as amendments or additions to the Napa Sanitation District Code unless they are of limited or special application, or are otherwise deemed not to be part of the code in which event such ordinances shall be retained by the Board Secretary but separate from the code. Ordinances of limited or special application, or otherwise deemed not to be part of the code, nevertheless shall be enforceable as other ordinances which are part of the code.

**1.01.060 Reference applies to all amendments**

Whenever a reference is made to this code as the “Napa Sanitation District Code” or to any portion thereof, or to any ordinance of the Napa Sanitation District, California, the reference shall apply to all amendments, corrections and additions heretofore, now or hereafter made.

**1.01.070 Chapter and section headings**

Title, chapter and section headings contained herein shall not be deemed to govern, limit, modify or in any manner affect the scope, meaning or intent of the provisions of any title, chapter or section hereof.

**1.01.080 Reference to specific ordinances**

The provisions of this code shall not in any manner affect matters of record which refer to, or are otherwise connected with ordinances which are therein specifically designated by number or otherwise, and which are included within the code, but such reference shall be construed to apply to the corresponding provisions contained within this code.

**1.01.090 Effect of code on past actions and obligations**

Neither the adoption of this code nor the repeal or amendments hereby of any ordinance or part or portion of any ordinance of the Napa Sanitation District shall in any manner affect the prosecution for violations of ordinances, which violations were committed prior to the effective date hereof, nor be construed as a waiver of any license, fee or penalty as said effective date due and unpaid under such ordinances, nor be construed as affecting any of the provisions of said ordinances related to the collection of any such license, fee or penalty, or the penal provisions applicable to any violation thereof, nor to affect the validity of any bond, or cash deposit in lieu thereof required to be posted, filed or deposited pursuant to any ordinance and all rights and obligations thereunder appertaining shall continue in full force and effect.

**1.01.100 Constitutionality**

If any section, subsection, sentence, clause or phrase of this code is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this code. The Board declares that it would have passed this code and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, clauses or phrases had been declared invalid or unconstitutional, and if for any reason this code should be declared invalid or unconstitutional, then the original ordinance or ordinances shall be in full force and effect.

**1.01.110 Authority to correct scrivener’s clerical errors**

The Board Secretary is authorized to make necessary corrections to any ordinance before, during or following codification, including, but not limited to, the correction of scrivener’s clerical errors, references, ordinance numbering, section/subsection numbering and any references thereto.

### **1.01.120 Effective date**

This code shall become effective on the date the ordinance adopting this code as the “Napa Sanitation District Code” shall become effective.

## **1.02 Definitions**

### **1.02.010 Definitions**

**Accessory Dwelling Unit (ADU)** – shall mean a small dwelling unit that is attached or detached from the single-family dwelling unit (the Principal Dwelling Unit) that provides complete independent living facilities for one or more persons. It includes permanent provisions for living, sleeping, eating, cooking, and sanitation on the same parcel that the single-family dwelling is situated. An ADU is available for rent and is not intended for sale separate from the principal dwelling unit. This definition is intended to be consistent with the City of Napa definition for Accessory Dwelling Units.

**Act** - shall mean the Federal Water Pollution Control Act, also known as the Clean Water Act (CWA), as amended, 33 U.S.C.1251 et seq. (40CFR 403).

**Actual Peak Day EDU** – shall mean the maximum daily loading occurring in a 24-hour monitoring period.

**Administrator** – shall mean the Administrator of the United States Environmental Protection Agency.

**Algaecide** – shall mean a chemical agent specifically designed and used to kill or inhibit the growth of algae; also an agent or substance used to prevent or get rid of algae.

**Annexation Fee** – shall mean a fee for the process of inclusion of property into District boundaries by proper legal procedures. Annexations must be processed through the Local Agency Formation Commission.

**Applicable Pretreatment Standard** – shall mean the Federal, State or local discharge limit, whichever is most stringent.

**Applicant** – shall mean the person making application for permit for a sewer or plumbing installation and shall be the owner or his authorized agent of the premises to be served by the sewer for which a permit is requested.

**Approval Authority** – shall mean the Director in an NPDES State with an approved State pretreatment program and the appropriate EPA Regional Administrator in a non-NPDES State or NPDES State without an approved State pretreatment program (40 CFR 403.3). The Approval Authority approves POTW pretreatment programs, oversees POTW program implementation, and assumes the responsibility of the Control Authority for those POTWs that do not have a pretreatment program. (40CFR 403)

**Approved Laboratory Procedure** – shall mean any method contained in 40CFR Part 136 and amendments thereto or otherwise approved by EPA for the determination of flow measurement or pollutant concentration of discharges to the public sanitary sewer system.

**Attached Accessory Dwelling Unit** – shall mean an Accessory Dwelling Unit that is constructed and contained within the existing space of the single-family residence or accessory structure and has an independent exterior access from the existing residence.

**Authorized or Duly Authorized Representative of the User** – shall mean

(1) If the User is a corporation:

(a) The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

(b) The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.

(2) If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.

(3) If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.

(4) The individuals described in paragraphs 1 through 3, above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to the District.

**Auxiliary Building** – shall mean any secondary or supporting structure to a facility located on a non-residential parcel required to be connected to the sanitary sewer system.

**Average Daily Flow Peak Month** – shall mean the average loading for any calendar month by calculating sewer service units as determined in this Ordinance. The peak month is the month with the greatest calculated sewer service units.

**Average Monthly EDU** – shall be calculated using the average daily flow, BOD, and TSS for a calendar month monitoring period.

**Bactericide** – shall mean a chemical agent specifically designed and used to kill or inhibit the growth of bacteria.

**Baseline Monitoring Report (BMR)** – shall mean a report submitted by categorical Industrial Users within 180 days after the effective date of an applicable categorical standard, or 180 days after the final administrative decision made upon a category determination submission under 40CFR 403, whichever is later, which indicates the compliance status of the user with the categorical standard. (40CFR 403)

**Bed and Breakfast Facility** – shall mean a building that generally contains eight or less guest rooms which provides meals for guests, and is managed and occupied by the owner of the property.

**Beneficial Uses** – shall mean uses of the waters of the State that may be protected against quality degradation including domestic, municipal, agricultural and industrial supply, power generation, recreation, esthetic enjoyment, navigation and the preservation and enhancement of fish, wildlife and other aquatic resources or reserves, and other uses, both tangible or intangible as specified by Federal or State law.

**Best Management Practices or BMPs** – shall mean schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in 40CFR 403. BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.

**Best Professional Judgment or BPJ** – shall mean the highest quality technical opinion of a permit writer, after consideration of all reasonably available and pertinent data or information, is forming the basis for the terms and conditions of a permit.

**Bioassay or Aquatic Toxicity Test** – shall mean a procedure in which the responses of aquatic organisms are used to detect or measure the presence or effect of one or more substances, wastes, or environmental factors, alone or in combination.

**Biochemical Oxygen Demand (BOD)** – shall mean a measurement of the amount of oxygen utilized in a wastewater sample, during the decomposition of organic and inorganic material and nitrogenous species.

**Board** – shall mean the Board of Directors of the Napa Sanitation District.

**Building** – shall mean any structure used for human habitation or a place of business, recreation or other purposes.

**Building Lateral or House Lateral or Private Lateral** – shall mean that portion of a side sewer beginning at the plumbing or drainage outlet of any building or industrial facility and running to the property line, easement line, or to a private sewage disposal system. Building laterals are privately owned and maintained.

**Bypass** – shall mean the intentional diversion of wastestreams from any portion of an Industrial User's treatment facility. (40CFR 403)

**Capacity Charge** – shall mean a fee charged to new connections or to existing connections where a change in use or the addition of plumbing fixtures will result in increased discharge, to pay for the sewer and treatment plant capacity allocated to them. If consistent usage exceeds initially purchased allocation, additional fees are due.

**Categorical Industrial User** – shall mean an Industrial User subject to categorical pretreatment standards.

**Categorical Industry** – shall mean an industry that is subject to the Federal Categorical Pretreatment Standards as published by the United States Environmental Protection Agency.

**Categorical Pretreatment Standards** – shall mean any regulation containing pollutant discharge limits promulgated by EPA in accordance with sections 307(b) and (c) of the Act (33 U.S.C. section 1317) that apply to a specific category of Users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

**Chain of Custody** – shall mean a written record of sample possession for all persons who handle (collect, transport, analyze, dispose of) a sample, including names, dates, times, and procedures followed.

**Church** – shall mean a structure, which is used as a place of worship for a congregation. If the structure contains living quarters, these shall be regarded as a separate unit chargeable at the single-family dwelling rate for each living unit.

**City** – shall mean the City of Napa, California.

**Clean Water Act (CWA)** – shall mean the same as Act or Federal Water Pollution Control Act. (40CFR 403)

**Closed-Cup Flashpoint** – shall mean an analytical procedure as defined in SW 846. Test can be performed using one of the following methods: a) 1010 Pensky-Marten Closed Cup Tester or b) 1020 Seta/Closed Cup Tester. (40CFR 503).

**Code of Federal Regulations (CFR)** – shall mean a codification of the general and permanent rules published in the *Federal Register* by the executive departments and agencies of the Federal Government. The CFR is divided into 50 titles, which represent broad areas subject to Federal regulation. EPA's regulations are in Title 40. Each title is divided into chapters, which usually bear the

name of the issuing agency. Each chapter is further subdivided into parts covering specific regulatory areas. Large parts may be subdivided into subparts. All parts are organized in sections, and most citations to the CFR are provided at the section level.

**Combined Wastestream Formula (CWF)** – shall mean a procedure under EPA’s pretreatment regulations for calculating alternative discharge limits at industrial facilities where a regulated waste stream from a categorical industrial user is combined with other waste streams prior to treatment. (40CFR 403)

**Commercial Unit** – shall mean a single business or tenant in a structure or structures on a parcel. A structure may contain several commercial units because each separate business or tenant shall be counted as a commercial unit.

**Commercial Discharge** – shall mean any waste discharged to the sanitary sewer from businesses, light industrial and permitted ground water. This excludes domestic, stormwater, and significant industrial users.

**Compatible Pollutant** – shall mean biochemical oxygen demand, suspended solids, pH and fecal coliform bacteria, plus additional pollutants identified in the District's National Pollutant Discharge Elimination System (NPDES) Permit if the District's treatment works was designed to treat such pollutants, and in fact does remove such pollutants to a substantial degree.

**Concentration Limit** – shall mean a limit based on the mass of pollutant per unit volume, usually expressed in milligrams (mg) or micrograms (µg) per liter.

**Condominium** – shall mean an estate in real property consisting of an undivided interest in common in a portion of real property together with a separate interest in space or a portion of such real property in a residential, industrial, or commercial building or such real property, such as an apartment, office or store.

**Condo - Hotel** – shall mean a facility meeting the definition of a hotel with ownership structured as a condominium, cooperative or other ownership/financing arrangement that is similar in function and/or operation, but shall not include timeshares in or interval or fractional ownership of a hotel.

**Confidential Business Information** – shall mean information and data on a discharger including products used, industrial processes or methods of projection, etc., which the discharger can demonstrate, to the satisfaction of the General Manager, constitute trade secrets. Effluent constituents and characteristics shall not be considered confidential information.

**Connection** – shall mean the physical union of a pipe or other sewer appurtenance to a new or existing pipe or other sewer appurtenance.

**Consistent Compliance** – shall mean an industrial user that has had no violations or had no more than one parameter in violation if that value was less than twice the most stringent limit and within 45 days of the date of violation (sample date), the industrial user has been notified of compliance status,

resampled, and determined in compliance with the parameter that was violated and the apparent cause of violation has been identified and corrected.

**Contamination** – shall mean an impairment of the quality of the water of the State by waste to a degree, which creates a hazard to the public health through poisoning or through the spread of disease. Contamination shall include any equivalent effect resulting from the disposal of wastewater, whether or not waters of the State are affected.

**Contractor** – shall mean an individual, firm, corporation, partnership or association duly licensed by the State of California to perform the type of work to be done under the permit.

**Contributing Industry** – shall mean any wastewater contributor identified in the 1987 Standard Industrial Classification (SIC) Manual and subsequent revisions in any of its Divisions.

**Control Authority** – shall mean the POTW if the POTW's submission for its pretreatment program has been approved in accordance with the requirements of 40 CFR 403. The Control Authority is responsible for implementing the pretreatment program, including establishment of control mechanisms for compliance assessment and enforcement of national standards, categorical standards, and local limits. The District is the approved Control Authority.

**Conventional Pollutants** – shall mean conventional pollutants as defined by Federal law, these include BOD, TSS, fecal coliform bacteria, oil and grease, and pH. (40CFR 401)

**County** - shall mean the County of Napa, California.

**Cyanide** – shall mean an elemental complex which can exist as an un-dissociated hydrogen cyanide, free cyanide and anionic complexes of cyanide with a variety of metal cations. Commonly found in the form of cyanide salts (i.e., Sodium Cyanide, Potassium Cyanide etc.) completely dissociated in water into various anionic cyanide complexes.

**Daily Maximum Limit** – shall mean the maximum allowable discharge of pollutant during a calendar day. Where daily maximum limitations are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where daily maximum limitations are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

**Daily Maximum Uniform-Concentration Limit** – shall mean the maximum allowable concentration of a pollutant determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.

**Day(s)** – shall mean calendar day(s).

**Definition of Words** – whenever, in these specifications, the words directed, required, permitted, ordered, designated or words of like import are used, they shall be understood to mean the direction, requirement, permission, order or designation of the General Manager. Similarly, the words



approved, acceptable, satisfactory, shall mean approved by, acceptable to, or satisfactory to the General Manager.

**Detached Accessory Dwelling Unit** – shall mean an Accessory Dwelling Unit that is constructed either to expand the footprint of the existing single-family residence or accessory structure, or to be a new accessory structure on the parcel.

**Development Document** – shall mean a detailed report of studies conducted by the U.S. EPA for the purpose of developing categorical pretreatment standards.

**Director** – shall mean the chief administrative officer of a State or Interstate water pollution control agency with an NPDES permit program pursuant to Section 402(b) of the Act and an approved State pretreatment program. (40CFR 403)

**Discharge Permit** – shall mean any written authorization required pursuant to this or any other regulation of the District for the discharge from a contributing industry.

**District** – shall mean Napa Sanitation District (NSD).

**Domestic Sanitary Sewage** – shall mean water-carried wastes from residences, hotels, motels, and non-process wastewater from business establishments, but excluding all ground water, surface water, storm water, commercial, and industrial wastes.

**Drainage Fixture Unit Values (DFU)** – shall mean the fixture unit load values for drainage piping as computed from tables of the most recent version of the Uniform Plumbing Code.

**Enforcement Response Plan (ERP)** – shall mean the plan describing the procedures to be used by the Napa Sanitation District (District) to identify, investigate, document, and respond to instances of Industrial User (IU) non-compliance. In a step-by-step fashion, the ERP also summarizes the procedures to be followed by District staff to identify, document, and respond to pretreatment violations. This ERP provides guidance in selecting initial and follow-up enforcement actions, indicates staff responsibilities for these actions, and specifies appropriate time frames in which to take enforcement actions. The purpose of the ERP is to ensure that IUs are in compliance with Pretreatment Program requirements and that IUs are treated fairly in the event that regulations need to be enforced.

**Environmental Protection Agency (EPA)** – shall mean the U.S. Environmental Protection Agency, or where appropriate the term may also be used as a designation for the Administrator or other duly authorized official of said agency.

**Equivalent Dwelling Unit (EDU)** – shall mean the combination of flow and strength of a wastestream that is equivalent to the waste discharged from a single family home. This is often evaluated on a per day basis.

**Fats, oils and grease (FOG)** – Organic polar compounds derived from animal and/or plant sources that contain multiple carbon chain triglyceride molecules. These substances are detectable and measurable using analytical test procedures established in 40 CFR 136, as may be amended from time to time. All are sometimes referred to herein as “grease” or “FOG.” Petroleum based oils are prohibited and not included in the definition of fats, oil and grease.

**Federal Act** – shall mean the Federal Water Pollution Control Act, PL 92-500, and any amendments thereto; as well as any guidelines, limitations and standards promulgated by the Environmental Protection Agency pursuant to the act.

**Federal Categorical Pretreatment Standards** – shall mean any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Clean Water Act (33 U.S.C. 1317).

**Flashpoint** – shall mean the minimum temperature at which a liquid forms a vapor above its surface in sufficient concentration to be ignited. Legally defined by the terms of the specific test procedures used to determine the flash point and boiling point of the liquid. The lowest temperature at which vapor combustion will propagate away from its source of ignition.

**Flow Equalization** – shall mean any method employed by the industry that reduces peak daily flow, BOD, and SS to within allowable limits, as determined by the General Manager.

**Flow Proportional Composite Sample** – shall mean a sampling method, which combines discrete aliquots of a sample collected over time, based on the flow of waste stream being sampled. There are two methods used to collect this type of sample. One method collects a constant sample volume at time intervals, which vary based on the stream flow [i.e., 200 milliliters (ml) sample collected for every 5,000 gallons discharged]. The other method collects aliquots of varying volume, based on stream flow, at constant time intervals.

**Flow-Weighted Averaging Formula (FWA)** – shall mean a procedure used to calculate alternative limits where wastestreams regulated by a categorical pretreatment standard and non-regulated wastestreams combine after treatment but prior to the monitoring point.

**FOG Receiving Station** – The collection of devices and structures at the Napa Sanitation District’s Soscol Water Recycling Facility that has specifically been designed and installed for the collection of FOG from waste haulers with the purpose of introduction of the FOG into the District’s digester to increase biogas production.

**Food Service Establishments (FSE)** – Those establishments primarily engaged in activities of preparing, serving or otherwise making foodstuffs available for consumption.

**Fungicide** – shall mean a chemical agent specifically designed and used to kill or inhibit the growth of fungi or their spores.

**Garbage** – shall mean solid wastes from the preparation, cooking and dispensing of food and from the handling, storage and sale of produce.

**General Manager** – shall mean the person appointed by the Board to administer and enforce the rules and regulations of District.

**Government Buildings** – shall mean buildings for governmental agencies, such as Federal, State, County, City and Special Districts.

**Grab Sample** – shall mean a sample, which is taken from a waste stream on a one-time basis with no regard to the flow of the waste stream, with a sample collection time not to exceed fifteen (15) minutes.

**Grease Interceptor, Gravity Grease Interceptor, or Vault** – shall mean a device designed to retain grease to serve one or more fixtures and is typically an outside unit.

**Grease Trap or Hydromechanical Grease Interceptor** – shall mean a device designed to retain grease from one to a maximum of four fixtures and is typically an inside unit.

**Hauled Waste** – shall mean any permitted waste transported by vehicle directly to a Napa Sanitation District POTW Treatment facility. This includes, but not limited to the following types of waste; domestic, portable toilet waste, restaurant waste, winery waste, treated waste, domestic holding tank waste, restaurant holding tank waste, winery holding tank waste and disinfecting water waste. This does not include prohibited wastes as defined by section 706 "Prohibited Wastes" of this ordinance.

**Herbicide** – shall mean a chemical agent specifically designed and used to kill or inhibit the growth of plants, primarily weeds.

**Holding Tank Waste** – shall mean any waste from holding tanks, including but not limited to: vessels, chemical toilets, campers, trailers, septic tanks and vacuum-pump tank trucks.

**House Lateral** – see Building Lateral.

**Hotel or Motel Unit** – shall mean an individual sleeping quarter, which is used, rented or hired out for occupation for sleeping purposes by guests. Multiple rooms connected by interior doors shall each be considered a unit if they can be rented separately. A Hotel or Motel unit may or may not contain cooking facilities.

**Incompatible Pollutant** – shall mean any pollutant, which is not a "compatible pollutant" as defined in this section.

**Indirect Discharge or Discharge** – shall mean the introduction of pollutants into a POTW from any non-domestic source regulated under section 307(b), (c), or (d) of the Act. (40CFR 403)

**Industrial Discharger** – shall mean a source of discharge to the public sanitary sewer system from any non-domestic source as regulated under Section 307 (b), (c) or (d) of the Clean Water Act.

**Industrial User (IU) or User** – shall mean a source of Indirect Discharge. (40CFR 403)

**Industrial User Management Practices** – shall mean schedules of activities, prohibitions or practices, maintenance procedures, and other management practices designed to prevent or reduce pollution discharges. These practices may address treatment requirements, operating procedures, and practices to control spills or leaks, sludge or waste disposal, or drainage from raw material storage.

**Industrial Wastes** – shall mean the wastes of producing, manufacturing and processing operations of every kind and nature. It does not include domestic sanitary sewage, such as might be discharged from residences, hotels, motels, restaurants or business establishments.

**Insecticide** – shall mean a chemical agent specifically designed and used to kill insects.

**Insignificant Industrial User** – shall mean an industry or commercial establishments which have only domestic wastewater or that have no industrial waste flow into the District’s sewerage system.

**Insignificant Violation** – shall mean an industrial user that has had more than one parameter in violation or any one parameter in violation that exceeds twice the most stringent limit and within 45 days of the date of violation (sample date), the industrial user has been notified of compliance status, resampled to determine compliance status, but does not fall within the significant violation classification.

**Interceptor** – shall mean a device designed and installed so as to separate and retain deleterious, hazardous, or undesirable matter from normal waste and permit normal sewage or liquid waste to discharge into the disposal terminal by gravity.

**Interference** – shall mean a discharge which, alone or in conjunction with a discharge or discharges from other sources, both: inhibits or disrupts the POTW; its treatment processes or operations; or its sludge processes, use or disposal; and therefore is a cause of a violation of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation) or of the prevention of sewage sludge use or disposal in compliance with specified Federal statutes, regulations, or permits issued thereunder (or more stringent State or local regulations): Section 405 of the Clean Water Act, the Solid Waste Disposal Act (SWDA) (including Title II more commonly Referred to as the Resource Conservation and Recovery Act (RCRA) and including State regulations contained in any state sludge management plan prepared pursuant to Subtitle D of the SWDA, the Clean Air Act, the Toxic Substances Control Act, and the Marine Protection, Research and Sanctuaries Act.(40CFR 403)

**Junior Accessory Dwelling Unit (JADU)** – shall mean an Attached Accessory Dwelling Unit that does not exceed 500 square feet, includes an efficiency kitchen, and may either share a bathroom (toilet, sink, and tub and/or shower) with the principal residence or have its own bathroom. The principal residence or the JADU must be occupied by the owner of the residence.

**Kitchen Facility** – shall mean a room or space that contains equipment used in the preparation and cooking of food.

**Lethal Toxicity or Lethal Concentration (LC)** – shall mean a toxicant concentration producing death of test organism(s).

**Live Work Unit** – shall mean a building or space in a building that is designed to provide both living and work accommodations for the occupant.

**Living Unit** – shall mean any structure or portion of a structure constructed for occupancy, which contains kitchen facilities.

**Local Limits** – shall mean technically based, defensible numerical limits imposed on dischargers to the POTW. These limits are developed to comply with the General Pretreatment Regulations.

**Lower Explosion Limit (L.E.L.)** – shall mean the minimum concentration in air at which a gas or vapor will explode or burn in the presence of an ignition source.

**Main Sewer** – shall mean a public sewer designed to accommodate more than one lateral sewer.

**Manifest** – shall mean a manuscript identifying and tracking all hauled wastes. This includes, but is not limited to, IU identification, type and volume of waste, destination, and required signatures.

**Material Safety Data Sheet (MSDS)** – shall mean an information document regarding chemical products and their hazardous nature.

**Maximum Allowable Peak Day EDU** – shall mean 1.5 times the permitted daily EDU during the Peak Month EDU.

**Maximum Month** – shall mean the one month that has the highest average monthly loading.

**“May” – is permissive; “shall” is mandatory**

**Medical Waste** – shall mean the discharge of isolation wastes, infectious agents, human blood and blood byproducts, pathological wastes, sharps, body parts, etiologic agents, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.

**Medications** – also known as pharmaceuticals, shall include but not limited to: Prescription drugs such as hormones (birth control pills, estrogen replacement drugs, etc.), antidepressants, and antibiotics; Over-the-counter medications such as pain relievers (aspirin, ibuprofen, etc.), cold/flu remedies, and antiseptics (germ killing liquids); and, veterinary medicines.

**Minor food service** - Shall mean food service that meets the Napa County Department of Environmental Health’s Medium Risk food establishment criteria and includes only pre-cooked and pre-packaged food ingredients. The food preparation areas for minor food service shall not include equipment such as grills or hoods that could be used to prepare food beyond what falls into the Medium Risk food establishment category.

**Mixed Use** – shall mean a building or building complex containing two or more distinctly different types of businesses and/or uses.

**Monitoring Facility** – shall mean a safely accessible facility located at the discharger's connection to the public sanitary sewer system or at the end of an industrial process or pretreatment system, which allows for the inspection, sampling and flow measurement of a discharge.

**Monthly Average** – shall mean the arithmetic mean of the values for effluent samples collected during a calendar month or a District specified thirty (30) day period (as opposed to a rolling thirty (30) day window).

**Monthly Average Limit** – shall mean the maximum allowable value for the average of all observations obtained during one calendar month.

**Multiple Family Dwelling** – shall mean any structure constructed for occupancy of more than one family with each separate living quarter to be referred to as a unit.

**NPDES** – shall mean the National Pollutant Discharge Elimination System (NPDES) is the national program for issuing, modifying, revoking and reissuing, terminating, monitoring and enforcing permits, and imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of CWA. (40CFR 122)

**NPDES State** – shall mean a State (as defined in 40CFR 122) or Interstate water pollution control agency with an NPDES permit program approved pursuant to section 402(b) of the Act.(40CFR 403)

**National Pretreatment Standard, Pretreatment Standard, or Standard** – shall mean any regulation containing pollutant discharge limits promulgated by the EPA in accordance with Section 307(b) and (c) of the Clean Water Act, which applies to Industrial Users. This term includes prohibitive discharge limits established pursuant to 40CFR 403, including local limits. (40CFR 403)

**National Prohibited Discharges** – shall mean prohibitions applicable to all non-domestic dischargers regarding the introduction of pollutants into POTWs set forth in 40 CFR 403.5.

**Net/Gross Calculations** – shall mean an adjustment to Categorical Pretreatment Standards to reflect the presence of pollutants in the Industrial User's intake water. (40CFR 403)

**New Source** – shall mean:

(1) Any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of the proposed Pretreatment Standards under Section 307(c) of the Act which will be applicable to such source if such standards are thereafter promulgated in accordance with that section, provided that:

(a) The building, structure, facility or installation is constructed at the site at which no other source is located; or

(b) The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or

(c) The production of wastewater generating processes of the building, structure, facility or installation is substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, should be considered.

2) Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria of 40CFR 403 but otherwise alters, replaces, or adds to existing process or production equipment.

3) Construction of a new source as defined under this paragraph as commenced if the owner or operator has:

(a) Begun, or caused to begin as part of a continuous on-site construction program:

(i) Any placement, assembly, or installation of facilities or equipment: or

(ii) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment, or

(iii) Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time, options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph. (40CFR 403.3)

**Ninety (90)-Day Compliance Report** – shall mean a report submitted by a categorical Industrial User, within 90 days following the date for final compliance with applicable categorical standards, or, in the case of a New Source, following commencement of the introduction of wastewater into the POTW, that documents and certifies the compliance status of the User.(40CFR 403)

**Non-contact Cooling Water** – shall mean the water discharged from any system of heat transfer, condensation, air conditioning, refrigeration, or other sources to which no pollutant is added other than heat.

**Non-conventional Pollutants** – shall mean all pollutants that are not included in the list of conventional or toxic pollutants in 40CFR Part 401

**Non-domestic Waste** – shall mean all water carried wastes not defined as domestic sanitary sewage.

**Non-domestic Wastewater Discharger or Non-domestic Discharger** – shall mean any source of discharge of non-domestic waste to the public sanitary sewer system.

**Occupancy Permit** – shall mean a clearance form issued by the City or County Building Department that allows for the occupancy of a newly constructed building.

**Oil and Grease (Mineral, Vegetable & Animal Based)** – shall mean any material soluble within the extraction solvent, recovered from an acidified sample and not volatilized during the oil & grease analysis method. Standard Methods, Method 5520A, 2005.

**Outside Sewer** – shall mean a sanitary sewer beyond the limits of the District not subject to the control or jurisdiction of the District.

**Pass Through** – shall mean a discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's NPDES permit (including an increase in the magnitude or duration of a violation).(40CFR 403)

**Periodic Compliance Report** – shall mean a report on compliance status submitted at least semiannually by categorical Industrial Users to the Control Authority.(40CFR 403)

**Permit** – shall mean any written authorization required pursuant to this or any other regulation of District.

**Person** – shall mean any human being, individual, firm, company, partnership, association and private or public and municipal corporations, the United States of America, the State of California, districts and all political subdivisions, governmental agencies and mandatories thereof. The masculine gender shall include the feminine, the singular shall include the plural where indicated by the context.

**Pesticide** – shall mean any substance or mixture of substances intended for preventing, destroying, repelling, or mitigating any pest, or intended for use as a plant regulator, defoliant, or desiccant. (40CFR 152)

**pH** – shall mean the negative logarithmic concentration of hydrogen ions in solution, or the “intensity” factor of acidity. Ph results are reported in standard units (SU). Values greater than 7.0 SU represent alkaline/basic conditions, and less than 7.0 SU represent acidic conditions.

**Phenols** – shall mean hydroxyl derivatives of benzene (an aromatic carbon ring structure), which may occur in domestic and industrial wastewaters. Chlorination of phenol pollutant waters may result in odorous and objectionable-tasting chlorophenols. Ref. Standard Methods, Method 5530, 2005.

**Pollutant of Concern (POC)** – shall mean any pollutant that might reasonably be expected to be discharged to the POTW in sufficient amounts to pass through or interfere with the works, contaminate its sludge, cause problems in its collection system, or jeopardize its workers.



**Pollution** – shall mean an alteration of the quality of the waters of the State by waste to a degree, which unreasonably affects such waters for beneficial use or affects the facilities which serve such beneficial uses. Pollution may include contamination.

**Polynuclear Aromatic Hydrocarbons (PAHs)** – shall mean aromatic hydrocarbon compounds potentially containing multiple nuclei. Often these are by-products of petroleum processing, combustion, asphalt and oils and greases.

**POTW** – Publically Owned Treatment Works

**POTW Pretreatment Program or Approved POTW Pretreatment Program or Program** – shall mean a program administered by a POTW that meets the criteria established in 40CFR 403 and has been approved by a Regional Administrator or State Director in accordance with 40CFR 403.11.

**POTW Treatment Plant** – shall mean that portion of the POTW, designed to provide treatment (including recycling and reclamation) of municipal sewage and industrial waste.

**Premises** – shall mean any lot, parcel of land, building or establishment; either residential, commercial or industrial, both public and private, including schools, churches and institutions without limitation.

**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 prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. The reduction or alteration may be obtained by physical, chemical or biological processes, process changes or by other means, except as prohibited by 40CFR 403. Appropriate pretreatment technology includes control equipment, such as equalization tanks or facilities, for protection against surges or slug loadings that might interfere with or otherwise be incompatible with the POTW. However, where wastewater from a regulated process is mixed in an equalization facility with unregulated wastewater or with wastewater from another regulated process, the effluent from the equalization facility must meet an adjusted pretreatment limit calculated in accordance with 40CFR 403.

**Pretreatment Requirements** – shall mean any substantive or procedural pretreatment requirement related to Pretreatment, other than a National Pretreatment Standard, imposed on an Industrial User.

**Pretreatment Standards for Existing Sources (PSES)** – shall mean categorical standards and requirements applicable to industrial sources that began construction prior to the publication of the proposed pretreatment standards for that industrial category. (See individual categorical standards in 40CFR Parts 405-471 for specific dates.)

**Pretreatment Standards for New Sources (PSNS)** – shall mean categorical standards and requirements applicable to the industrial sources that began construction after the publication of the proposed pretreatment standards for that industrial category. (See individual categorical standards in 40CFR Parts 405-471 for specific dates).

**Priority Pollutant** – shall mean pollutants listed by the EPA Administrator under Clean Water Act Section 307 (a) (1). The list of the current 126 Priority Pollutants can also be found in 40 CFR Part 423, Appendix A and 40CFR 401.

**Private Lateral** – see Building Lateral.

**Private Sewer** – shall mean a sewer, and associated laterals and appurtenances, that is owned, operated and maintained by private persons, businesses, and which accommodates one or more buildings or industries.

**Private Sewer Mains** – shall mean a private sewer, not dedicated and accepted as a Public Sewer by the District, designed to accommodate more than one lateral sewer where the owners of all parcels served by the private sewer main are responsible for the maintenance of the private sewer main. An agreement between the owners of the private sewer main and the District is required prior to construction of the private sanitary sewer main. Sewer facilities intended for dedication to the District are Private Sewers until such time as they are accepted by the District.

**Process Wastewater** – shall mean any water which, during manufacturing or processing, comes into direct contact with, or results from the production of, or use of any raw material, intermediate product, finished product, by-product, or waste product.

**Production-Based Standard** – shall mean a discharge limitation expressed in terms of allowable pollutant mass discharge per unit of production.

**Properly Shredded Garbage** – shall mean garbage that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particle having a dimension greater than one-quarter inch (1/4") in any dimension.

**Public Lateral** – see Street Lateral.

**Public Nuisance** – shall mean continued habitation of any building or continued operation of any industrial facility in violation of the provisions of this or any other ordinance, rule or regulation of the District.

**Public Sewer** – shall mean a sewer that is owned, operated and maintained by the District. This includes facilities designed and constructed by the District and facilities that have been dedicated and accepted by the District. Sewers constructed for dedication to the District do not become public sewers until they have been accepted by the District.

**Publicly Owned Treatment Works or POTW** – shall mean a treatment works as defined by section 212 of the Act, which is owned by a State or municipality (as defined by section 502 of the Act). This definition includes any devices and systems used in the storage, treatment, recycling and reclamation of municipal sewage or industrial wastes of a liquid nature. It also includes sewers, pipes and other conveyances only if they convey wastewater to a POTW Treatment Plant. The term also means the

municipality as defined in section 502 of the Act, which has jurisdiction over the Indirect Discharges to and the discharges from such a treatment works.

**Real Property** – shall mean an estate or property consisting of lands and of all appurtenances to lands, as buildings, crops, or mineral rights (distinguished from personal property).

**Receiving Waters** – shall mean a natural watercourse or body of water into which treated sanitary sewage is discharged.

**Recycled Water** – shall mean water, as a result of treatment of waste, is suitable for direct beneficial use or a controlled use that would not otherwise occur. Recycled water is also known as reclaimed water. California Water Code, Section 13050.n

**Regional Administrator** – shall mean the appropriate EPA Regional Administrator.

**Regulated Wastestream** – shall mean an industrial process waste stream regulated by a national categorical pretreatment standard.

**Removal Credit** – shall mean a revised pollutant limit given for a specified categorical industry as a result of a POTW's capability to consistently remove a specific pollutant. Removal credits are not granted at NSD.

**Residential Care Facility** – shall mean any family home, group care facility, or similar facility, which provides twenty-four hour non-medical care of persons in need of personal services to sustain the activities of daily living, which facility has received licensing from the State of California.

**Resource Conservation and Recovery Act (RCRA)** – shall mean the Federal statute regulating the management of hazardous waste from its generation through ultimate disposal. The Act contains requirements for waste generators, transporters, and owners and operators of treatment, storage, and disposal facilities. (41 USC6901 et seq.)

**R/V Space** – shall mean an area established or maintained for transient occupancy by a recreational vehicle, trailer, camper or other mobile living space, for a period not to exceed 29 days, where a sewage disposal hookup or restroom facility is available for use.

**Sanitary Sewer** – shall mean a sewer, which carries sewage and to which storm, surface and ground waters are not intentionally admitted.

**Self-Monitoring** – shall mean sampling and analyses performed by the Industrial User to ensure compliance with the permit or other regulatory requirements.

**Senior Dwelling Units** – shall mean a facility that has qualified as a senior housing pursuant to Section 807(b)(2) of the Fair Housing Act. Total facility occupancy shall be less than 1.5 persons per unit, the square foot of each dwelling unit shall not exceed 1,000 square feet, and at least one occupant shall be at least 55 years of age. If the facility should cease to qualify, the owner shall pay the difference

between the Senior Dwelling Unit Rate and the prevailing single-family unit rate, based on the rates in effect at the time they are paid.

**Sewage** – shall mean a combination of water-carried wastes from residences, business buildings, institutions, and industrial establishments.

**Sewage Sludge** – shall mean solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works. Sewage sludge includes, but is not limited to, domestic septage; scum or solids removed in primary, secondary, or advanced wastewater treatment process; and a material derived from sewage sludge. Sewage sludge does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screening generated during preliminary treatment of domestic sewage in a treatment works.

**Sewage Treatment Plant** – shall mean any arrangement of devices and structures used for treating sewage.

**Sewer** – shall mean a pipe or conduit for carrying sewage.

**Sewer Service Charge** – shall mean annual charge designed to cover operation and maintenance cost of treatment and collection facilities.

**Sewerage Works** – shall mean all facilities owned or controlled by the District except private sewers, for collecting, pumping, treating and disposing of sewage.

"**Shall**" - is mandatory; "may" is permissive.

**Shell Structure** – shall mean any single structure wherein the actual use of the building has not been established at the time the building permit is issued.

**Side Sewer** – shall mean the sewer line beginning at the foundation wall of any building and terminating at the main sewer and includes the building lateral and street lateral together.

**Significant Industrial User or SIU** – except as provided in 40CFR 403.3(v)(2) and (v)(3), the term SIU shall mean:

(1) All Industrial Users subject to Categorical Pretreatment Standards under 40CFR 403.6 and 40CFR Chapter I, Subchapter N; and

(2) Any other Industrial User that: discharges an average of 25,000 gallons per day or more of process wastewater to the POTW (excluding sanitary, non-contact cooling water and boiler blowdown wastewater); contributes a process waste stream which makes up 5 percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or is designated as such by the Control Authority on the basis that the Industrial User has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or requirement (in accordance with 40CFR 403.8(f)(6).(40CFR 403.3(v))

**Significant Noncompliance** – shall mean:

- (1) Chronic violations of wastewater discharge limits, defined here as those in which 66 percent or more of all of the measurements taken for the same pollutant parameter during a 6-month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 40CFR 403;
- (2) Technical Review Criteria (TRC) defined here as those in which 33 percent or more of all of the measurements taken for the same pollutant parameter during a 6-month period equal or exceed the product of the numeric Pretreatment Standard or Requirement including instantaneous limits, as defined by 40CFR 403.3 multiplied by the applicable TRC (TRC = 1.4 for BOD, TSS, fats, oil, and grease and 1.2 for all other pollutants except pH);
- (3) Any other violation of a Pretreatment Standard or Requirement as defined by 40CFR 403.3 (daily maximum, long-term average, instantaneous limit, or narrative standard) that the POTW determines has caused, alone or in combination with other discharges, Interference or Pass Through (including endangering the health of POTW personnel or the general public);
- (4) Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment or has resulted in the POTW's exercise of its emergency authority under 40CFR 403.8 (b) to halt or prevent such a discharge;
- (5) Failure to meet, within 90 days after the scheduled date, , a compliance schedule milestone contained in a local control mechanism (i.e. individual or general wastewater discharge permit) or enforcement order for starting construction, completing construction, or attaining final compliance;
- (6) Failure to provide, within 45 days after the due date, any required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- (7) Failure to accurately report non-compliance;
- (8) Any other violation(s) or group of violations, which may include a violation of Best Management Practices, which the POTW determines will adversely affect the operation or implementation of the local Pretreatment program. (40CFR 403.8)

**Significant Violation** – shall mean a violation which remains uncorrected forty-five (45) days after notification of noncompliance; which is a part of a pattern of noncompliance over a twelve-month period; which involves a failure to accurately report noncompliance; or which resulted in the POTW exercising its emergency authority under Section 403.8.

**Single Family Dwelling or Single Family Unit** – shall mean any structure constructed for occupancy of one single family. This classification includes trailers and mobile home units with plumbing hook-up.

**Single Room Occupancy Unit (SRO)** – shall mean a facility that has qualified as a single room occupancy housing project pursuant to Chapter 17.85 of the Napa Municipal Code as it existed on May 10, 1995. Each room is considered a “unit”.

**Slug Load or Slug Discharge** – shall mean any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Section 2.1 of this ordinance. A Slug Discharge is any Discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch Discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW’s regulations, Local Limits or Permit conditions.

**Solvent Management Plan** – shall mean a strategy for keeping track of all solvents delivered to a site, their storage, use and disposal. This includes keeping spent solvents segregated from other process wastewater to maximize the value of the recoverable solvents, to avoid contamination of other segregated wastes, and to prevent the discharge of toxic organics to any wastewater collection system or the environment.

**Spill Prevention and Control Plan** – shall mean a plan prepared by an Industrial User to minimize the likelihood of a spill and to expedite control and cleanup activities should a spill occur.

**Split Sample** – shall mean aliquots of a sample are taken from the same container and analyzed independently by two laboratories/agencies to validate sample constituent results.

**Standard Industrial Classification (SIC) Code** – shall mean a statistical classification standard underlying all establishment-based Federal economic statistics classified by industry. Some facilities may have several activities, therefore, having more than one code number.

**Standard Industrial Classification Manual** – shall mean a code book prepared by the Executive Office of the President, Office of Management and Budget.

**Standard Specifications** – shall mean a set of documents containing design and construction standards for all sewerage works within the District, all as adopted by the Board and subsequent amendments.

**Storm Drain** – shall mean a pipe or conduit that carries stormwater, surface or groundwater and drainage. This excludes sewage and polluted industrial wastes.

**Storm Water** – shall mean the water running off or draining from the surface and sub-surface of an area during and after a period of rain or irrigation.

**Street** – shall mean any public highway, road, street, avenue, alleyway, public place, public easement or right of way.

**Street Lateral or Public Lateral** – shall mean the portion of a side sewer lying within a public street, or easement, connecting a building lateral to the main sewer. Street laterals are owned and maintained by the District.

**Submission** – shall mean a request by a POTW for approval of a Pretreatment Program to the EPA or a Director; a request by a POTW to the EPA or a Director for authority to revise the discharge limits in categorical Pretreatment Standards to Reflect POTW pollutant removals; or a request to the EPA by an NPDES State for approval of its State Pretreatment Program. (40CFR 403.3)

**Surety Bond** – shall mean a bond guaranteeing performance of a contract or obligation.

**TICH** – shall mean Total Identifiable Chlorinated Hydrocarbons. Organochloride, organochlorine, chlorocarbon, or chlorinated solvents are considered chlorinated hydrocarbons and contain at least one covalently bonded chlorine atom. Their wide structural variety and divergent chemical properties lead to a broad range of uses.

**Time Proportional Composite Sample** – shall mean a sampling method that combines discrete sample aliquots of constant volume collected at constant time intervals (i.e., 200 milliliter (ml) samples collected every half hour for a 24-hour period). This method provides representative samples only where the sampled stream flow is constant, or where the volume is manually adjusted based on stream flow variation prior to being added to the composite sample container.

**Time Share Unit** – shall mean a facility similar to a hotel where each unit is owned by joint purchasers who may occupy the unit for a specific period of time each year. Multiple rooms connected by interior doors shall each be considered a unit if they can be occupied separately via exterior doors.

**Total Suspended Solids (TSS) or Non-filterable Solids** – shall mean the total suspended solids that float on the surface of, or are suspended in, water, wastewater or other liquids, and is removable by laboratory filtration of a 0.45um pore size filter.

**Total Toxic Organics (TTO)** – shall mean the sum of the masses or concentrations of the specific toxic organic compounds regulated by specific categorical pretreatment regulations which is found in the discharge at specific quantifiable concentrations. (Refer to the specific categorical regulations to identify which compounds are regulated, what numeric value is considered "quantifiable", and what sampling or certification alternatives may be available).

**Toxic Organic Management Plan (TOMP)** – shall mean a written plan submitted by Industrial Users in accordance with some categorical pretreatment standards as an alternative to TTO monitoring which specifies the toxic organic compounds used, the method of disposal used, and procedures for assuring that toxic organics do not routinely spill or leak into wastewater discharged to the POTW.

**Toxic Pollutants** – shall mean those pollutants identified pursuant to 307 (a) (1) of the Clean Water Act and 40CFR 401.

**Treatment Works** – shall mean all facilities owned or controlled by the District except private sewers used in the storage, treatment, recycling, and reclamation of municipal sewage or industrial wastes of a liquid nature or necessary to recycle or reuse water at the most economical cost over the useful life of the works, including interceptor sewers, outfall sewers, sewage collection systems, pumping, power and other equipment and appurtenances; extensions, improvements, remodeling, additions

and alterations thereof; including the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment; or any other method or system for preventing, abating, reducing, storing, treating, separating or disposing of municipal and industrial waste.

**Uncontaminated Water** – shall mean water to which no constituent has been added, either intentionally or accidentally, which would render such water unacceptable to the agency having jurisdiction thereof for disposal; to storm or natural drainages or directly to surface waters.

**Uniform Plumbing Code (UPC)** – shall mean a model code developed by the International Association of Plumbing and Mechanical Officials to govern the installation and inspection of plumbing systems as a means of promoting the public's health, safety and welfare.

**Unregulated Wastestream** – shall mean for purposes of the combined wastestream formula, a wastestream that is not regulated by a national categorical pretreatment standard and is not considered a dilute wastestream.

**Upset** – shall mean an exceptional incident in which there is unintentional and temporary noncompliance with the categorical Pretreatment Standards because of factors beyond the reasonable control of the Industrial User. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.

**User Classification** – shall mean a classification of user based on the 1987 edition of the Standard Industrial Classification (SIC) manual or latest edition prepared by the Executive Office of Management and Budget.

**Volatile Organic Compounds (VOCs)** – as defined in 40 CFR 50.100, “volatile organic compounds” shall mean any compound of carbon, excluding carbon monoxide, carbon dioxide, carbonic acid, metallic carbides or carbonates, and ammonium carbonate, which participates in atmospheric photochemical reactions.

**Waste** – shall include sewage and any and all other waste substance, liquid, solid, gaseous, or radioactive, associated with human habitation, or of human or animal origin, or from any producing, manufacturing, or processing operation of whatever nature, including such waste placed within containers of whatever nature prior to, and for purposes of, disposal.

**Waste Minimization** – shall mean the reduction or elimination, to the extent feasible, of any waste that is generated or subsequently treated, stored or disposed of. It is the elimination or reduction in the use of hazardous materials and the generation of hazardous wastes. It seeks to prevent pollutant releases to all environmental media; water, land or air.

**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 contents, quality, quantity and strength of wastewater.

**Wastewater Discharge Permit** – shall mean a permit for the discharge of non-domestic waste as set forth in Article VII of this ordinance.

**Wastewater Treatment System** – shall mean any device, facility, structure or equipment owned or operated by the District for the purpose of transmission, storage treatment, recycling, or reclamation of non-domestic or domestic wastes, including intercepting sewers, outfall sewers, sewer collection systems, pumps, power plants and other equipment, and their appurtenances; extensions, improvements, remodeling, additions, and alterations thereof, any works, including site acquisition of the land that will be an integral part of the treatment process or is used for ultimate disposal of residues resulting from such treatment.

**Water Management Division Director** – shall mean one of the Directors of the Water Management Divisions within the Regional offices of the Environmental Protection Agency or his/her delegated representative.

**Waters of the State** – shall mean any water, surface or underground, including saline waters within the boundaries of the State.

**Winery-Related Operations (Industrial User Category)** – shall mean a facility that discharges to the sanitary sewer and is engaged in any of the following activities that are part of the winemaking process and where the end product exceeds 480 gallons of wine (or related beverage) per year: crushing of grape fruit to produce juice; fermentation of grape juice; cleaning of equipment related to crush, aging, and/or fermentation; storage of juice, fermenting juice or wine in stainless steel containers or barrels; filling, topping or sampling of wine in barrels; racking of wine in barrels; cleaning of barrels or tanks with water, steam and/or cleaning chemicals; bottling wine; or cleaning of equipment related to and associated with bottling; or related activities that result in non-domestic discharge to the sanitary sewer.

**1.02.010 Commonly Used Acronyms**

<b>ADU</b>	Accessory Dwelling Unit
<b>BMP</b>	Best Management Practices
<b>BMR</b>	Baseline Monitoring Report
<b>BOD</b>	Biochemical Oxygen Demand
<b>BPJ</b>	Best Professional Judgment
<b>CAC</b>	California Administrative Code
<b>CFR</b>	Code of Federal Regulations
<b>CWA</b>	Clean Water Act
<b>CWF</b>	Combined Wastestream Formula

<b>DFU</b>	Drainage Fixture Unit Values
<b>EDU</b>	Equivalent Dwelling Unit
<b>EPA</b>	Environmental Protection Agency
<b>ERP</b>	Enforcement Response Plan
<b>FOG</b>	Fats, Oil and Grease
<b>FSE</b>	Food Service Establishments
<b>FWA</b>	Flow-Weighted Averaging Formula
<b>IU</b>	Industrial User
<b>JADU</b>	Junior Accessory Dwelling Unit
<b>LC</b>	Lethal Toxicity or Lethal Concentration
<b>LEL</b>	Lower Explosion Limit
<b>MBAS</b>	Methylene Blue Active Substances (Detergent)
<b>MSDS</b>	Material Safety Data Sheet
<b>NPDES</b>	National Pollutant Discharge Elimination System
<b>NSD</b>	Napa Sanitation District
<b>O&amp;M</b>	Operation and Maintenance
<b>PAH</b>	Polynuclear Aromatic Hydrocarbons
<b>POC</b>	Pollutant of Concern
<b>POTW</b>	Publically Owned Treatment Works
<b>PSES</b>	Pretreatment Standards for Existing Sources
<b>PSNS</b>	Pretreatment Standards for New Sources
<b>RCRA</b>	Resource Conservation and Recovery Act
<b>RWQCB</b>	Regional Water Quality Control Board
<b>SIC</b>	Standard Industrial Classification
<b>SIU</b>	Significant Industrial User
<b>SRO</b>	Single Room Occupancy Unit
<b>SU</b>	Standard Unit
<b>SWA</b>	Solid Water Act
<b>TICH</b>	Total Identifiable Chlorinated Hydrocarbons
<b>TOMP</b>	Toxic Organic Management Plan
<b>TRC</b>	Technical Review Criteria
<b>TSS</b>	Total Suspended Solids
<b>TTO</b>	Total Toxic Organics
<b>UPC</b>	Uniform Plumbing Code
<b>USC</b>	United States Code

**1.03 Miscellaneous Provisions**

**1.03.010 Protection from Damage**

No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface or tamper with any structure, appurtenance or equipment which is a part of the District sewerage works. Any person violating this provision shall be subject to the penalties provided by law.

**1.03.020 General Manager**

The Board shall employ some fit and qualified person or persons to perform the duties of General Manager, which will include but not be limited to, supervision of inspection, installation, connection, maintenance and use of all side sewers, public sewers, private sewers and sewerage works of the District. The General Manager may delegate certain duties to other qualified officers of employees of the District.

**1.03.030 Powers and Authorities of District Employees**

Any duly authorized employee of the District shall carry evidence establishing their position as an authorized representative of the District and upon exhibiting the proper credentials and identification shall be permitted to enter in and upon any and all buildings, industrial facilities and properties for the purposes of inspection, reinspection, observation, measurement, sampling, testing and otherwise performing such duties as may be necessary in the enforcement of the provisions of the ordinances, rules and regulations of the District. All contractors shall be held strictly responsible for any and all acts of agents or employees done under this ordinance. Upon being notified by the General Manager of any defect arising therefrom in any sewer or of any violation of this ordinance, the person or persons having charge of said work shall immediately correct the same.