

RESOLUTION NO. 2023-908

A RESOLUTION OF THE BOARD OF DIRECTORS OF THE RUBIDOUX COMMUNITY SERVICES DISTRICT, SUPERSEDING RESOLUTION NO. 728, SETTING FORTH THE NONDOMESTIC WASTEWATER DISCHARGE PERMIT FEES, INSPECTION FEES, SAMPLING AND ANALYSIS FEES, NONCOMPLIANCE FEES, AND PRETREATMENT PLAN CHECK FEES IN ACCORDANCE WITH THE RUBIDOUX COMMUNITY SERVICES DISTRICT ORDINANCE NO. 105.

WHEREAS the National Pollutant Discharge Elimination System Permit issued to the City of Riverside; "Agreement for Regional Advanced Wastewater Treatment between City of Riverside and Jurupa Community Services District, Rubidoux Community Services District and Western Municipal Water District", dated December 1, 1976; and "Agreement for Regional Primary and Secondary Wastewater Treatment between City of Riverside, Jurupa Community Services District, Rubidoux Community Services District and Western Municipal Water District", dated May 4, 1978 (the "Regional Agreements"), require that the District adopt an ordinance regulating the discharge of nondomestic wastes; and

WHEREAS the Rubidoux Community Services District has accordingly adopted an ordinance ("Pretreatment Ordinance") which establishes an Industrial Waste Pretreatment Program which regulates the discharge of nondomestic wastes into the sewer collection system of the Rubidoux Community Services District; and

WHEREAS residential users of the sewer collection system should not be unduly burdened with costs necessary to regulate nondomestic waste discharges; and

WHEREAS Rubidoux Community Services District adopted Resolution No. 728 on the 19th day of June 2003, establishing certain fees necessary for implementation of the Industrial Waste Pretreatment Program; and

WHEREAS it is necessary to update the system of fees previously adopted to account for inflation and to defray increased costs of regulating the discharge of nondomestic wastes;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Rubidoux Community Services District as follows: In accordance with the provisions of the Rubidoux Community Services District Ordinance No. 105, the following permit system, regulations, classifications, and fees are hereby enacted and shall read as follows:

"INDUSTRIAL WASTEWATER DISCHARGE FEES"

The Rubidoux Community Services District (District) has implemented an Industrial Waste Pretreatment Program which requires the issuance and enforcement of permits to Industrial Users of the District's

sewer collection system to discharge non-domestic wastes into the District's sewer collection system. In addition, in implementing the Industrial Waste Pretreatment Program, the District must conduct Industrial User inspections, conduct sampling and analyses of Industrial User discharges, enforce pretreatment requirements and review plans for pretreatment facilities required to comply with the Rubidoux Community Services District Ordinance No. 105 or successor (Pretreatment Ordinance). The following is a schedule of fees and charges for existing and new Industrial Users (fees and/or charges shall be either billed directly to the Industrial User or added to the Industrial User's monthly utility bill).

PERMIT FEES

Users shall be subject to the following fees for issuance of nondomestic wastewater discharge permits and routine compliance assessment. Said fees are payable with application for permit issuance or permit renewal. Said fees do not include costs for sampling and analysis. All costs for nondomestic wastewater discharge permit revocation and reissuance shall be paid for by the Industrial User.

PERMIT CLASS	INDUSTRIAL USER DESCRIPTION	PERMIT DURATION	INITIAL PERMIT APPLICATION FEE	PERMIT RENEWAL FEE
I	Industrial User with annual average wastewater flows of 25,000 gals/day or more; or Significant Industrial User; or Categorical User which has a federally regulated process waste stream discharge	2 yrs.	\$5,000	\$2,000
II	Industrial User with annual average wastewater flows between 10,000 and 24,999 gals/day	2 yrs.	\$2,000	\$1,000
III	Industrial User with annual average wastewater flows between 1 and 9,999 gals/day where the discharge has reasonable potential for adversely affecting the POTW's operation or violating any pretreatment standard, prohibition, or requirement of the Pretreatment Ordinance	2 yrs.	\$500	\$100
IV	Person storing hazardous substances on-site	Less than 2 yrs.	\$1,000	\$500
V	Temporary user	Less than 180 days	\$1,000	\$1,000
Group	As defined by Manager	2 yrs.	\$500	\$100
WDAC	Waste Discharge Authorization Certificate	As defined by Manager	\$100	\$100

INSPECTION FEES

Class I Permit renewal fees cover four industrial waste inspections per year at no additional charge. All other permit renewal fees cover one industrial waste inspection per year at no additional charge. Users shall be subject to an inspection fee of \$500.00 for each additional industrial waste inspection which may be required as part of District enforcement actions. Users shall be subject to an inspection fee of \$500.00 for each construction inspection necessary to verify proper installation of equipment as shown on approved construction drawings. Users shall be subject to a follow-up inspection fee of \$100.00 for each site visit needed to verify compliance with requirements issued during a previous inspection.

MONITORING AND SURVEILLANCE CHARGES

Costs for sampling and analysis conducted by the District shall be payable by the Industrial User whose discharge is sampled. Charges shall be based on all costs for sample collection and analysis plus fifteen (15) percent to cover District administrative costs.

Costs for video inspection of sewer pipelines performed for purposes of surveillance of a User's discharge shall be payable by the Industrial User whose discharge is surveilled. Charges shall be based on all costs for video inspection plus fifteen (15) percent to cover District administrative costs.

VIOLATION MEETING AND SHOW-CAUSE HEARING CHARGES

Costs for time and expenses incurred by the District for conducting and participating in violation meetings with the User and Show-Cause Hearings shall be payable by the Industrial User. Charges shall be based on all costs for time and expenses incurred by participation in said meetings and hearings by District employees, consultants, and attorneys.

NONCOMPLIANCE FEES

Noncompliance Monitoring Programs

Users required to initiate noncompliance monitoring programs shall be subject to a noncompliance fee of \$100 for each sample analysis indicating violation or violations of limits specified in the Industrial User's permit or limits established by District resolution. Industrial Users shall also be subject to a noncompliance fee of \$100 for each sample analysis not submitted by the Industrial User to the District in accordance with the schedule specified in the program.

Notice of Violation

Industrial Users served with a Notice of Violation (NOV) shall be subject to a fee of \$100 for each NOV issued.

Administrative Orders

Industrial Users served with an Administrative Order (Compliance Order, Cease and Desist Order, or Termination of Service) shall be subject to one or more of the following fees, as applicable:

<u>Administrative Order</u>	<u>Fee</u>
Consent Order	\$500
Compliance Order	\$500
Cease and Desist Order	\$1,000
Termination of Service	\$1,000

TERMINATION AND REESTABLISHMENT OF SERVICE CHARGES

In addition to the Termination of Service fee, all costs for terminating service incurred by the District as a result of Industrial User noncompliance shall be paid by the Industrial User. All costs for subsequent re-establishment of service incurred by the District shall be paid by the Industrial User. Charges shall be based on all costs for time, materials, and expenses incurred by participation in said actions by District employees, consultants, contractors, and attorneys. District shall not be liable for any costs incurred by Industrial User associated with Termination or Reestablishment of Service.

PRETREATMENT PLAN CHECK FEES

Industrial Users shall be subject to the following fees for District review of construction drawings for proposed monitoring and treatment facilities:

<u>Facility</u>	<u>Fee</u>
Sampling Manhole	\$300
Discharge Flowmeter	\$300
Gravity Separation Interceptor	\$300
Other Pretreatment Facilities	Up to \$5,000

LATE FEES

Payments of fees and charges delinquent by more than 10 business days from receipt of invoice shall be subject to a late fee of \$20.00. An additional late fee of \$20.00 shall accrue for each additional business day of delinquency.

PAYMENT OF FEES AND CHARGES

The District may secure delinquent fees and/or charges by any means available to the District. In the event that legal action is brought to collect unpaid fees and/or charges, the District shall be entitled to

the payment of all appurtenant costs, including attorney's fees. Defendant shall pay all costs appurtenant to any suits rendered in favor of the District.

BE IT FURTHER RESOLVED that this resolution shall take effect 30 days after adoption.

PASSED AND ADOPTED by the Rubidoux Community Services District Board of Directors at a regular meeting held on the 5th day of October 2023, by the following vote:

**AYES: Bernard Murphy, John Skerbelis, Hank Trueba, Jr., Armando Muniz,
F. Forest Trowbridge**

NOES:

ABSENT:

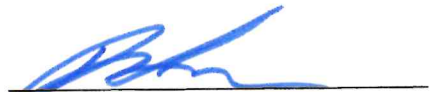
ABSTENTIONS:



Bernard Murphy, President
Rubidoux Community Services District

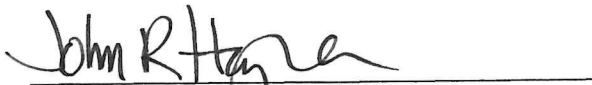
(SEAL)

ATTEST:



Brian R. Laddusaw, General Manager

APPROVED AS TO FORM AND CONTENT:



John R. Harper, General Counsel