



CITY OF ALBANY CITY COUNCIL AGENDA STAFF REPORT

Agenda Date: February 17, 2026
Reviewed by: NA

SUBJECT: Sewer System Management Plan Update

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SUMMARY

The action before the City Council is to approve the 2026 Sewer System Management Plan (SSMP).

STAFF RECOMMENDATION

That the Council adopt Resolution No. 2026-09, approving the 2026 Sewer System Management Plan.

BACKGROUND

State regulations require municipal agencies that own or operate a sanitary sewer system to adopt a Sewer System Management Plan (SSMP). The City owns and maintains approximately 33 miles of sewer main and 14 miles of lower laterals. The SSMP is a living planning document that outlines ongoing local sewer system management program activities, procedures, and decision-making – at the scale necessary to address the size and complexity of the sanitary sewer system. The SSMP establishes a framework for agencies to operate, maintain, and upgrade the sewer system in compliance with State regulations.

DISCUSSION

On May 2, 2006, the State Water Resources Control Board (SWRCB) adopted Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (WDR) Order 2006-003-DWQ for all public agencies that own or operate a sanitary sewer system within the State of California. This order came in response to the occurrence and frequency of sanitary sewer overflows (SSOs). Many SSOs are preventable with adequate and appropriate facilities, source control measures, and proper operation and maintenance of the sanitary sewer collection system. Under the WDR, the public agency's governing entity shall approve the updated SSMP. On October 7, 2019, Council adopted the 2019 SSMP (Resolution No. 2019-82).

The SWRCB has since adopted WDR Order 2022-0103-DWQ, effective December 6, 2022, which superseded the previous Order 2006-0003 and subsequent amendments. The goals of the SSMP are as follows:

- (1) Properly manage, operate, and maintain all parts of Albany's sanitary sewer system
- (2) Reduce and prevent sanitary sewer overflows
- (3) Contain and mitigate sanitary sewer overflows that do occur
- (4) Provide adequate capacity to convey peak flows associated with the design storm identified in the East Bay I/I Correction Program (1986)
- (5) Comply with the 2014 Consent Decree issued by the United States Environmental Protection Agency

City staff have performed an internal audit of the SSMP over the 2021-2024 period, as required by the WDR, in order to evaluate its implementation and effectiveness, evaluate compliance with the WDR, and identify any deficiencies and respective corrective actions. The key elements that have been updated in the 2026 SSMP are:

- Formatting and general content to align with the 2022 WDR
- SSMP update and audit schedules
- Mainline inventory and private sewer lateral breakdown
- Organizational chart and Spill Emergency Response Plan (SERP) chain-of-command
- Contact information in organizational chart
- Equipment inventory
- Remaining rehabilitation projects and tentative schedule
- Communication program details
- 2023 SERP, which replaced the 2019 Overflow Emergency Response Plan
- 2021-2024 SSMP audit, which replaced the 2017-2018 audit
- SSMP Audit Checklist to align with the 2022 WDR

Within the 2021-2024 internal audit period, the City has averaged approximately 6 SSOs per year. Most SSO volumes were less than 150 gallons, with the exception of one 2021 SSO and one 2024 SSO. The City's SSO volumes are significantly lower in comparison to SWRCB San Francisco Bay Region 2 (Regional) volumes, with the normalized average of City SSO volume being approximately 10% of the Regional SSO volume.

The City's SSMP will continue to be made available to the public through the City's website. Upon Council approval of the SSMP, staff will remove the draft watermark and transmit a copy of the final, approved 2026 SSMP to the SWRCB.

SUSTAINABILITY CONSIDERATIONS

SSOs can reach storm drains and the San Francisco Bay causing unhealthy bacteria and pollutant levels. Working to keep the City's sewer system in good condition prevents contamination of clean water and protects surrounding environment from unnecessary impact. The SSMP establishes operational and capital programs intended to minimize SSOs from occurring and reaching the San Francisco Bay.

CITY COUNCIL STRATEGIC PLAN

This Project supports Goal 6 of the City Council's Strategic Plan.

Goal 6: Increase Public Health, Safety, and Resiliency Sewer rehabilitation reduces infiltration and inflow into the City's sewer system which can overwhelm downstream treatment plants that clean wastewater before release into the San Francisco Bay.

FINANCIAL SUMMARY

The adopted SSMP is incorporated into the Public Works Departmental operating budget and into the capital budget under the Annual Sewer Rehabilitation Program (CIP No. 32000).

Attachments

1. Resolution No. 2026-09
2. City of Albany Sewer System Management Plan, February 2026

DRAFT

Sewer System Management Plan

City of Albany

Public Works Department



February 2026

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Table of Contents

1. Sewer System Management Plan Goal & Introduction	1
1.1 Regulatory Context	1
1.2 SSMP Update Schedule	2
1.3 System Overview	2
Unique Regulatory Conditions	4
2. Organization	6
3. Legal Authority	10
Prevention of Illicit Discharges and I/I Control	10
Proper Design and Construction of Sewers and Connections	10
Sewer Service Lateral Maintenance	10
Enforcement	11
Easement Agreements	11
Agreements with Other Agencies	11
4. Operation and Maintenance Program	12
4.1 Updated Map of Sanitary Sewer System	12
4.2 Preventive Operation and Maintenance Activities	12
Sewer Inspection	12
Sewer Cleaning	13
Hot Spot Management	14
Root Control	14
4.3 Training	14
4.4 Equipment Inventory	15
5. Design and Performance Provisions	16
5.1 Updated Design Criteria and Construction Standards and Specifications	16
5.2 Procedures and Standards	16
6. Spill Emergency Response Plan	18
7. Sewer Pipe Blockage Control Program	19
Program Implementation	19
8. System Evaluation, Capacity Assurance, and Capital Improvements	20
8.1 System Evaluation and Condition Assessment	20
8.2 Capacity Assessment and Design Criteria	20

8.3 Prioritization of Corrective Action	21
8.4 Capital Improvement Plan	21
9. Monitoring, Measurement, and Program Modifications	22
Corrective Actions Identified under the 2021-2024 SSMP Audit Report.....	22
10. Internal Audits.....	24
11. Communication Program.....	25
Communication with the Public	25
Communication with Satellite Systems	25

Appendices

Appendix 1: Consolidated Regional Private Sewer Lateral Ordinance
Appendix 2: System Overview Map
Appendix 3: Spill Emergency Response Plan
Appendix 4: FOG Control Program Implementation Plan
Appendix 5: SSMP Change Log
Appendix 6: SSMP Audit 8/2/2021 – 8/2/2024
Appendix 7: SSMP Audit Checklist

1. Sewer System Management Plan Goal & Introduction

The goal of the Sewer System Management Plan (SSMP) is to provide a plan and schedule to:

- (1) Properly manage, operate, and maintain all parts of Albany's sanitary sewer system
- (2) Reduce and prevent sanitary sewer overflows
- (3) Contain and mitigate sanitary sewer overflows that do occur
- (4) Provide adequate capacity to convey peak flows associated with the design storm identified in the East Bay I/I Correction Program (1986)
- (5) Comply with the 2014 Consent Decree issued by the United States Environmental Protection Agency (EPA)

1.1 Regulatory Context

The SSMP is a living planning document that documents ongoing local sewer system management program activities, procedures, and decision-making – at the scale necessary to address the size and complexity of the sanitary sewer system. This SSMP may incorporate other programs and other plans by reference to address short-term and long-term system resilience through:

- Proactive planning and decision-making;
- Local government ordinances;
- Updated operations and maintenance activities and procedures;
- Implementation of capital improvements;
- Sufficient local budget to support staff resources, contractors, equipment, and training; and
- Updated training of staff and contractors.

This SSMP has been prepared in compliance with the State Water Resources Control Board (SWRCB) Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (WDR) Order 2022-0103-DWQ, effective December 6, 2022, which superseded the previous Order 2006-0003 and subsequent amendments. The structure of this document follows the section numbering and nomenclature specified in the WDR. The SSMP includes eleven elements, as follows:

- (1) Goal and Introduction
- (2) Organization
- (3) Legal Authority
- (4) Operation and Maintenance Program
- (5) Design and Performance Provisions
- (6) Spill Emergency Response Plan

- (7) Sewer Pipe Blockage Control Program
- (8) System Evaluation, Capacity Assurance, and Capital Improvements
- (9) Monitoring, Measurement, and Program Modifications
- (10) Internal Audits
- (11) Communication Program

1.2 SSMP Update Schedule

Under the WDR, the City must conduct an internal audit of the SSMP once every three years. Table 1 displays a summary of the current due dates as shown in the State Water Board online database (CIWQS).

Table 1 – Internal Audit Report Schedule

Audit Report ID	Audit Period	Report Due Date
250	8/2/2021 – 8/2/2024	2/2/2025
1926	8/3/2024 – 8/2/2027	2/2/2028
2455	8/3/2027 – 8/2/2030	2/2/2031

Under the WDR, the City must update the SSMP once every six years and include the required SSMP elements, a summary of revisions based on internal audit finding, and any other sewer system management-related changes. Table 2 displays a summary of the current due dates as shown in CIWQS.

Table 2 – Internal Audit Report Schedule

SSMP ID	SSMP Period	SSMP Due Date
170	8/3/2019 – 8/2/2025	8/2/2025
1874	8/3/2025 – 8/2/2031	8/2/2031
2479	8/3/2031 – 8/2/2037	8/2/2037

1.3 System Overview

The City of Albany (City) was incorporated in 1908 as a charter city. The City is situated in northern Alameda County between the East Bay Hills and the San Francisco Bay along Interstate 80 and is surrounded by the cities of Berkeley, Richmond, El Cerrito, and Kensington. The City has a population of approximately 20,271 residents and covers a land area of approximately 1.8 square miles. The city is now largely built out with only a few areas of potential new development, primarily scattered vacant or underutilized parcels along San Pablo Avenue and Solano Avenue. The average annual rainfall in the area is approximately 23 inches and generally occurs between November and April.

The City owns and maintains approximately 33 miles of sewer gravity mains. The City's system does not consist of any force mains, pump stations, siphons, or structures diverting stormwater to the sewer system.

A portion of the University of California Berkeley (UCB)'s sewer system within University Village discharges to the City. The UCB sewer system is a collection system primarily for student housing and a few commercial properties.

Small portions of the City's sewer system discharge to the City of Berkeley (COB) along the southern City limit and small portions of the COB's sewer system discharge to the City along the eastern City limit. The COB also owns and operates several mains within City limits that discharge to an Albany-Berkeley jointly-owned main along the northeast edge of the City.

The City's sewer mains, including the Albany-Berkeley jointly-owned main, discharge to a trunk sewer (the "North Interceptor") that runs along the east shore of the San Francisco Bay. The trunk sewer is owned, operated, and maintained by East Bay Municipal Utility District, Special District 1 (EBMUD). The wastewater collected from the City's service area is treated by EBMUD's Main Wastewater Treatment Plant in the City of Oakland, near the San Francisco-Oakland Bay Bridge.

More than 75% of the City's sewer system consists of 8-inch or smaller diameter pipe, and more than 90% is 12-inch or smaller. Table 3 tabulates the footage of pipe by diameter.

Table 3 - Sewer System Mainline Inventory^(a)

Diameter (inches)	Length (feet)	Length (miles)	Percent of Total
<6	283	<0.1	0.2%
6	21,262	4.0	12.1%
8	114,430	21.7	65.2%
10	13,358	2.5	7.6%
12	10,714	2.0	6.1%
13-16	6,894	1.3	3.9%
18-24	6,558	1.2	3.7%
42 ^(b)	2,138	0.4	1.2%
TOTAL	175,638	33.3	---

a. Current as of end of FY2024-2025

b. Cerrito Creek trunk sewer, jointly owned by Albany and Berkeley

The oldest portions of the system date to the early 1900s; however, approximately 70% of the sewer system has been rehabilitated or replaced in the past 30 years, so that the average age of a sewer system segment is now approximately 25 years. Most older

sewers are constructed of vitrified clay pipe (VCP), with plastic materials, primarily high-density polyethylene (HDPE) and polyvinyl chloride (PVC), used for newer sewer construction and rehabilitation. The larger 24- and 42-inch trunk sewers are constructed of reinforced concrete pipe (RCP).

The sewer system includes approximately 4,600 private sewer laterals (PSLs). Table 4 tabulates the breakdown of residential and commercial PSLs. The City does not have any land zoned for industry and therefore no industrial PSLs. The City assumes responsibility for the maintenance and repair of the lower portion of the laterals located within the public right-of-way from the curb or curb cleanout to the sewer main.

Table 4 - Sewer System PSL Breakdown

Type of PSL	Percent of Total
Residential	93.7%
Commercial	6.3%

Unique Regulatory Conditions

In 1987 the Regional Water Quality Control Board (Regional Board) issued a Cease and Desist Order (CDO) to the Cities of Albany, Berkeley, Emeryville, Oakland, Piedmont, Alameda, EBMUD and to the Stege Sanitary District. Permission to continue to discharge treated wastewater to the San Francisco Bay was conditioned upon participation in the Infiltration and Inflow Correction Program (I/ICP) that required all sanitary sewer overflows (SSOs) for a 5 year design storm or less to be eliminated and that groundwater infiltration and inflow to the EBMUD trunk sewer and treatment facilities be reduced. In 2003, existing sewer bonds were refinanced and new revenue bonds were issued, which enabled the City to continue with several sewer construction projects. The City completed its required capital work under the CDO and subsequently the Regional Water Board adopted Order No. 2011-0055 to remove the City as a party to the CDO.

In November of 2009, the EPA issued an Administrative Order (AO) to the City and six other EBMUD satellite communities. The AO required the agencies to develop and implement programs necessary to further reduce rainfall infiltration and inflow (I/I) entering the City collection system and the EBMUD interceptor system. Due to treatment and conveyance limitations, excessive I/I can cause or contribute to the discharge of wastewater receiving less than secondary treatment from Wet Weather Facilities (WWFs) during rainfall events that exceeded a recurrence interval of 5 years. These discharges were previously permitted but in 2007 the permit to discharge from the facilities was remanded. A reduction in rainfall dependent I/I is necessary to eliminate or significantly reduce discharges from the WWFs.

On September 6, 2011, the United States District Court Northern District of California issued a Stipulated Order for Preliminary Relief (SO), Case 09-05684 RS, effectively

converting the AO to this SO. The requirements contained in this SO are similar to those in the 2009 AO, with the addition of penalties for failure to comply with the timeline and reporting requirements. The terms of the SO identified work to be performed by EBMUD and its satellites, including the City of Albany.

On September 22, 2014, after several years of negotiation with the EPA, SWRCB, and Regional Board and two non-governmental organizations, San Francisco Baykeeper and Our Children's Earth Foundation, a final Consent Decree (CD) intended to eliminate discharges from the WWFs over an approximate 20-year period through programs designed to reduce I/I in the Satellite collection systems, as initiated under the AO and SO, was approved in US District Court. This CD supersedes the 2009 SO and incorporates the requirements of the Satellite and EBMUD SOs, as well as a program to accelerate the identification and elimination of inflow and "rapid infiltration" sources, and processes for documenting compliance toward reducing WWF discharges and eliminating them by the required compliance dates. For the Satellites, including the City of Albany, the CD-required "Work" includes specified annual amounts of sewer rehabilitation, inspection, and cleaning, continued implementation of private sewer lateral compliance and inflow elimination programs, maintaining its current program for SSO response, recordkeeping, notification, and reporting. Other work includes controlling SSOs and reducing I/I set forth in the SSMP, cooperating with EBMUD in the development of the Regional Flow Monitoring Data Assessment Program, and providing EPA with copies of annual SSO reports now provided to the Regional Water Board.

The Consent Decree also contains monetary penalties for non-compliance with any of its requirements. The CD is in effect until December 15, 2036. Albany has prepared the plans and reports and implemented the programs previously required under the AO and SO, and currently under the CD.

2. Organization

The intent of this section of the SSMP is to identify City staff responsible for implementing this SSMP, responding to SSO events, and meeting the SSO reporting requirements. This section also includes the designation of the Legally Responsible Official (LRO) to meet SWRCB requirements for completing and certifying spill reports.

The City's LRO, having overall responsibility for sewer system matters, is the Director of Public Works/City Engineer. The City's Public Works Manager is also a Legally Responsible Official for reporting SSOs to CIWQS when the Director of Public Works/City Engineer is not available.

The City's Director of Public Works/City Engineer has the ultimate responsibility for development, implementation, and maintenance of all elements of the City's SSMP. The responsibility for day-to-day implementation of each of the City's SSMP elements has been delegated to City staff.

The Director of Public Works/City Engineer plans, organizes, and directs public works activities and associated budgets for the City. This includes advising City Management and City Council on public works matters including those related to the sewer system. It is the responsibility of City Council to establish new ordinances and amend existing ordinances and policies governing municipal operations through recommendations by City management. This includes ordinances and policies related to the sewer system. The Director of Public Works/City Engineer is responsible for updating SSMP Goals, Organization, Legal Authority, Program Audits, and the Communication Program.

Figure 1 displays the staff involved in implementing the SSMP. Staff position descriptions are explained as follows:

- **City Council** – establishes policy and appropriates funds to implement SSMP activities.
- **City Manager** – implements policy, plans strategy, leads staff, allocates resources, delegates responsibility, and authorizes contractors to perform services.
- **Finance Director** – develops a viable financial plan in order to carry out operating and capital work included in the SSMP.
- **Community Development Director** – coordinates the City's planning and permitting activities, including private sewer laterals.
- **City Inspector** – inspects private sewer lateral projects, including replacements and new laterals.
- **Public Works Director/City Engineer** – oversees the implementation of the SSMP, as previously described, and sewer system planning.
- **Public Works Manager** – oversees implementation of the operation and maintenance elements of the SSMP, including training and tracking performance of maintenance workers.

- **Public Works Management Analyst** – responds to public complaints/service requests regarding sewer system issues and SSOs, and manages work orders for maintenance staff regarding these issues.
- **Maintenance Lead Worker / Worker II / Worker I** – maintains the sewer system assets and field responds to sewer system work orders and emergencies, including cleaning, inspection, and SSOs.
- **Capital Improvement Plan (CIP) Program Manager** – oversees the City's CIP, including sewer rehabilitation, and sewer system planning and design.
- **Assistant / Associate / Senior Engineer** – oversees the Sewer Rehabilitation Program element of the City's CIP, which includes sewer system planning, design, bidding, and construction activities.

Figure 2 displays the chain of communication for reporting spills from receipt of complaint.

Figure 1 – Organizational Chart

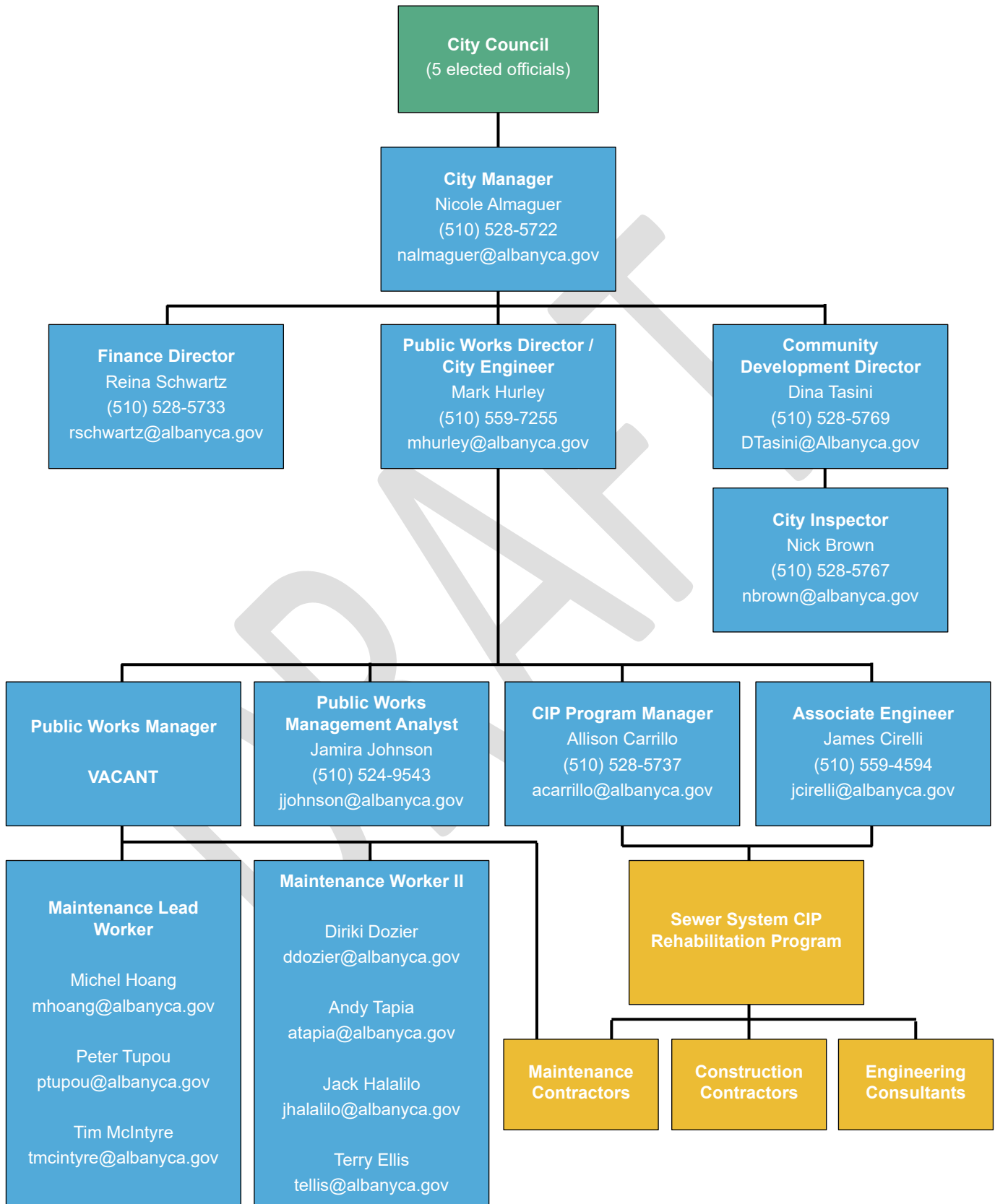
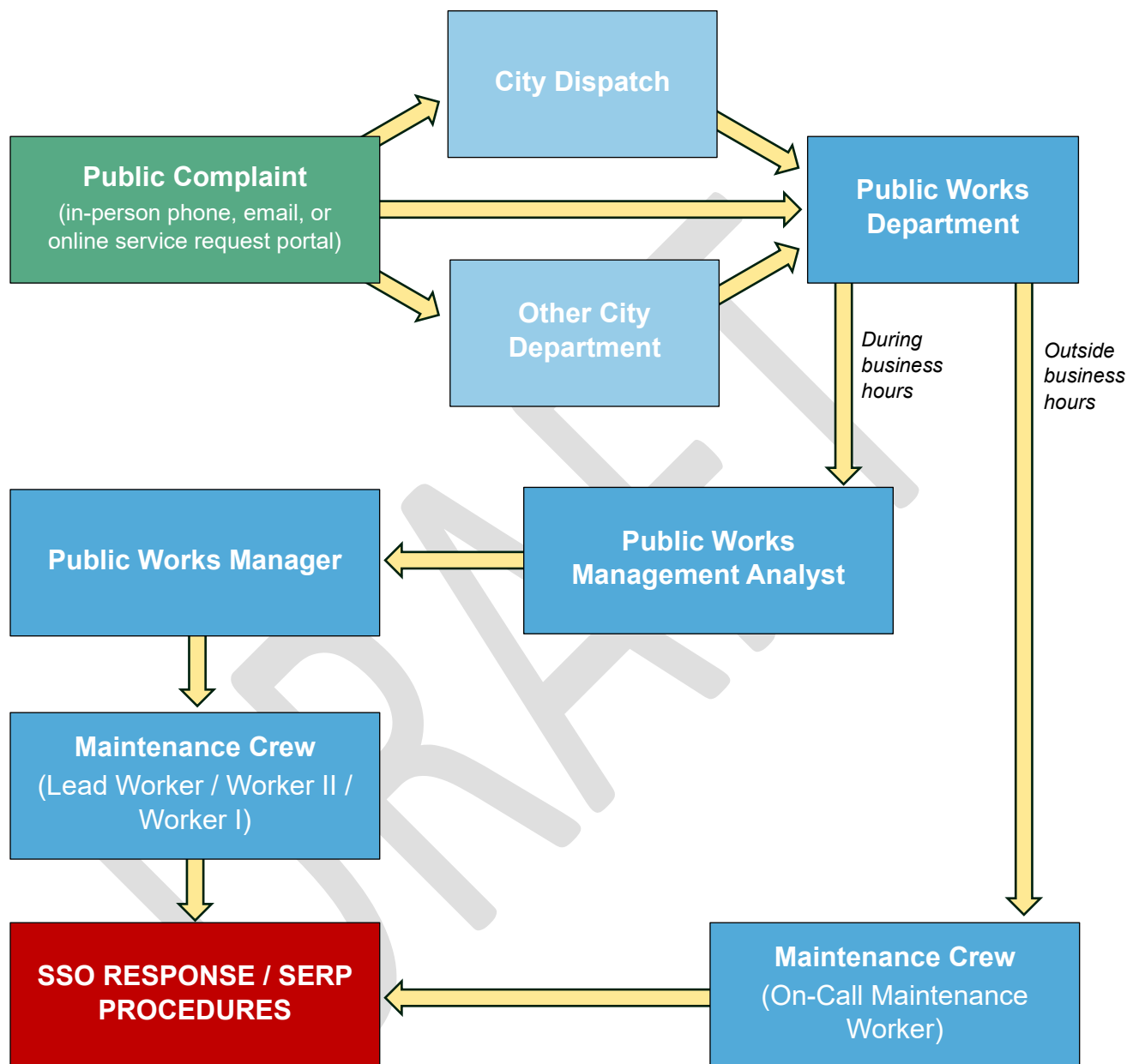


Figure 2 – SSO/SERP Chain of Command



3. Legal Authority

The intent of this section of the SSMP is to describe the City's legal authority to comply with the SSMP requirements, as provided in its Municipal Code and agreements with other agencies. [Chapter 15 of the Albany Municipal Code \(AMC\)](#) establishes the City's current legal authority to operate and maintain the sewer system. The legal authorities for the specific areas stipulated in the Waste Discharge Requirements (WDR) are discussed below.

Prevention of Illicit Discharges and I/I Control

AMC [§15-1.11 Storm Water and Ground Water Prohibited](#), [§15-1.19 Building Sewer Materials for Construction and Repair](#), and [§15-1.20 Sewer Lateral Construction and Repair](#) provide the legal foundation for the City to control inflow and infiltration entering the wastewater collection system. Roof downspouts, foundation drains, and other sources of storm water inflow are considered to be illicit connections to the sanitary sewer system. Similarly, these AMC sections also prohibit the connection of groundwater drainage or infiltration.

Proper Design and Construction of Sewers and Connections

The proper design and construction of sewer mains, laterals, and connections is regulated under AMC [§14-2 Use of Right-of-Way](#), AMC [§15-1.15 Permit Applications](#), and AMC [§22-9 Improvements](#).

Permits are required for all sewer lateral construction work. Work within the public right-of-way must be conducted by licensed contractors in accordance with the Uniform Plumbing Code and the City's standard specifications and detailed drawings. The Public Works Director/City Engineer has authority to review and approve plans and specifications for upper laterals (building sewers on private property) and lower laterals (lateral sewers on public property), to ensure adherence to the City's standard specifications and ordinances. Installation of cleanouts and backwater overflow devices is required for all new construction. Minimum size and slope of side sewers (laterals) are specified and guidelines for private pumps are provided to the owner/developer whenever sewer lateral flow is below the elevation of the sewer main.

City specifications and standards are posted on the City website at the following address: <https://www.albanyca.gov/Departments/Public-Works/Information-Policy/City-Standards>

Sewer Service Lateral Maintenance

To address old, leaking private laterals, the City began implementing an Upper Sewer Lateral Compliance Program in 1994. The City was one of the first agencies in northern California to adopt such a program. AMC [§15-1.22](#) requires that upon sale of a property or upon application for a building permit for construction which exceeds a specified amount, the property owner shall demonstrate that their upper lateral complies with City Standards and passes a verification test. AMC §15-1.22 further requires that property

owners maintain their upper lateral such that the following minimum requirements are met:

- The Upper Sewer Lateral shall be kept free from roots, grease deposits, and other solids which may impede the flow or obstruct the transmission of waste.
- All joints shall be watertight and all pipe shall be sound to prevent exfiltration by waste or infiltration by ground water or storm water.
- The Upper Sewer Lateral shall be free of any structural defects, cracks, breaks, openings, rat holes, or missing portions and the grade shall be uniform without sags or offsets.
- The Upper Sewer Lateral shall have a two (2) way Cleanout located at the property line or at the Sewer Main easement. All Cleanouts shall be securely capped with a proper cap at all times.

In 2014, the City joined the Regional Sewer Lateral Program, implemented by EBMUD. The Consolidated Regional Private Sewer Lateral Ordinance is included in Appendix 1.

Enforcement

The AMC provides the procedure for the City to follow when a landowner fails to comply with provisions of the code. The City's Public Works Director or his representative (under [§15-1.24 Right of Entry](#) and under [§15-1.25 Emergency Work by the City](#)) has authorization to proceed with all necessary work to bring the lateral into compliance with City standards by entering onto private property and recovering the City's costs from the property owner.

Provisions for appeal of decisions made by the City Public Works Director are provided in the AMC. Appeals must be in writing and state the basis and reason(s) for the appeal.

Easement Agreements

AMC [§22-8 Dedications and Reservations](#) provides the legal foundation for the City to dedicate or make an offer of dedication of all parcels of land that are needed for public utility easements and other public easements.

Agreements with Other Agencies

Other public agency sewer systems discharging to the City's system include the UCB and small portions of the COB. The City communicates with these agencies on a regular basis. However, the City plans to develop more formal agreements with these agencies in the future in order to better define their specific responsibilities with respect to sewer discharge into the City sewer system and, in applicable cases, each agency's responsibilities for jointly-used facilities.

4. Operation and Maintenance Program

The intent of this section of the SSMP is to describe the City's sewer system operations and maintenance (O&M) program.

4.1 Updated Map of Sanitary Sewer System

The City uses a Geographic Information System (GIS) to create, maintain, and manage maps and data sets associated with its sewer system facilities. Sewer pipe and manhole inventory data including length, diameter, material, rim/invert elevations, street address, and other information are kept current with field edits and new construction data.

Any work performed on the sewer system assets through work order requests or rehabilitation projects will be documented through various reporting layers within the GIS system. A map of the system is included in Appendix 2. A copy of the GIS files or a PDF of the mapbook is available upon request by the SWRCB and Regional Board.

4.2 Preventive Operation and Maintenance Activities

Sewer maintenance and cleaning activities are performed by a combination of City maintenance workers and contractors. The City currently employs four general maintenance workers and three lead maintenance workers. The City's maintenance staff also maintains other City facilities such as roads, buildings, parks, stormwater utilities, etc. Contractors are used to perform specialized tasks such as root foaming and augment City staff in performing cleaning and inspection work.

Sewer Inspection

Condition assessment is critical to effectively managing sewer assets. The condition of an asset at a specific point in its lifecycle can be used to estimate the remaining reliable life and therefore be used to prioritize capital improvement. City sewer staff performs direct visual inspection of sewer facilities and closed-circuit television (CCTV) inspections of mainline sewer. The City owns an OZII Pan and Tilt Optical Zoom Camera and customized trailer to transport the associated equipment and computer with ITpipes, the sewer inspection data collection and management software.

CCTV inspection is performed to assess the condition of the gravity sewer pipelines in the City's wastewater collection system and to confirm the location and magnitude of structural defects, points of inflow and infiltration, undocumented/illegal connections, existing pipe lining (if any), and blockages within the gravity sewer system.

CCTV inspections are conducted in accordance with the National Association of Sewer Service Companies (NASSCO) Pipeline Assessment and Certification Program (PACP) standards. City staff that conduct CCTV inspections are PACP-certified and use the standard PACP coding for observations during the inspection. ITpipes is a PACP compliant sewer inspection software. Based on the structural pipe rating calculated at the end of an inspection, City staff determine whether or not to include the observed mainline

segment on the Hot Spot Cleaning List. Each mainline in the sewer system is inspected at least every ten years, or at a shorter frequency based on the previous structural pipe rating. Table 5 contains the criteria used to determine the CCTV inspection frequency for a pipe segment.

Table 5 - Criteria for Establishing CCTV Inspection Frequency

PACP Structural Score	CCTV Inspection Frequency
5	365 days (1 year)
4	730 days (2 years)
3	1,095 days (3 years)
2	1,826 days (5 years)
1	3,652 days (10 years)
0	3,652 days (10 years)

Given that conditions in the sanitary sewer are constantly changing, this ability to adjust preventive maintenance schedules based on field observations allows the Operations and Maintenance Program to be continually optimized to ensure program effectiveness and efficiency.

Sewer Cleaning

Each mainline in the system is cleaned every five years, at most, or at a shorter frequency based on the observations from previous cleaning activity. The schedule for cleaning lines is established at the beginning of the year and either programmed into the maintenance crew's work schedule or contracted out.

Based on cleaning activity observations, the field crew determines the frequency for subsequent cleanings. Table 6 contains the criteria used to determine the preventive cleaning frequency.

Table 6 - Criteria for Sewer Cleaning Frequency

Condition Score ^(a)	Cleaning Frequency
5	90 days (3 months)
4	180 days (6 months)
3	365 days (1 year)
2	1,096 days (3 years)
1	1,826 days (5 years)

- a. Use the single highest condition score recorded during cleaning activity to determine the sewer cleaning frequency

The cleaning frequency is based on a condition score as assessed by the City's maintenance management software. Given that conditions in the sewer system are

constantly changing, the ability to adjust preventive maintenance schedules based on field observations allows the O&M Program to be continually optimized to ensure program effectiveness and efficiency. It takes only a single Condition Score to increase the cleaning frequency of a pipe segment. To decrease the cleaning frequency of a pipe segment, two consecutive Condition Scores of 1, or a “clear” pipe, are required to decrease the cleaning frequency to the next lower frequency.

Hot Spot Management

The City maintains a Hot Spot Cleaning list containing mainline segments needing more frequent maintenance.

The Hot Spot cleaning list criteria includes the following:

- Mainline segments that had a blockage or a SSO
- Mainline segments that based on field observations have a preventive maintenance schedule of 180 days or shorter

Mainline segments are removed from the Hot Spot Cleaning List if the line is rehabilitated, the source of increased maintenance is addressed (i.e. FOG), or the line is determined clear based on future cleaning and/or inspection data.

Root Control

When a sewer main segment is inspected and root intrusion observed, the City adds the identified segment to the preventive maintenance schedule for root foaming. The root foaming schedule serves as the basis for the annual contractor work request. The contractor applies licensed root control agents to kill the root growth present in the lines and to inhibit root re-growth without permanently damaging the vegetation producing the roots. The materials used are USEPA registered, labeled for the intended use in sewer lines, and registered with the California Department of Pesticide Regulation. Chemical handling and treatments shall be done by trained, professional applicators that are certified by the State of California pesticide regulatory agency, as required by law. Application of the chemical root control agent is by foaming in accordance with the best-recommended practice for conditions present in the line under treatment. The contractor shall contact EBMUD to give advance notice of the chemical application.

4.3 Training

Maintenance workers are trained to meet the requirements of the WDR, including performance of sewer maintenance activities, operation of maintenance and video equipment, Spill Emergency Response Plan (SERP) procedures, and CIWQS reporting procedures. City emergency response personnel are encouraged to become a member of the California Water Environment Association (CWEA) and attend conferences regularly. All response personnel are trained on the SSMP and the SERP twice a year, at minimum.

Two of the City's maintenance crew have Class I CWEA Certification and have received training for NASSCO PACP Certification. City staff attend other collections systems workshops, seminars, conferences, and safety training, sponsored by professional groups such as Bay Area Clean Water Agencies (BACWA), California Association of Sanitation Agencies (CASA), League of California Cities, National Safety Council, and Water Environment Research Foundation (WERF).

4.4 Equipment Inventory

The City owns a 2012 VacCon and a 1994 Vactor. The combination sewer cleaners are designed for line cleaning and offer jack hammer action to clear obstructions. The pumps are hydraulically driven to provide pressure sufficient enough for a scouring velocity.

The City currently uses ITpipes, a data collection and management software for CCTV pipeline and manhole inspections. The City field crew uses a laptop computer that is connected to an OZII Pan and Tilt Optical Zoom Camera to perform sewer inspections and record the associated media and observation data.

The City maintains contingency equipment and replacement parts for its sewer system. A list of specific equipment kept ready at the maintenance yard for sewer system emergency conditions includes:

- Closed circuit television camera and support equipment;
- Portable flooded suction centrifugal pumps, capable of pumping 1,400 gallons per minute (gpm), large enough to be used for emergency pumping, for SSOs, and for pumping from manhole to manhole around blockages;
- Emergency generator and floodlights;
- Suction and discharge hoses for all pumps;
- Confined space entry trailer with emergency flashers, one tripod, and two winches for manhole entry and rescue, and all associated personal safety equipment;
- Vaccon combination sewer cleaner with an older Vactor as backup;
- Rigid sewer snake; and
- Electrical "push" camera.

5. Design and Performance Provisions

The intent of this section of the SSMP is to describe the City's procedures, standards, and specifications applicable to the sewer system. The City's system does not consist of any force mains, pump stations, siphons, or structures diverting stormwater to the sewer.

5.1 Updated Design Criteria and Construction Standards and Specifications

Since the previous SSMP update (June 2019), there have been no capacity-related or structural mainline-related SSOs in the City's system. The City's SSOs are primarily a result of issues in the lower later with debris and FOG accumulation.

The City is currently performing an update to the Sanitary Sewer Master Plan (last revised in 2014), where updated design criteria will be identified, if necessary.

5.2 Procedures and Standards

City standards and specifications are posted on the City website at the following address: <https://www.albanyca.gov/Departments/Public-Works/Information-Policy/City-Standards>

The construction standards and specifications include provisions for installation and rehabilitation of sewer mains and sewer laterals, including standards for inspection and testing. Table 7 and Table 8 contain a summary of the standards and specifications' provisions, respectively, pertinent to implementation of the SSMP.

Table 7 – City Standard Details

Provision	Reference
Standard Manhole	SS 1
Standard Sewer Manhole	SS 2
Raised Manhole Ring and Cover	SS 3
Standard Rodding Inlet	SS 4
Typical Trench Section	SS 5
Standard Laterals and Cleanouts	SS 6
Standard Cleanouts and Backwater Prevention Device	SS 7
Backwater Shutoff and Check Valve System	SS 8
Main Sewer Protection Above Utility Crossing	SS 9
Main Sewer Protection Below Utility Crossing	SS 10
Side Sewer Protection Above Utility Crossing	SS 11
Side Sewer Protection At Utility Crossing	SS 12
Standard Concrete Pipe Protection	SS 13
Standard Redwood Check Board	SS 14

Table 8 – City Specifications & Technical Provisions

Provision	Reference
Sanitary Sewers and Storm Drains	T-124
Trenching	T-124
Bedding	T-126
Pipe Materials and Installation (New or Replacement)	T-127
Pipe Liners (or Pipe Rehabilitation Lines)	T-138
Backfill	T-143
Testing Pipelines	T-149
Manholes, Cleanouts and Appurtenances	T-154
Sewer Lateral Rehabilitation	T-159
Control of Existing Flows	T-165
Trench Resurfacing	T-166
Measurement and Payment	T-166
Standard Specifications for Public Works Construction “Technical Provisions”	T-218

6. Spill Emergency Response Plan

The intent of this section of the SSMP is to describe the City's SERP, which is used to ensure prompt detection and response to spills to reduce spill volumes and collect information for prevention of future spills. The SERP includes procedures to:

- Notify primary responders, appropriate local officials, and appropriate regulatory agencies of a spill in a timely manner;
- Notify other potentially affected entities of spills that potentially affect public health or reach waters of the State;
- Comply with the notification, monitoring, and reporting requirements of the WDR, State law and regulations, and applicable Regional Water Board Orders;
- Ensure that appropriate staff and contractors implement the SERP and are appropriately trained;
- Address emergency system operations, traffic control, and other necessary response activities;
- Contain a spill and prevent/minimize discharge to waters of the State or any drainage conveyance system;
- Minimize and remediate public health impacts and adverse impacts on beneficial uses of waters of the State;
- Remove sewage from the drainage conveyance system;
- Clean the spill area and drainage conveyance system in a manner that does not inadvertently impact beneficial uses in the receiving waters;
- Implement technologies, practices, equipment, and interagency coordination to expedite spill containment and recovery;
- Implement pre-planned coordination and collaboration with other utility agencies/departments prior, during, and after a spill event;
- Conduct post-spill assessments of spill response activities;
- Document and report spill events as required in the WDR; and
- Review and assess effectiveness of the SERP, and update the SERP as needed.

A copy of the SERP is available in Appendix 3.

7. Sewer Pipe Blockage Control Program

The intent of this section of the SSMP is to describe the City's fats, oils, and grease (FOG) Control Program. The FOG Control Program's purpose is to minimize the discharge of FOG to the sewer system to prevent the formation of blockages in sewer system lines. The City's FOG Control Program consists of source control, preventive maintenance, food service establishment inspections, and enforcement.

Program Implementation

AMC §15-5 and the California Plumbing Code provide the legal foundation for FOG control within the City. The City participates in a regional FOG Control Program administered by EBMUD. The scope of the FOG control activities and the roles and responsibilities of each agency are outlined in the "FOG Scope of Services Among EBMUD, City of Alameda, City of Albany, City of Berkeley, City of Emeryville, City of Oakland, City of Piedmont, Stege Sanitary District". The Scope of Services was adopted February 2, 2010 by the City through the Technical Advisory Board and is reevaluated annually. Appendix 4 is a copy of the City's FOG Control Implementation Plan and includes a copy of the current Scope of Services.

Commercial

The commercial portion of the FOG Control Program consists of hotspot investigations, mainline camera work, gravity grease interceptor inspections, enforcement, and reporting/database management. EBMUD maintains a list of approved grease haulers and provides a disposal facility for grease.

Commercial outreach includes the distribution of materials, which may include bill inserts, billboards, and other direct forms of communication with Food Service Establishments (FSE). In addition, information related FSE Best Management Practices (BMPs) is distributed and accessible on the EBMUD website.

Residential

EBMUD and the City conducts educational outreach to City residents concerning proper handling and disposal of their kitchen food wastes using the:

- City newsletter;
- City website
- Door hangers displaying FOG messages such as "Grease Alert"; and
- Other outreach materials distributed by EBMUD.

A door hanger conveying a message to properly handle kitchen grease is left on the resident's door handle after the City's sewer crew responds to a sewer service call. The City's SERP contains instructions for door hangers and SSO response vehicles are equipped with supplies of door hangers.

8. System Evaluation, Capacity Assurance, and Capital Improvements

The intent of this section of the SSMP is to describe the procedures and activities for:

- Routine evaluation and assessment of system conditions;
- Capacity assessment and design criteria;
- Prioritization of corrective actions; and
- A capital improvement plan.

8.1 System Evaluation and Condition Assessment

The City is currently updating the Sanitary Sewer Master Plan (last updated in 2014) to:

- Confirm that the sanitary system has adequate capacity to handle peak wet weather flows;
- Meet the rehabilitation and replacement targets of the Consent Decree;
- Satisfy the requirements of the SSMP; and
- Establish a firm basis for project priorities and budgets in the City's 10-year CIP.

The Sanitary Sewer Master Plan update utilizes the following data and tools to support the system evaluation and condition assessment:

- ICM hydraulic model of the trunk sewers in the system, utilizing customer data, estimate of additional flow from potential future development, and flow monitoring data;
- City's GIS mapping and inventory that contains information on all manholes and pipes in the system, including length, diameter, material, rim/invert elevations, material, and year of construction/rehabilitation;
- ITpipes (CCTV inspection database) and associated video/image files and PACP scoring; and
- Priority Pipe Rating Model that assigns a risk score to each pipe based on probability and consequences of failure factors and provides a means of prioritizing pipes for rehabilitation/replacement when combined with the condition score via ITpipes.

8.2 Capacity Assessment and Design Criteria

Under the Sanitary Sewer Master Plan update, the City will utilize the calibrated ICM hydraulic model to assess flows and capacity in the system. The Assessment will be based on the EBMUD 5-year design storm. Model runs will be made reflecting both a free outfall at the EBMUD North Interceptor as well as the anticipated future interceptor hydraulic gradeline in the North Interceptor. These are utilized to evaluate the capacity requirements of Albany's trunk sewers and the potential impact of the flow level in the EBMUD North Interceptor on Albany's sanitary system. Based on the model and capacity evaluation, the City will identify any portions of the system with predicated capacity

deficiencies, considering potential reductions to I/I with anticipated future sewer rehabilitation through the end of the Consent Decree. The model will characterize sewershed I/I flows of wet weather peaking factors and peak rainfall-dependent I/I for potential use as a factor in prioritizing areas for rehabilitation.

8.3 Prioritization of Corrective Action

Where the model and subsequent capacity assessment identify areas with insufficient capacity to convey 5-year design storm peaks flows, the City will prioritize improvements to provide adequate capacity. It is anticipated these improvements, if necessary, would be primarily upsizing existing sewer lines or, if feasible, installation of a diversion structure to other sewer lines with excess capacity.

8.4 Capital Improvement Plan

The 2014 Sanitary Sewer Master Plan contained the City's 10-year CIP regarding sewer rehabilitation, developed on the following:

- Meet the minimum annual sewer rehabilitation footage requirements of the Consent Decree;
- Maintain consistency with the City's annual capital improvement budget based on the financial plan and sewer service charge schedule that has been adopted by the City Council; and
- Prioritize mini basins for rehabilitation based on risk scores as calculated by the Pipe Rating Model.

The majority of the projects identified in the 2014 Sanitary Sewer Master Plan have been completed. The remaining identified projects and completion schedules are summarized in Table 9.

Table 9 – Remaining Rehabilitation Projects Identified under the 2014 Master Plan

Project Name	Approx. Rehabilitation Length	Expected Completion Year
2026 SSRP – Phase A	4,600 lf	FY25-26
2026 SSRP – Phase B	1,600 lf	FY26-27
Brighton Easement Sewer Rehabilitation	4,400 lf ^(a)	FY26-27

(1) Length includes converted main line to PSL and new/replaced main line, as project involves abandonment of a major easement main.

The City is currently updating the Sanitary Sewer Master Plan, which will develop a 10-year CIP for recommended capacity improvements, if needed, and sewer rehabilitation.

9. Monitoring, Measurement, and Program Modifications

The intent of this section of the SSMP is to address SSMP implementation effectiveness and steps necessary for improvement.

The indicators that the City will use to measure the performance of the sewer system and the effectiveness of the SSMP are:

- Annual and 3-year running average SSO Rate over the previous 10 years (number of SSOs);
- Annual SSO Rate over the previous three years (number of SSOs/100 miles);
- SSO Volume (gal/100 miles);
- Percentage of SSOs greater than 100 gallons;
- Percentage of SSO volume reaching surface waters; and
- Number of SSOs by cause (e.g. roots, debris, FOG, pipe failure, etc.).

The City will evaluate the performance of its sewer system using the aforementioned performance measures as part of the three-year internal audit process (see Element 10). The City may use other performance measures in its evaluation. The performance measures will also be compared with sewer systems within San Francisco Bay Region 2 of the SWRCB where comparative information is available via CIWQS.

The City will determine the need to update its SSMP based on the results of the internal audit and the performance of the sewer system. In the event that the City decides that an update is warranted, the City will complete the update within six months following identification of the need for the update. The City may also choose to update its SSMP after any significant changes to the sewer system operations or issues.

As required by §5.5 of the WDR, “*The Enrollee’s governing entity shall approve the updated [SSMP]...*”. The revised SSMP will be approved by the City of Albany’s City Council when the SSMP is updated. The authority for approval of minor changes such as employee names, contact information, or minor procedural changes is delegated to the Public Works Director/City Engineer and an updated SSMP revision is not needed for these minor revisions. These minor revisions shall be tracked in the SSMP Change Log (see Appendix 5).

Corrective Actions Identified under the 2021-2024 SSMP Audit Report

The following is a summary of the recommended corrective actions identified under the 2021-2024 SSMP Audit Report (see Appendix 6):

- (1) All future SSOs should be reported and certified within specified deadlines. All LROs should review SSO reporting and certification requirements. Include these elements in an annual training class.
- (2) Albany should designate an interim LRO so there are at least 2 active LROs and they should certify any future SSO reports
- (3) Investigate and undertake (reasonable and effective) potential maintenance and capital work to reduce SSOs.
- (4) Meet with staff that respond to SSOs and emphasize the need for timely response to all SSOs - this may be done as part of SSMP/SERP training.
- (5) Revise the audit element in the SSMP, post completed audit on the City website after completion, and upload to CIWQS.
- (6) Update the SSMP (including the change log as needed), post the updated SSMP on the City website after completion, and upload to CIWQS.
- (7) Initiate biannual SSMP refresher training for relevant staff.

10. Internal Audits

The intent of this section of the SSMP is to describe the internal audit procedures.

The City will conduct an internal audit of the SSMP every three years as required by the WDR. The SSMP Audit Checklist, based on the requirements in the WDR, will be used to guide the audit. The SSMP Audit Checklist is included in Appendix 7.

The results of the internal audit will be included in a SSMP Audit Report. The SSMP Audit Report will focus on the effectiveness of the SSMP program, compliance with WDR requirements, and identification of any deficiencies in the SSMP. The SSMP Audit Report will identify revisions that may be needed for a more effective program. Performance indicator data, discussed in Element 9, will be reviewed and analyzed to report on the City's success in achieving an effective SSMP implementation.

11. Communication Program

The intent of this section of the SSMP is to describe procedures to communicate with the public and satellite systems.

Communication with the Public

The [City's website](#) provides the community with information regarding sewer system rehabilitation projects, educational materials, the private sewer lateral program, FOG control, reporting backups/SSOs, the current SSMP, and other information. The website also includes a link to the current SSMP on the [Sanitary Sewer System webpage](#).

The City hosts a booth annually at the Solano Stroll, the largest street fair in the East Bay. Information regarding FOG prevention, SSOs, upper lateral compliance, and preventing hazardous materials from entering the City's sanitary system is distributed to the public. The City will continue to hold events to educate the public on the goals and implementation of its SSMP.

The public is provided an opportunity for input regarding the SSMP update at the City Council's meetings. Announcements regarding public meetings, which includes information regarding the agenda of City Council meetings, are posted at Albany City Hall (1000 San Pablo Avenue), on the [City website](#), and on the City's weekly e-newsletter. For the February 2026 SSMP update, there is an opportunity for public input at the [February 17, 2026 City Council meeting](#).

Communication with Satellite Systems

The City has regular communication with systems that are tributary, satellite, and neighboring to the City's sewer system. The City has several opportunities to regularly communicate with tributary, satellite, or neighboring agencies at the Collection Systems Technical Advisory Committee (CSTAC) and at BACWA meetings. CSTAC members include EBMUD and six of the seven EBMUD Satellites and is focused primarily on Consent Decree and other regulatory issues currently facing the satellites. In addition, the City has the opportunity to communicate with other tributary, satellite, and neighboring agencies in the Bay Area at monthly BACWA Collection System Committee meetings.

Appendix 1

Consolidated Regional Private Sewer Lateral Ordinance



CONSOLIDATED REGIONAL PRIVATE SEWER LATERAL ORDINANCE

Effective May 24, 2019

**Adopted by Ordinance No. 359-13
Amended by Ordinance No. 362-14
Amended by Ordinance No. 369-19**

DISCLAIMER

The District's Board of Directors has authorized the public distribution of this document. Its purpose is to restate for the convenience of the public, within a single document, the text of Ordinance No. 359-13 and all subsequent Ordinances which enacted amendments thereto. Although the document was believed to be accurate at the time it was prepared, it has no legal effect separate or apart from Ordinance No. 359-13 and the Board-adopted Ordinances which subsequently amended it. To the extent this document, or any portion of it, may be inconsistent with or conflict with the Ordinances adopted by the Board, the Board-adopted Ordinances will be given full legal effect and not the contrary or inconsistent provision in this document.

CONSOLIDATED REGIONAL PRIVATE SEWER LATERAL ORDINANCE

Effective May 24, 2019

SECTION 1.	SHORT TITLE	2
SECTION 2.	PURPOSE	2
SECTION 3.	APPLICABILITY OF REGIONAL ORDINANCE	2
SECTION 4.	DEFINITIONS	3
SECTION 5.	RESPONSIBILITY AND STANDARDS FOR MAINTENANCE OF UPPER SEWER LATERALS	9
SECTION 6.	WHEN A COMPLIANCE CERTIFICATE IS REQUIRED	10
SECTION 7.	HOW TO OBTAIN A COMPLIANCE CERTIFICATE	12
SECTION 8.	COMPLIANCE CERTIFICATE TERM LIMITS	14
SECTION 9.	TIME EXTENSION CERTIFICATES	15
SECTION 10.	EXEMPTION CERTIFICATES	16
SECTION 11.	COMMON INTEREST DEVELOPMENTS	18
SECTION 12.	PARCELS OR PARCEL GROUPS WITH PRIVATE SEWER LATERALS EXCEEDING 1000 FEET	24
SECTION 13.	ENFORCEMENT	28
SECTION 14.	APPEALS	32
SECTION 15.	ADDITIONAL PROVISIONS	35
SECTION 16.	EMERGENCIES	36
SECTION 17.	SEVERABILITY	36
SECTION 18.	EFFECTIVE DATE	37



SECTION 1

SHORT TITLE

This ordinance shall be known as the “Regional Private Sewer Lateral Ordinance” and may be cited accordingly.

(Ord. No. 359-13, 7-23-2013)

SECTION 2

PURPOSE

This Regional Private Sewer Lateral Ordinance establishes regulations for the inspection, testing, repair, replacement, and ongoing maintenance of Private Sewer Laterals. The purpose of this Regional Ordinance is to provide for the operation and maintenance of the District’s wastewater conveyance and treatment facilities in a reliable and serviceable manner and to reduce infiltration and inflow into the regional sanitary sewer system.

(Ord. No. 359-13, 7-23-2013)

SECTION 3

APPLICABILITY OF REGIONAL ORDINANCE

This Regional Ordinance applies only within the sewer service areas of the City of Alameda, City of Albany, City of Emeryville, City of Oakland, City of Piedmont, and Stege Sanitary District.

(Ord. No. 359-13, 7-23-2013; Ord. No. 362-14, 10-28-2014; Ord. No. 369-19, 4-23-2019)



SECTION 4

DEFINITIONS

“Cleanout” means a pipe fitting and associated piping connected to a Private Sewer Lateral that provides access to the Private Sewer Lateral for purposes of flushing, rodding, cleaning, and other maintenance and diagnostic purposes.

“Common Area” has the meaning defined in Article 2, Chapter 1, Part 5, Division 4 of the Civil Code.

“Common Interest Development” means a community apartment project, a condominium project, a planned development, or a stock cooperative, created in accordance with applicable provisions of the California Civil Code and managed by a Homeowners’ Association.

“Compliance Agreement” means an agreement which may be entered into by the District and a person or entity subject to this Regional Ordinance on a voluntary basis as described in Section 13, which may allow additional time to meet Regional Ordinance requirements, modify ordinance requirements as applied to the person or entity, and/or include other terms as described in that Section.

“Compliance Certificate” means a certificate issued by the District upon its determination that all Private Sewer Laterals associated with a parcel have demonstrated compliance with applicable standards by passing a Verification Test.

“Cotenant” means a person who owns a present interest in a parcel of real property concurrently with other persons in the form of a tenancy in common, a joint tenancy, a partnership, community property, or any other form of cotenancy, co-ownership, or concurrent ownership recognized by California law. As used in this definition, “person” means an individual, trust, corporation, nonprofit organization, Homeowners’ Association, partnership, firm, joint venture, limited liability company, or association.

“Director” means the Director of Wastewater of the East Bay Municipal Utility District. The Director may delegate any privilege or duty conferred by this Regional Ordinance upon him or her to a designated representative except for any privilege or duty which this Regional Ordinance expressly reserves for the Director personally.

“District” means Special District No. 1 of the East Bay Municipal Utility District.



“Exclusive Use Common Area” has the meaning defined in Article 2, Chapter 1, Part 5, Division 4 of the Civil Code.

“Exemption Certificate” means a certificate issued by the District as described in Section 10. A Property Owner who holds an Exemption Certificate for a given parcel need not obtain a Compliance Certificate for that parcel during the period the Exemption Certificate remains valid.

“General Waiver” means a status that applies to a Property Owner that relieves the Property Owner from the requirement to perform work on and testing of the Lower Sewer Lateral, or a specified portion of it, where a Satellite presents the District with sufficient evidence that the entire Lower Sewer Lateral was Replaced by the Satellite at any time during the 20 year period preceding a Triggering Event.

“Homeowners’ Association” means a nonprofit corporation or unincorporated association created for the purpose of managing or governing a Common Interest Development and that operates in accordance with governing documents, whether or not the corporation or association is formally designated or commonly referred to as a Homeowners’ Association.

“Limited Waiver” means a document with a definite expiration date issued by a Satellite to a Property Owner for any reason other than the Satellite’s prior Repair or Replacement of the Lower Sewer Lateral that relieves the Property Owner from the requirement to perform work and testing on the Lower Sewer Lateral, or a specified portion of it, until the Limited Waiver’s expiration date.

“Lineal Consanguinity Relationship”. A person is in a Lineal Consanguinity Relationship with another person if, and only if, one person is a direct descendent of the other person. The following are examples of Lineal Consanguinity Relationships: parent and child, grandparent and grandchild, and great-grandparent and great-grandchild. Persons are not in a Lineal Consanguinity Relationship if neither person is directly descended from the other, even if both persons are descended from a common ancestor. The following are not Lineal Consanguinity Relationships: aunt and niece, uncle and nephew, siblings, and cousins of any degree.

“Local Ordinance Requirements” means all standards or requirements duly adopted by a Satellite or a department of a Satellite that relate to the maintenance or condition of Private Sewer Laterals, Lower Sewer Laterals, and/or Upper Sewer Laterals.



“Lower Sewer Lateral” means the portion of the Private Sewer Lateral extending from the Cleanout near the curb line to the Sewer Main, or from the curb line in the street to the Sewer Main if there is no Cleanout near the curb line. The Lower Sewer Lateral includes the connection to the Sewer Main. A Lower Sewer Lateral is associated with a parcel if it, or any portion of it, is located upon the parcel or conveys sewage and liquid waste from any Structure located on that parcel. More than one Lower Sewer Lateral may be associated with an individual parcel.

“Non-Sanitary Sewer Connection” means anything that directly or indirectly conveys storm water, surface water, roof runoff, intercepted groundwater or subsurface drainage into the Sanitary Sewer, including, but not limited to, down spouts, yard drains, sump pumps, or other sources of storm water, run-off or groundwater.

“Parcel Group” means two or more contiguous or directly adjacent parcels of real property under common ownership.

“Permitting Authority” means a city, city department, county or special district, including a Satellite but excluding the District, that regulates buildings, construction, land use, and/or sewers within any portion of the District’s wastewater service area.

“Private Sewer Lateral” means a pipe or pipes and appurtenances that carries sewage and liquid waste from the Structure(s) served, whether the Structure(s) is or are publicly or privately owned, to the Sewer Main. The Private Sewer Lateral includes the Upper Sewer Lateral. The Private Sewer Lateral of a given parcel includes the Lower Sewer Lateral only if applicable Local Ordinance Requirements require the Property Owner to obtain a Compliance Certificate for the Lower Sewer Lateral. A Private Sewer Lateral is associated with a parcel if it, or any portion of it, is located upon the parcel or conveys sewage and liquid waste from any Structure located on that parcel. More than one Private Sewer Lateral may be associated with an individual parcel.

“Property Owner” means a person that owns a present interest in a parcel of real property as a sole owner or as a Cotenant. As used in this definition, “person” means an individual, trust, corporation, nonprofit organization, Homeowners’ Association, partnership, firm, joint venture, limited liability company, or association. A Public Entity is not a Property Owner for purposes of this Regional Ordinance. Any person expressly required by applicable Local Ordinance Requirements to obtain a Compliance Certificate from the District or pursuant to this Regional Ordinance is a Property Owner for purposes of this Regional Ordinance.



“Public Entity” means any of the following: (1) a city or county, (2) a special district or agency of the state formed pursuant to general law or special act for the local or regional performance of governmental or proprietary functions within limited boundaries, (3) an agency or entity created pursuant to the Joint Exercise of Powers Act (Cal. Gov. Code, § 6500, et seq.), (4) a school district or community college district, (5) the University of California, (6) the California State University, (7) an air pollution control district or an air quality maintenance district, (8) a housing authority, or (9) any other entity with the capacity to own real property created by any of the above.

“Regional Ordinance” means this Regional Private Sewer Lateral Ordinance.

“Remodeling” means any significant improvement, addition, construction, reconstruction, remodeling, modification or alteration of or to an existing or previously existing Structure.

“Repair” means construction activities performed to bring a Private Sewer Lateral into compliance with this Regional Ordinance and/or applicable Local Ordinance Requirements consisting of the correction of less than the entire Private Sewer Lateral, except a Replacement of the entire Upper Sewer Lateral is a Replacement and not a Repair if the Property Owner holds General Waiver status.

“Replacement” means construction activities performed to bring a Private Sewer Lateral into compliance with this Regional Ordinance and/or applicable Local Ordinance Requirements consisting of the replacement or lining of the complete length of the Private Sewer Lateral, or the complete length of the Upper Sewer Lateral if the Property Owner holds General Waiver status. “Replaced” has the same meaning as “Replacement” where used in this Ordinance.

“Sanitary Sewer” means sewer pipes that convey wastewater from a Structure and to which storm water, groundwater or surface water is not intentionally admitted. The Sanitary Sewer includes Sewer Mains and Private Sewer Laterals.

“Satellite” means a city or special district that owns and operates a sanitary sewer collection system to which a Private Sewer Lateral is connected within the District’s wastewater service area. Satellites include the cities of Alameda, Albany, Berkeley, Emeryville, Oakland, and Piedmont, and the Stege Sanitary District.

“Section” means a section of this Regional Ordinance unless otherwise specified.



“Separate Interest” has the meaning defined in Article 2, Chapter 1, Part 5, Division 4 of the Civil Code.

“Sewer Main” means a publicly owned Sanitary Sewer that receives flows from Private Sewer Laterals. The Sewer Main does not include any portion of a Private Sewer Lateral.

“State of Emergency”. A State of Emergency exists while there is in effect a declaration of emergency within the District’s service area or any portion thereof, made by Board of Directors of the District under the Municipal Utility District Act (Pub. Util. Code, § 11501 et seq.), or by any person to whom the Board of Directors has expressly delegated that authority, or by any person authorized to declare an emergency of any degree under the California Emergency Services Act (Gov. Code, § 8550 et seq.) or under Federal law.

“Statement of Responsibility” means a written statement submitted to the District under penalty of perjury in circumstances required or permitted by this Regional Ordinance which contains all information required by this Regional Ordinance or by the Director and which serves as an evidentiary basis for certain determinations made under this Regional Ordinance in the manner provided herein.

“Structure” means any building or facility that is required to be provided with public sewer service, or that is actually provided with public sewer service, or that is served by a Private Sewer Lateral.

“Time Extension Certificate” means a certificate issued by the District in connection with a Title Transfer transaction to a Property Owner, or to a transferee, that extends the deadline to obtain a Compliance Certificate for 180 days from the date the Time Extension Certificate is issued.

“Title Transfer” means the sale or transfer of an entire real property estate or the fee interest in that real property estate, whether held in sole ownership or concurrently with others in any form of cotenancy, co-ownership, or concurrent ownership recognized by California law. A sale or transfer of an entire interest in a condominium is a Title Transfer. The following are not Title Transfers for purposes of this Regional Ordinance:

- (1) the transfer of a partial interest such as a leasehold;
- (2) a transfer to a beneficiary by a fiduciary in the course of the administration of a decedent’s estate, guardianship, conservatorship, or trust;
- (3) a transfer from one Cotenant to one or more other existing Cotenants;



(4) a transfer made by a trustor to fund or defund an inter vivos trust, or by an executor to fund a testamentary trust;

(5) a transfer made to a spouse, or to a registered domestic partner as defined in Section 297 of the Family Code, or to a person or persons in a Lineal Consanguinity Relationship with one or more of the transferors;

(6) a transfer between spouses or registered domestic partners resulting from a decree of dissolution of marriage or domestic partnership, or resulting from a decree of legal separation or from a property settlement agreement incidental to a decree;

(7) a transfer from a Property Owner to a financial institution as a result of a foreclosure or similar process, provided that a transfer from a financial institution to a new Property Owner is a Title Transfer for purposes of this Regional Ordinance; and

(8) a transfer in either direction between a business entity and an individual or corporation who or which owns shares or equity securities possessing more than 50 percent of the voting power of the business entity.

“Triggering Event” means any event described in Section 6 that, upon the occurrence of the event and subject to the exceptions listed in that Section, imposes an obligation on a Property Owner to obtain a Compliance Certificate.

“Upper Sewer Lateral” means the portion of the Private Sewer Lateral extending from the Cleanout near the curb line to the Structure(s) served by that Private Sewer Lateral, or from the curb line in the street to the Structure(s) served by that Private Sewer Lateral if there is no Cleanout near the curb line. The Upper Sewer Lateral includes all portions of the Private Sewer Lateral upon the parcel containing the Structure(s) served. If the parcel contains a sewer pipe system or multiple Private Sewer Laterals, the entire sewer pipe system, including manholes and other appurtenances, and all Private Sewer Laterals are part of the Upper Sewer Lateral to the extent they are located on that parcel. If a Private Sewer Lateral connects to a rear or side yard Sewer Main located in an easement, or to a manhole, the entire Private Sewer Lateral, including the connection to the Sewer Main or manhole, is an Upper Sewer Lateral. An Upper Sewer Lateral is associated with a parcel if it, or any portion of it, is located upon the parcel or conveys sewage and liquid waste from any Structure located on that parcel. More than one Upper Sewer Lateral may be associated with an individual parcel.



“Verification Test” means a test witnessed by the District’s authorized representative(s) to verify that a Private Sewer Lateral has been maintained in accordance with this Regional Ordinance.

(Ord. No. 359-13, 7-23-2013; Ord. No. 362-14, 10-28-2014; Ord. No. 369-19, 4-23-2019)

SECTION 5

RESPONSIBILITY AND STANDARDS FOR MAINTENANCE OF UPPER SEWER LATERALS

- (a) All Upper Sewer Laterals must meet the following standards:
 - (1) The Upper Sewer Lateral shall be kept free from roots, grease deposits, and other solids which may impede or obstruct the flow.
 - (2) All joints shall be watertight and all pipes shall be sound.
 - (3) The Upper Sewer Lateral shall be free of any structural defects such as fractures, cracks, breaks, openings, or missing portions.
 - (4) All Cleanouts shall be securely sealed with a proper cap or approved overflow device at all times.
 - (5) There shall be no Non-Sanitary Sewer Connections to the Upper Sewer Lateral or to any plumbing that connects thereto.
- (b) Property Owners must maintain all Upper Sewer Laterals associated with their parcels to the extent necessary to ensure the Upper Sewer Laterals meet the standards of this Section and comply with all other requirements of this Regional Ordinance and all applicable Local Ordinance Requirements. Property Owners must perform any Repair or Replacement necessary to ensure the Upper Sewer Laterals meet those standards and requirements.
- (c) Public Entities shall maintain Upper Sewer Laterals associated with their parcels in full compliance with the standards of this Section.



(d) The discharge of wastewater from any Upper Sewer Lateral not in compliance with the standards of this Section is prohibited.

(Ord. No. 359-13, 7-23-2013; Ord. No. 362-14, 10-28-2014; Ord. No. 369-19, 4-23-2019)

SECTION 6

WHEN A COMPLIANCE CERTIFICATE IS REQUIRED

(a) All Property Owners must obtain a Compliance Certificate at the time and in the manner required by this Section, except for the following:

(1) Property Owners entitled to an Exemption Certificate under Section 10;

(2) Property Owners within certain Common Interest Developments governed by Section 11; and

(3) Property Owners subject to Section 12 pursuant to the provisions of subsection (a) of that Section.

(b) Title Transfer. Before completing a Title Transfer associated with a parcel containing any Structure, either the transferor or the transferee, as negotiated between them, shall obtain a Compliance Certificate under Section 7, unless a Time Extension Certificate is obtained as provided in Section 9. Failure to obtain a Compliance Certificate or a Time Extension Certificate before the Title Transfer is complete is a violation of this Regional Ordinance, and after the Title Transfer is complete, the transferee is solely responsible for obtaining a Compliance Certificate. The requirement to obtain a Compliance Certificate before Title Transfer in no way affects the legality of the transfer of title in the underlying property transaction.

(c) Construction or Remodeling. Whenever a Property Owner submits an application to a Permitting Authority for any permit or other approval needed for new construction upon a parcel, or for Remodeling of an existing or previously existing Structure, the Property Owner shall obtain a Compliance Certificate under Section 7 before obtaining a final permit or approval from the Permitting Authority. This subsection applies to construction and Remodeling if the cost of the permitted work exceeds \$100,000.00.



(d) Change in Water Services. Whenever a Property Owner requests an increase or decrease in size of the Property Owner's water meter, the Property Owner shall obtain a Compliance Certificate under Section 7 before the East Bay Municipal Utility District will perform work on the water meter. The East Bay Municipal Utility District may increase or decrease a water meter's size without first requiring the Property Owner to obtain a Compliance Certificate if the Property Owner holds a permit for construction or Remodeling subject to subsection (c) of this Section.

(e) Local Ordinance Requirements. A Property Owner must obtain a Compliance Certificate under Section 7 when expressly required to do so by Local Ordinance Requirements.

(f) Cotenants.

(1) Responsibility of Cotenants. Each Cotenant of a parcel is jointly and severally liable for the obligations of each other Cotenant under this Regional Ordinance except where otherwise provided by law. Without limiting the foregoing, whenever an obligation arises for any Cotenant to obtain a Compliance Certificate with respect to a parcel, whether because a Triggering Event has occurred or for any other reason, each and every Cotenant of the parcel is liable to obtain the Compliance Certificate.

(2) Exception. The Director may determine that a Cotenant should be excused from any or all obligations under this Regional Ordinance if it is demonstrated that the Cotenant does not hold an ownership interest in a parcel's Private Sewer Lateral. A Cotenant may seek such a determination by submitting a Statement of Responsibility to the District under penalty of perjury which states the relevant facts, includes copies of relevant title documents with citation to specific supporting portions thereof, and represents that a copy has been provided to all other Cotenants. The Director shall consider the information presented in the Statement of Responsibility and other relevant evidence when making the determination.

(Ord. No. 359-13, 7-23-2013; Ord. No. 362-14, 10-28-2014; Ord. No. 369-19, 4-23-2019)



SECTION 7

HOW TO OBTAIN A COMPLIANCE CERTIFICATE

(a) Whenever a Compliance Certificate is required under this Regional Ordinance, or at any time a Property Owner voluntarily requests a Compliance Certificate, a Property Owner who does not hold a valid Compliance Certificate shall do the following at the Property Owner's expense:

(1) Condition Assessment and Repair or Replacement. The Property Owner shall take steps to assess the condition of all Private Sewer Laterals associated with the parcel to determine whether the Private Sewer Laterals comply with the standards set forth in Section 5, all other requirements of this Regional Ordinance, and all applicable Local Ordinance Requirements. If the Private Sewer Laterals are not in compliance, the Property Owner shall obtain any required permits and perform all Repair or Replacement work needed to bring the Private Sewer Laterals into compliance.

(2) Verification Testing. After the Property Owner determines through any combination of inspection, Repair and/or Replacement that the Private Sewer Laterals associated with the parcel are in compliance with this Regional Ordinance and applicable Local Ordinance Requirements, and upon payment of the required Compliance Certificate fee and any other applicable fees, the Property Owner shall perform a Verification Test in accordance with the District's procedures in the presence of the District's authorized representative. The District will issue a Compliance Certificate if its authorized representative determines that the Verification Test confirms that all Private Sewer Laterals associated with the parcel are in compliance with this Regional Ordinance, except that Compliance Certificates issued within Common Interest Developments will be issued on the conditions set forth in Section 11.

(b) Procedures for Verification Testing of Private Sewer Laterals. The Director will maintain written procedures for Verification Testing. The procedures shall be made available upon request.

(c) Effect of General Waiver. A Property Owner who holds General Waiver status may obtain a Compliance Certificate without performing condition assessment, Repair or Replacement work, or Verification Testing on the Lower Sewer Lateral.



(d) Effect of Limited Waiver. If a Satellite has issued a Limited Waiver for the Lower Sewer Lateral or a portion of it, the Property Owner may obtain a Compliance Certificate without performing condition assessment, Repair or Replacement work or Verification Testing on the Lower Sewer Lateral, except such work and testing is required for any portion of the Lower Sewer Lateral not covered by the Limited Waiver.

(e) Voluntary Certification. The District shall provide a Compliance Certificate to any Property Owner or Public Entity who requests one and passes a Verification Test conducted pursuant to this Section, including but not limited to a Property Owner or Public Entity who receives notice from the District or a Satellite that the Private Sewer Lateral is damaged, deteriorating, defective, or in any other way fails to comply with Section 5 or with applicable Local Ordinance Requirements.

(f) Effect of Subsequent Verification Test. A Property Owner who already holds a valid unexpired Compliance Certificate may obtain a new Compliance Certificate from the District by requesting one and obtaining a passing Verification Test result in the presence of the District's authorized representative with respect to all Private Sewer Laterals associated with the parcel and complying with all other requirements of subsection (a) of this Section. A new Compliance Certificate issued by the District under this subsection shall be valid until the later of the following: (i) the expiration of the time period specified in Section 8 applicable to the newly issued Compliance Certificate, or (ii) the expiration date of the previously issued Compliance Certificate. If the Verification Test is performed with respect to less than all Private Sewer Laterals associated with the parcel, the District will provide written evidence of any passing Verification Test result upon request and payment of applicable fees but will not issue a new Compliance Certificate nor modify the expiration date of any existing Compliance Certificate.

(g) Exception to Verification Test Requirement. The Director may authorize a Compliance Certificate to be issued without the performance of a Verification Test, if a Property Owner submits evidence which, in the Director's judgment, establishes that (i) the Private Sewer Lateral meets the standards set forth in Section 5, and (ii) it is physically infeasible to perform a Verification Test upon the Private Sewer Lateral in accordance with standard District procedures due to its insufficient length or particular configuration (e.g., located entirely beneath a Structure). The Property Owner shall bear all costs associated with producing the required evidence. If the Director finds a portion of the Private Sewer Lateral can feasibly be tested, a Verification Test must be performed with respect to that portion as a precondition of receiving a Compliance Certificate. The validity period of a Compliance Certificate issued under this subsection shall be determined as provided in Section 8.



(h) Discharge Prohibition. The discharge of wastewater from any Private Sewer Lateral which has not passed a Verification Test when required by this Regional Ordinance is prohibited.

(Ord. No. 359-13, 7-23-2013; Ord. No. 362-14, 10-28-2014; Ord. No. 369-19, 4-23-2019)

SECTION 8

COMPLIANCE CERTIFICATE TERM LIMITS

(a) Term Limit. A Compliance Certificate obtained as a result of Replacement of all Private Sewer Laterals associated with the parcel shall be valid for 20 years from the date of issuance and other Compliance Certificates shall be valid for 7 years from the date of issuance, except as provided in subsections (b), (c) and (d) of this Section, subsection (g) of Section 11, and subsection (d)(3) of Section 12.

(b) Effect of General Waiver. A Compliance Certificate obtained by a Property Owner while the Property Owner holds General Waiver status shall be valid for a specified period as follows:

(1) A Compliance Certificate obtained as a result of Replacement of the entire Upper Sewer Lateral shall be valid for 20 years from the date the Compliance Certificate is issued; and

(2) All other Compliance Certificates shall be valid for 7 years from the date the Compliance Certificate is issued, except as provided in subsection (d) of this Section, subsection (g) of Section 11, and subsection (d)(3) of Section 12.

(c) Effect of Limited Waiver. If a Satellite has issued a Limited Waiver for the Lower Sewer Lateral, or a portion of it, the Compliance Certificate shall be valid for the same period as the Limited Waiver and shall expire on the Limited Waiver's expiration date, provided that the Compliance Certificate shall in no case be valid beyond 7 years from the date it is issued.

(d) Revocation and Modification of Compliance Certificate.

(1) Nothing in this Regional Ordinance creates a right or entitlement to a Compliance Certificate obtained by error, omission, fraud, or misrepresentation. If the Director determines a Compliance Certificate was obtained by the error,



omission, fraud, or misrepresentation of any person or entity, the Director may do any of the following:

- (i) require recertification or issue a compliance schedule;
- (ii) revoke a Compliance Certificate or modify the effective period of the Compliance Certificate if the District provides 30 days prior written notice of the intended revocation or modification; or
- (iii) immediately revoke the Compliance Certificate if the Director determines the Compliance Certificate was obtained by fraud, misrepresentation, or other intentionally wrongful or misleading means.

(2) The Director shall mail a written notice to the affected Property Owner notifying such party of the intent to revoke or modify the Compliance Certificate, or of any immediate revocation already made. Within 30 days after the date the revocation notice was mailed, the affected Property Owner may submit a written appeal in accordance with the procedures in this Regional Ordinance challenging the revocation decision and will bear the burden to prove by a preponderance of the evidence that the Compliance Certificate was properly issued. In all other respects, appeals under this subsection will proceed in accordance with the provisions of Section 14. Failure to appeal the revocation within 30 days will result in the revocation or modification described in the notice without further right of administrative appeal.

(Ord. No. 359-13, 7-23-2013; Ord. No. 362-14, 10-28-2014; Ord. No. 369-19, 4-23-2019)

SECTION 9

TIME EXTENSION CERTIFICATES

(a) Availability. If a Compliance Certificate cannot be obtained before Title Transfer, the transferor, transferee, or other interested party or parties may obtain a Time Extension Certificate from the District. Time Extension Certificates are issued in connection with Title Transfer transactions only.

(b) Deposit. The Time Extension Certificate shall be completed and submitted to the District along with a refundable \$4,500.00 deposit and any nonrefundable fee that the District may require. The deposit will be refunded after a Compliance Certificate is



issued. The District may refund a deposit in other circumstances specified by the Director.

(c) Validity Period. A Time Extension Certificate expires 180 days after it is issued.

(d) Obligation of Property Owner or Transferee. During the 180-day validity period of a Time Extension Certificate, the Property Owner or transferee must complete any necessary Repair or Replacement and obtain a Compliance Certificate. Property Owners are responsible for the full cost of compliance with this Regional Ordinance and applicable Local Ordinance Requirements and that cost may exceed the deposit.

(e) Forfeiture of Deposit. If a Compliance Certificate is not obtained before a Time Extension Certificate expires, the deposit may be forfeited and the current Property Owner is subject to enforcement action as provided by this Regional Ordinance. The Property Owner may apply to the District for release of forfeited funds, less the District's costs. The District will not release forfeited funds unless the Property Owner first demonstrates full compliance with this Regional Ordinance.

(f) No Renewal. Time Extension Certificates are not renewable.

(g) Transferability. The Director may authorize and regulate the transferability of Time Extension Certificates. Transfers, if authorized, shall not extend the Time Extension Certificate's expiration date.

(Ord. No. 359-13, 7-23-2013; Ord. No. 369-19, 4-23-2019)

SECTION 10

EXEMPTION CERTIFICATES

(a) Generally. An Exemption Certificate issued in connection with a parcel excuses the Property Owner of that parcel, while the Exemption Certificate remains valid, from any requirement to obtain a Compliance Certificate upon the occurrence of a Triggering Event. An Exemption Certificate also documents to third parties that no Compliance Certificate is required. Grounds for Exemption Certificates are specified in this Section. The District may require a Property Owner to submit specified supporting documentation for review before an Exemption Certificate will be issued.



(b) Exemption for Documented Prior Work on Private Sewer Lateral.

(1) Alameda, Albany & Stege Sanitary District. The City of Alameda, the City of Albany and Stege Sanitary District issued documents similar to Compliance Certificates before this Regional Ordinance became effective in their jurisdictions. A Property Owner may request an Exemption Certificate from the District if one of these Satellites, before the Regional Ordinance became effective in its jurisdiction, issued a valid and un-expired document similar to a Compliance Certificate indicating that all Private Sewer Laterals associated with the Property Owner's parcel met applicable standards at the time the document was issued, and such Exemption Certificate will expire on the same date that the document issued by the Satellite expires.

(2) Emeryville, Oakland & Piedmont. The Cities of Emeryville, Oakland, and Piedmont did not issue documents similar to Compliance Certificates before this Regional Ordinance became effective in their jurisdictions but did issue final building and sewer permits that, in some cases, indicate the Private Sewer Laterals on the parcel were Replaced or newly constructed. A Property Owner may request an Exemption Certificate from the District if one of these Satellites issued a dated and approved final building or sewer permit indicating that all Private Sewer Laterals associated with the Property Owner's parcel were Replaced or newly constructed. The District will issue an Exemption Certificate upon receiving confirmation from the issuing Satellite of the final permit's validity. The Exemption Certificate expires ten years after the date the Satellite took final action with respect to the permit that provides the basis for the Exemption Certificate. An Exemption Certificate will not be issued unless the Satellite issued the final permit during the ten-year period preceding the Regional Ordinance's effective date within the Satellite sewer service area in which the parcel is located:

Satellite	First Day of Ten-Year Period	Last Day of Ten-Year Period	Regional Ordinance Effective Date
City of Emeryville	8/22/2001	8/21/2011	8/22/2011
City of Oakland	1/16/2002	1/15/2012	1/16/2012
City of Piedmont	8/22/2001	8/21/2011	8/22/2011



(c) Other Exemptions.

(1) Grounds. A Property Owner may request a short-term Exemption Certificate on any of the following grounds:

(i) an entire real property estate, or the fee interest in that real property estate, has been sold or transferred, and the District is provided documentation showing the sale or transfer is not a Title Transfer as defined by this Regional Ordinance;

(ii) no Private Sewer Lateral ever existed on the parcel;

(iii) no Private Sewer Lateral associated with the parcel is connected to the public sewer system; or

(iv) all Private Sewer Laterals associated with the parcel are pressurized.

(2) Expiration. An Exemption Certificate issued on any grounds provided by subsection (c)(1) will expire as follows:

(i) six months after issuance, if issued on the grounds provided in subsection (c)(1)(i) and before the sale or transfer is recorded; and

(ii) one month after issuance in all other cases.

(d) Common Interest Developments. A Property Owner of an individual unit within a Common Interest Development need not obtain and will not be issued an Exemption Certificate if the Homeowners' Association has assumed responsibility to maintain all Private Sewer Laterals within the Common Interest Development.

(Ord. No. 359-13, 7-23-2013; Ord. No. 362-14, 10-28-2014; Ord. No. 369-19, 4-23-2019)

SECTION 11

COMMON INTEREST DEVELOPMENTS

(a) Compliance Certificate Requirement. Compliance Certificates must be obtained with respect to Common Interest Developments at the times and in the manner described in this Section. A development not governed or managed by a Homeowners'



Association is not a Common Interest Development for purposes of this Regional Ordinance, and the provisions of this Section shall not apply thereto.

(b) Presumed Responsibility. In accordance with section 4775 of the California Civil Code, whenever a Compliance Certificate is required under this Section, parties within a Common Interest Development shall each be presumed responsible to demonstrate proper maintenance of the Private Sewer Lateral by passing a Verification Test and obtaining a Compliance Certificate in the following manner, unless such presumption is rebutted in the manner provided by this Section:

(1) Each Property Owner within a Common Interest Development is presumed to be responsible to pass a Verification Test and obtain a Compliance Certificate for the length of Private Sewer Lateral located within the Separate Interest owned by that Property Owner and within the Exclusive Use Common Area appurtenant to that Separate Interest.

(2) The Homeowners' Association which governs or manages a Common Interest Development is presumed to be responsible to pass a Verification Test and obtain a Compliance Certificate for the length of Private Sewer Lateral located within the Common Area.

(3) These presumptions may be rebutted by a sufficient written Statement of Responsibility provided to the District under penalty of perjury as described in this Section which demonstrates that maintenance responsibility has been allocated in a different manner within a Common Interest Development.

(c) Statement of Responsibility by Homeowners' Association.

(1) Each Homeowners' Association which governs or manages a Common Interest Development must, not later than 180 days after the effective date of the amended Regional Ordinance or 180 days after the Homeowners' Association first assumes governance or management responsibility for a Common Interest Development, provide a written Statement of Responsibility to the District under penalty of perjury, with a copy to each Property Owner within the Common Interest Development, which describes the manner in which maintenance responsibility is allocated within the Common Interest Development among Property Owners and the Homeowners' Association. The Statement of Responsibility shall include the following information:



(i) a list of all parcels within the Common Interest Development by Assessor's Parcel Number;

(ii) a description of the allocation and boundary of maintenance responsibility as between the Homeowners' Association and the Property Owners. If maintenance responsibility has been allocated with respect to Private Sewer Laterals specifically, the Statement of Responsibility shall describe the manner and boundary of such allocation; otherwise, the Statement of Responsibility shall describe the manner and boundary of allocation of maintenance responsibility with respect to Common Areas, Exclusive Use Common Areas, and Separate Interests or such other manner maintenance responsibility is actually allocated in the development;

(iii) a copy of the relevant portions of the declaration of common interest, condominium plan, or other governing documents which describe the Common Interest Development's date of formation and manner of allocating maintenance responsibility for the Private Sewer Lateral(s) or otherwise generally within the development, with citation to supporting provisions thereof;

(iv) a map or diagram depicting the parcel boundaries, location of sewer laterals, and extent of each party's responsibility for sewer lateral maintenance; and

(v) a statement that the information provided is current and complete and that the Homeowners' Association has provided a copy of the Statement of Responsibility to all Property Owners within the Common Interest Development.

(2) The Homeowners' Association may omit from its Statement of Responsibility any information it has previously provided to the District, so long as the Statement of Responsibility states that the previously provided information remains correct.

(3) The Homeowners' Association must provide an updated written Statement of Responsibility not later than 30 days after any action is taken which has the effect of modifying the allocation of maintenance responsibility between Property Owners and the Homeowners' Association, unless the modification does not affect Private Sewer Lateral maintenance.



(d) Compliance Certificate of a Homeowners' Association. A Homeowners' Association (except one responsible to maintain over 1,000 feet of Private Sewer Lateral within a single Common Interest Development, in which case the Homeowners' Association is subject to the requirements of Section 12 and not this Section) must pass a Verification Test and obtain a Compliance Certificate at the times and in the manner described below:

(1) Existing Homeowners' Association. A Homeowners' Association which first assumed responsibility to govern or manage a Common Interest Development on or before July 12, 2019 must, not later than July 12, 2021, obtain a Compliance Certificate by paying applicable fees and passing a Verification Test for the portion of the Private Sewer Lateral within the Homeowners' Association's maintenance responsibility as evidenced in the Statement of Responsibility submitted by the Homeowners Association, or if a sufficient Statement of Responsibility has not been provided then for the portion within the Common Area.

(2) New Homeowners' Association. A Homeowners' Association which first assumed responsibility to govern or manage a Common Interest Development after July 12, 2019 must, within twenty-four (24) months of the date of the date it first assumed such responsibility, obtain a Compliance Certificate by paying applicable fees and passing a Verification Test for the portion of the Private Sewer Lateral within the Homeowners' Association's maintenance responsibility as evidenced in the Statement of Responsibility submitted by the Homeowners Association, or if a sufficient Statement of Responsibility has not been provided then for the portion within the Common Area.

(3) Increase in Responsibility. A Homeowners' Association, regardless of the date it first assumed responsibility to govern or manage a Common Interest Development, which at any time after the deadline for providing a Statement of Responsibility to the District takes any action which has the effect of increasing the physical extent of the Homeowners' Association's Private Sewer Lateral maintenance responsibility must, within twenty-four (24) months of taking such action, pass a Verification Test for the portion of the Private Sewer Lateral within the physical area of increased responsibility, provided that the Homeowners' Association must meet any deadline set forth in subsections (d)(1) or (d)(2) with respect to any portion of the Private Sewer Lateral subject to those subsections, and further provided that, if by reason of taking such action the Homeowners' Association becomes subject to Section 12 pursuant to subsection

(a) of that Section, then the Homeowners' Association shall comply with the requirements of that Section and thereafter shall have no further obligations or privileges under this Section 11.

(4) Decrease in Responsibility. A Homeowners' Association, regardless of the date it first assumed responsibility to govern or manage a Common Interest Development, which at any time after the deadline for providing a Statement of Responsibility to the District takes any action which has the effect of decreasing the physical extent of the Homeowners' Association's Private Sewer Lateral maintenance responsibility must, prior to taking such action, pass a Verification Test for the portion of the Private Sewer Lateral within the physical area subject to such action unless both of the following are true: (i) the entire portion of the Private Sewer Lateral that is otherwise required to be tested has passed a prior Verification Test, and (ii) a Compliance Certificate was issued based on that passing Verification Test result and remains valid and unexpired.

(e) Statement of Responsibility by Property Owner. If a Triggering Event occurs with respect to a parcel within a Common Interest Development and the Homeowners' Association has not provided the Statement of Responsibility required of it by this Regional Ordinance or a Property Owner disputes the correctness of a Statement of Responsibility previously provided by the Homeowners' Association, the Property Owner must promptly submit a Statement of Responsibility to the District under penalty of perjury, with a copy to the Homeowners' Association, as follows.

(1) If the Property Owner is not responsible to maintain any portion of the Private Sewer Lateral pursuant to the governing documents of the Common Interest Development, the Property Owner's Statement of Responsibility shall so state, and such Statement shall be accompanied by a copy of the portions of the declaration of common interest or other governing documents relevant to the allocation of maintenance responsibility, with citation to supporting provisions thereof.

(2) In all other circumstances, the Statement of Responsibility must describe the specific portion of Private Sewer Lateral which is the Property Owner's responsibility to maintain. The Statement of Responsibility must identify the portion of the Private Sewer Lateral located within the Property Owner's Separate Interest and within any Exclusive Use Common Area appurtenant to the Separate Interest, or such other portion which is the Property Owner's responsibility to maintain pursuant to the governing documents of the Common



Interest Development. The Statement of Responsibility must be accompanied by all information required of a Statement of Responsibility submitted by a Homeowners' Association except the Property Owner need not depict or describe parcels other than the Property Owner's parcel nor lengths of Private Sewer Lateral which are not the Property's Owner's responsibility to maintain.

(f) Compliance Certificates of Property Owners in Common Interest Developments.

(1) A Property Owner within a Common Interest Development must obtain a Compliance Certificate when a Triggering Event occurs with respect to the Property Owner's parcel, unless a sufficient Statement of Responsibility is or has been submitted which evidences the Property Owner's non-responsibility to maintain any portion of the Private Sewer Lateral.

(2) A Property Owner may obtain a Compliance Certificate by paying applicable fees and passing a Verification Test for the following portion of the Private Sewer Lateral:

(a) the portion identified in a Statement of Responsibility as within the Property Owner's responsibility to maintain, if a sufficient Statement of Responsibility is or has been provided; or

(b) the portion located within the Separate Interest and any Exclusive Use Common Area appurtenant thereto, if no such Statement of Responsibility is or has been provided.

(g) Validity Period of Compliance Certificates in Common Interest Developments.

(1) A Compliance Certificate issued pursuant to subsection (d) of this Section is valid for twenty (20) years, unless revoked or modified sooner pursuant to subsection (d) of Section 8.

(a) Not later than twenty-four (24) months after the expiration of a Compliance Certificate issued pursuant to subsection (d) of this Section, the Homeowners' Association must pass a Verification Test for the portion of the Private Sewer Lateral which is designated as its responsibility to maintain in the Statement of Responsibility in effect at the time the Compliance Certificate expires.



(b) Upon expiration of a Compliance Certificate issued pursuant to subsection (d) of this Section, each Property Owner of a parcel previously covered by such expired Compliance Certificate shall become subject to subsection (f) of this Section and shall be required to comply with the requirements of that subsection thereafter.

(2) A Compliance Certificate issued pursuant to any provision of this Section other than subsection (d) is valid for either seven (7) or twenty (20) years depending on the nature of work performed as provided in Section 8, unless revoked or modified sooner pursuant to subsection (d) of Section 8. Upon expiration of such Compliance Certificate, each Property Owner of a parcel previously covered by such expired Compliance Certificate shall become subject to subsection (f) of this Section and shall be required to comply with the requirements of that subsection thereafter.

(h) If a Homeowners' Association or a Property Owner within a Common Interest Development does not provide a sufficient Statement of Responsibility when required by this Ordinance, or if any such party disputes any portion of responsibility allocated to it in a written Statement of Responsibility previously submitted by any party, the District may make an administrative determination based on the evidence and subject to the right of appeal by the Homeowners' Association or Property Owner in accordance with Section 14, and/or seek a court order declaring the extent of each party's responsibility to comply with this Regional Ordinance, ordering that such work be done by those responsible, and providing any other available legal or equitable remedy.

(Ord. No. 369-19, 4-23-2019)

SECTION 12

PARCELS OR PARCEL GROUPS WITH PRIVATE SEWER LATERALS EXCEEDING 1000 FEET

(a) Applicability of this Section. A Property Owner other than a Homeowners' Association becomes subject to the requirements of this Section at the earliest time that both of the following are true: (i) the Property Owner holds an ownership interest in a parcel or Parcel Group, and (ii) the Private Sewer Lateral(s) associated with that parcel or Parcel Group collectively exceed 1,000 feet in total combined length. A Homeowners' Association becomes subject to the requirements of this Section at the earliest time it is responsible for managing or governing over 1,000



feet of Private Sewer Laterals within a Common Interest Development. The term "Property Owner," as used in the remainder of this Section, includes a Homeowners' Association that is subject to this Section's requirements.

(b) Condition Assessment Plan. A Property Owner subject to this Section shall submit a Condition Assessment Plan for District review. The Property Owner must submit a Condition Assessment Plan no later than July 12, 2016 if the Property Owner became subject to this Section before that date, or otherwise no later than the last-occurring of (i) November 20, 2019 or (ii) 180 days after the Property Owner first becomes subject to this Section's requirements. The Condition Assessment Plan shall include (i) a list of all parcels by Assessor's Parcel Number subject to this Section's requirements, (ii) a map drawn to scale (with scale indicated) which shows the approximate location, length, and diameter of all Private Sewer Laterals and segments thereof associated with the parcel or Parcel Group (or of all Private Sewer Laterals and segments thereof managed or governed by the Homeowners' Association, if the Condition Assessment Plan is submitted by a Homeowners' Association), and (iii) a schedule for the performance of testing to assess the condition of such Private Sewer Laterals. The District will accept a Condition Assessment Plan if it contains all required information and indicates the total combined length of Private Sewer Laterals exceeds 1,000 feet.

(c) Corrective Action Work Plan.

(1) Requirement and Deadline. After submitting a Condition Assessment Plan to the District and completing the testing described therein, a Property Owner subject to this Section shall submit a Corrective Action Work Plan for District review no later than July 12, 2021, or twenty-four (24) months after the Property Owner first becomes subject to this Section, whichever is later.

(2) Contents. The Corrective Action Work Plan shall (i) summarize results of the condition assessment of all pipe required to be included in the Condition Assessment Plan (e.g., CCTV or smoke testing results), (ii) identify and describe the location, length, and material of all sewer lateral pipe which requires repair or replacement to meet the standards of this Regional Ordinance, (iii) describe the type of work to be performed to bring the pipe into compliance with the standards set forth in Section 5, all other requirements of this Regional Ordinance, and all applicable Local Ordinance Requirements including the method of pipe replacement (e.g. node-to-node) and method of addressing



manholes, (iv) include a schedule for completion of listed tasks, and (v) include a bid price or contractor's estimate for the required work.

(3) Review and Acceptance. The District shall accept the Corrective Action Work Plan if it contains all required information, appears to address all Private Sewer Laterals requiring work, and specifies a schedule which will result in full compliance within the time allowed by this Regional Ordinance. Upon accepting the Corrective Action Work Plan, the District will determine the Property Owner's deadline to comply with subsection (d) based on the information contained in the Corrective Action Work Plan and the standard set forth in subsection (d)(2)(i), and the Property Owner shall meet such deadline. The District may require a Property Owner to demonstrate adequate progress towards completion by conditioning Corrective Action Work Plan acceptance upon a requirement for the Property Owner to demonstrate completion of discrete tasks or milestones described in the Corrective Action Work Plan within the period of time specified therein.

(d) Compliance Certificate.

(1) Requirement. A Property Owner subject to this Section's requirements must do all of the following: (i) complete all work described in the Corrective Action Work Plan, (ii) pay the required Compliance Certificate fee and any other applicable fees, (iii) perform a Verification Test in accordance with the District's procedures in the presence of the District's authorized representative for all Private Sewer Laterals associated with the parcel or Parcel Group owned by the Property Owner, or in the case of a Homeowners' Association all Private Sewer Laterals managed or governed by the Homeowners' Association, and (iv) obtain a Compliance Certificate for each parcel involved. The District will issue a Compliance Certificate if its authorized representative determines that the Verification Test confirms that all Private Sewer Laterals required to be tested are in compliance with this Regional Ordinance.

(2) Deadlines.

(i) A Property Owner who first becomes subject to this Section's requirements on or before July 12, 2019 must comply with all requirements of subsection (d)(1) no later than July 12, 2026, except the Director shall allow until July 12, 2029 if the Director determines the accepted Corrected Action Work Plan demonstrates either of the following: (I) that more than 5,000 feet of Private Sewer Laterals are



associated with the parcel or Parcel Group or are managed or governed by a Homeowners' Association, or (II) that more than fifty percent (50%) of the Private Sewer Laterals will need to be replaced.

(ii) A Property Owner who first becomes subject to this Section's requirements after July 12, 2019 must comply with all requirements of subsection (d)(1) no later than eighty-four (84) months after the date the Property Owner first becomes subject to this Section's requirements, except the Director shall allow one hundred twenty (120) months if the Director makes the determination described in subsection (d)(2)(i) of this Section.

(iii) A Compliance Agreement may be entered into pursuant to subsection (k) of Section 13 for the purpose of increasing the time allowed for a Property Owner to meet the requirements of this Section, but only if the Director determines, in his or her sole discretion, that (I) additional time is appropriate due to the existence of compelling extenuating circumstances, and (II) a Compliance Agreement appears otherwise appropriate in light of the circumstances and the factors set forth in subsection (k) of Section 13. The Director may include a provision in a Compliance Agreement conditioning any extension that is granted on a requirement that the Property Owner pass a Verification Test for a specified percentage of Private Sewer Lateral by a specified date, and/or in any other respect provided for in subsection (k) of Section 13.

(3) Validity Period. The Compliance Certificate(s) shall be valid for 20 years from the date issued unless revoked or modified pursuant to subsection (d) of Section 8, and upon expiration the Property Owner must obtain new Compliance Certificate(s) under Section 7.

(4) Reductions Below 1,000 Feet. A Property Owner subject to this Section must pass a Verification Test for all Private Sewer Laterals associated with the Property Owner's parcel or Parcel Group (or, if the Property Owner is a Homeowners' Association, then for all Private Sewer Laterals managed or governed by the Homeowners' Association) prior to taking any action which would have the effect of reducing below 1,000 feet the total combined length of such Private Sewer Laterals.

(e) Templates; Additional Information. The Director may require information or plans to be submitted on standard forms or templates provided by the District. The



Director may require additional information to be submitted as deemed necessary for the purposes of this Regional Ordinance.

(f) Effect of Plan Acceptance. The District reviews Condition Assessment Plans and Corrective Action Work Plans for completeness only, and not for the substantive adequacy of the work proposed, nor for compliance with Local Ordinance Requirements applicable in the Property Owner's jurisdiction. The District's acceptance of a plan in no way warrants that the work described therein will achieve a particular result or meet Local Ordinance Requirements. The District shall not be liable for any costs, damages, or losses incurred to achieve compliance with this Regional Ordinance or with Local Ordinance Requirements.

(Ord. No. 359-13, 7-23-2013; Ord. No. 369-19, 4-23-2019)

SECTION 13

ENFORCEMENT

(a) Enforcement Authority. The Director shall enforce this Regional Ordinance. Enforcement of Local Ordinance Requirements is the responsibility of the Satellite that adopted the Local Ordinance Requirements.

(b) Violations. Each of the following acts or omissions is a violation of this Regional Ordinance:

- (1) Failure to obtain a Compliance Certificate when one is required;
- (2) Failure to obtain a Time Extension Certificate if a Compliance Certificate is not obtained, or failure to timely perform all required work after receiving a Time Extension Certificate;
- (3) Failure to comply with any of the District's requirements for Repair, Replacement and Verification Testing;
- (4) Obtaining or seeking an Exemption Certificate or a Compliance Certificate by means of fraud or misrepresentation;
- (5) Presenting a false Exemption Certificate or Compliance Certificate;



(6) Discharging wastewater from any Upper Sewer Lateral which does not meet the standards of Section 5, or from any Private Sewer Lateral which has not passed a Verification Test when required by this Regional Ordinance;

(7) Failure to submit a sufficient Statement of Responsibility when required by this Regional Ordinance;

(8) Failure to comply with an order of the Director made in connection with the enforcement of this Regional Ordinance;

(9) Failure to comply with any term or condition of a Compliance Agreement entered into pursuant to this Section; and/or

(10) Failure to comply with any other requirement of this Regional Ordinance.

(c) Nuisance. The Board of Directors of the District hereby finds and declares that each discharge of wastewater from a Private Sewer Lateral made by any person or entity not in compliance with this Regional Ordinance, or made from any parcel for which a Compliance Certificate is not obtained when required, is a nuisance.

(d) Enforcement Action. The Director may take enforcement action against a person or entity who violates the provisions of this Regional Ordinance or fails to perform any act required by this Regional Ordinance. The Director may pursue any and all administrative and judicial remedies available to the District at law or in equity or under this Regional Ordinance.

(e) Orders. When the Director finds that a person or entity violates or threatens to violate this Regional Ordinance, the Director may issue an order to cease and desist and direct that those persons or entities found to be in violation to (1) comply forthwith, (2) comply in accordance with a time schedule set by the Director, or (3) in the event of a threatened violation, take appropriate remedial or preventative action.

(f) Judicial Enforcement. Upon authorization by the District's Board of Directors, the Director may initiate a judicial action or proceeding to enforce this Regional Ordinance or any order the Director may issue hereunder. The Director may seek any available remedy in such action or proceeding, including any or all of the following:



(1) a declaration of the rights and obligations of any person or entity subject to the Regional Ordinance and/or a declaration that the person or entity is in violation of the Regional Ordinance;

(2) an injunction restraining the continuance of any discharge made in violation of this Regional Ordinance and/or requiring compliance with the provisions of this Regional Ordinance;

(3) civil penalties as authorized by law and by this Section.

(g) Civil Penalties. The superior court may impose, assess, and recover the following sums as civil penalties in any judicial action or proceeding which the District may initiate under the authority of this Section:

(1) Any person or entity who fails to comply with any order issued by the District shall be subject to a civil penalty not to exceed ten thousand dollars (\$10,000) for each day in which the discharge, violation, or refusal occurs.

(2) Any person or entity who intentionally or negligently violates any order issued by the District for violation of rules regulating or prohibiting discharge of wastewater which causes or threatens to cause a condition of contamination, pollution, or nuisance may be liable civilly in a sum not to exceed twenty-five thousand dollars (\$25,000) for each day in which the violation occurs.

(h) Costs and Fees. The District may recover from any person or entity in violation of this Regional Ordinance the costs it incurs in connection with enforcing this Regional Ordinance, including staff time, and may seek attorneys' fees in any court action or proceeding.

(i) Availability of Remedies. Remedies under this Section are in addition to and do not supersede or limit any and all other legal or equitable remedies.

(j) Continuing Violations. Each day that a violation of this Regional Ordinance continues shall constitute a separate violation, and each such violation shall be subject to a separate penalty and to any other remedy available hereunder.

(k) Compliance Agreements.

(1) Generally. The Director may, in the exercise of his or her sole discretion, offer and enter into an enforceable Compliance Agreement with a person or entity subject to this Regional Ordinance on a voluntary basis which



allows additional time to meet Regional Ordinance requirements, modifies ordinance requirements as applied to the person or entity, or includes other terms consistent with the provisions of this subsection (k).

(2) Availability. In deciding whether to offer or enter into a Compliance Agreement, the Director shall consider the totality of the circumstances and determine, in his or her sole discretion, whether entering into a Compliance Agreement would best further the Regional Ordinance's purposes and the public's interest in the fair, equitable, and consistent implementation of the Regional Ordinance. The District will generally offer a Compliance Agreement only when the Director determines that compliance within the time allowed by the Regional Ordinance is infeasible or impossible due to circumstances not arising from the Property Owner's negligence or that strict enforcement of a Regional Ordinance requirement would be unreasonable or contrary to the Regional Ordinance's stated purposes.

(3) Contents. A Compliance Agreement may include any terms or conditions deemed necessary or desirable by the District, which may include a requirement to perform specified work on a stated schedule, a required cash deposit in any amount necessary to ensure completion of required work, an obligation to indemnify the District, or other provisions. A Compliance Agreement may temporarily modify Regional Ordinance requirements as applied to a given party but must require the party to achieve full compliance with all Regional Ordinance requirements by a date specified in the agreement. While a party remains in strict compliance with all provisions of a Compliance Agreement, the party will not be subject to enforcement for violation of any Regional Ordinance requirement that is modified by such agreement. A Compliance Agreement does not waive the District's right to enforce the Regional Ordinance if the Compliance Agreement is breached, and the District may take immediate enforcement action in the event of a breach. Agreements must be approved as to form by the District's General Counsel or an attorney designee thereof. Compliance Agreements and related records are public records and are subject to public disclosure to the extent required by law.

(Ord. No. 359-13, 7-23-2013; Ord. No. 369-19, 4-23-2019)



SECTION 14

APPEALS

(a) Grounds.

(1) A person or entity aggrieved by a decision, action, or determination made by the District in connection with this Regional Ordinance may seek reconsideration by filing an appeal in accordance with this Section no later than 30 days after the occurrence of such decision, action, or determination. For purposes of this Section 14, "occurrence" means either: (i) the date of notice of the decision, action, or determination was personally provided or mailed, whichever is earlier; or (ii) absent evidence of the date of personal or mailed notice, five days after the date the District actually undertook the decision, action, or determination.

(2) A person or entity aggrieved by the District's failure to take an action required of it by this Regional Ordinance may make a written request for action. If the District responds to the written request by refusing to act, the aggrieved party may seek review by filing an appeal in accordance with this Section no later than 30 days after the refusal to act. If the District does not respond to the written request for action within 30 days, the aggrieved party may seek review by filing an appeal in accordance with this Section no later than 60 days after such party made the written request for action.

(3) A person or entity who believes compliance with any deadline or other requirement of this Regional Ordinance within the time allowed would be impossible, infeasible or unreasonably burdensome due to circumstances not arising from the negligence of the person or entity in light of the particular facts and circumstances applicable to the person or entity or to the relevant property and the Regional Ordinance's stated purposes may at any time petition for an extension of time to comply or other temporary relief by filing an appeal in accordance with this Section. The deadline to obtain a Compliance Certificate will not be extended if the appellant was eligible to obtain a Time Extension Certificate before filing the appeal but failed to do so.

(4) Notwithstanding the provisions of this subsection (a), the reconsideration process set forth in subsection (d) is the exclusive means to seek further administrative review of the disposition of an appeal.



(b) Form and Contents. The appellant must submit a written statement signed under penalty of perjury containing (i) a description of the decision, action, determination, inaction, deadline, or other requirement that is the subject of the appeal, (ii) a description of the specific relief requested, (iii) a detailed statement of facts which the appellant believes entitles the appellant to the relief requested, and (iv) copies of all supporting documentation or other written evidence the appellant wishes the District to consider. The District may require an appeal to be submitted on a District form.

(c) Consideration and Disposition. The Director shall designate a District officer or employee with managerial authority who will consider the matter and decide whether to grant relief. The Director's designee may request additional information and the appellant shall provide such requested information within fifteen (15) business days or such other time period authorized in writing by the Director's designee. The evidence before the Director's designee shall consist of the written statement and documentation provided by the appellant in support of the appeal, relevant information in the District's files pertaining to the matter, and any other relevant evidence which, in the judgment of the Director's designee, should be considered. The Director's designee shall consider the available evidence in light of the Regional Ordinance's stated purposes and the public's interest in the fair, equitable, and consistent implementation of the Regional Ordinance. The Director's designee, upon considering the available evidence, may find that the appealed decision, action, determination, or inaction was appropriate and proper, or that it is appropriate to enforce the appealed deadline or other requirement without an extension or other relief, and deny the appeal on that basis. Alternatively, the Director's designee may find the appeal meritorious and grant the appeal unconditionally or upon any conditions which the Director's designee determines are reasonable or necessary to accomplish the Regional Ordinance's stated purposes. The Director's designee may decide the matter within fifteen (15) business days from the receipt of the complete appeal, except if the Director's designee requests additional information the matter may be decided within fifteen (15) business days from the deadline to provide such additional information. If the Director's designee does not decide the matter within the above-stated time period, the appeal shall be deemed denied on the first day following that time period. Notice of any decision will be mailed to the person or entity requesting relief. The Director's designee shall consider appeals without a hearing except as follows: (i) an appellant challenging a revocation or intended revocation of a Compliance Certificate shall receive an in-person hearing unless the appellant waives the right to a hearing at any time before the hearing is held, and (ii) an appellant challenging any other District enforcement order or a notification of intent to modify a previously issued Compliance Certificate may obtain an in-person hearing by requesting one when the appeal is filed.



(d) Reconsideration of Appeal Decision.

(1) Within 30 days after the date of mailing of written notice of any District decision granting or denying relief under subsection (c) of this Section, or within 30 days after the date the appeal is deemed denied, any person or entity affected by the decision, action, determination, inaction, deadline, or requirement that was the subject of the appeal may submit to the Director a written request for reconsideration. The Director shall personally consider all requests for reconsideration. The request for reconsideration must set forth in detail the facts and rationale supporting the request under penalty of perjury.

(2) The Director may act on the request for reconsideration with or without a hearing in any manner the Director deems reasonable and shall thereafter issue a final written determination concerning the request for reconsideration. The Director may consider the written appeal submitted pursuant to subsections (a) and (b), the decision rendered by his or her designee pursuant to subsection (c), the request for reconsideration submitted pursuant to subsection (d)(1), relevant information in the District's files pertaining to the matter, and any other relevant evidence which, in the judgment of the Director, should be considered, including any additional information requested by the Director. If the Director fails to act upon the request for reconsideration within fifteen (15) business days after receipt of the request for reconsideration, the request shall be deemed denied.

(3) The Director's decision shall become final and binding at the time the Director acts on the request or fails to act within the time specified by this subsection. If the Director acts on the request for reconsideration, notice of the Director's action will be mailed to the person or entity requesting reconsideration within five (5) business days after the action.

(e) Hearings. Whenever a hearing is to be held pursuant to this Section, the District shall notify the appropriate party by mailed or personal notice that a hearing shall be conducted at a date, time, and location specified in the notice. If a party fails to appear at a scheduled hearing, or if a party who is granted the right to a hearing by this Regional Ordinance waives that right before the hearing is held, the District may render a final determination on the appeal without a hearing. Hearings may be held by the Director personally or by any person designated by the Director.



(f) Effect of Pending Appeal. Any appealed decision, action, determination, deadline, or requirement shall remain in effect and binding upon the appellant while the appeal, including any reconsideration thereof, remains pending.

(g) Exhaustion. Any person or entity aggrieved by a decision, action, determination, or inaction related to this Regional Ordinance who wishes to appeal or challenge the decision, action, determination, or inaction, or who desires to extend a deadline of this Regional Ordinance or receive other temporary relief from a requirement thereof, must seek review by utilizing all procedures available under this Section, and the failure to do so shall be deemed a failure of the person or entity subject to the decision, action, determination, inaction, deadline, or requirement to exhaust administrative remedies.

(Ord. No. 359-13, 7-23-2013; Ord. No. 362-14, 10-28-2014; Ord. No. 369-19, 4-23-2019)

SECTION 15

ADDITIONAL PROVISIONS

(a) Fees. The District may establish fees in the Water and Wastewater System Schedule of Rates and Charges and Fees for administration of this Regional Ordinance and may modify those fees from time to time. The District may refund fees or deposits for any reason deemed warranted by the Director, including those paid in error.

(b) Regulations. The Director may develop and maintain written regulations, procedures and guidance materials for administration of this Regional Ordinance and shall make them available on the District's website and upon request.

(c) Entry Upon Private Property. To the extent authorized by law, the District may enter upon private property of any person or entity to perform its inspection responsibilities under this Regional Ordinance or to ascertain whether the District's Private Sewer Lateral regulations are being complied with.

(d) Communication with Representatives. The District may communicate with a person or entity other than the Property Owner, such as a rental tenant or a contractor, on the Property Owner's behalf with regard to any transaction arising under this Regional Ordinance, if such person or entity represents to the District that he or she is authorized by the Property Owner to conduct the transaction on the Property Owner's behalf.



(e) Ownership of Certificates. Compliance Certificates and Exemption Certificates are issued to a person or entity only with respect to a specific parcel of property and may not be removed to any other parcel, nor conveyed to any other person or entity except if title is subsequently transferred to another person or entity the transferee shall be deemed to acquire any valid unexpired Compliance Certificate or Exemption Certificate from the transferor upon completion of the transfer of title.

(f) The District may reject any plan, statement or other submittal made under this Regional Ordinance if the District, in its sole discretion, determines the plan, statement or other submittal is inconsistent, invalid, or insufficient for any reason.

(g) The District may direct a party who makes a submittal under this Regional Ordinance to provide additional information, and if such information is not submitted within a reasonable time as determined by the District, the District may deem the plan, statement or other document insufficient in which case it shall be of no effect.

(Ord. No. 359-13, 7-23-2013; Ord. No. 369-19, 4-23-2019)

SECTION 16

EMERGENCIES

During a State of Emergency, the Director may temporarily suspend any or all provisions of this Regional Ordinance until the next regular or special meeting of the District's Board of Directors. At the regular or special meeting a report shall be made and the Board may consider whether to authorize continued suspension of this Regional Ordinance for the full duration of the State of Emergency, or for any shorter time period the Board finds appropriate.

(Ord. No. 359-13, 7-23-2013)

SECTION 17

SEVERABILITY

If any provision of this Regional Ordinance, or the application thereof to any person or circumstance, is held invalid, the remainder of the Regional Ordinance, or the



application of such provision to other persons or circumstances, shall not be affected thereby.

(Ord. No. 359-13, 7-23-2013)

SECTION 18

EFFECTIVE DATE

This Regional Ordinance, as amended, shall become effective and in full force at 12:01 a.m. on May 24, 2019.

(Ord. No. 359-13, 7-23-2013; Ord. No. 362-14, 10-28-2014; Ord. No. 369-19, 4-23-2019)



Appendix 2

System Overview Map



Sewer System Overview Map



Appendix 3

Spill Emergency Response Plan



SPILL EMERGENCY RESPONSE PLAN (SERP)

UPDATE (MAY 2023)



Spill Emergency Response Plan Update

Part 1 – Compliance Guide

SERP Review and Approved By		
Name/Title	Signature/Date	
Legally Responsible Official (1)		
Legally Responsible Official (2)		
Legally Responsible Official (3)		

ACTIVITY CHANGE LOG (SERP)		
Date	Responsible Person/Title	Description Activity/Change

Spill Emergency Response Plan Update

Part 1 – Compliance Guide

PART 1 (COMPLIANCE GUIDE)

COMPLIANCE POINT #1	8
COMPLIANCE POINT #2-1.....	9
COMPLIANCE POINT #2-2.....	10
COMPLIANCE POINT #2-3.....	11
COMPLIANCE POINT #3	12
COMPLIANCE POINT #4	13
COMPLIANCE POINT #5-1.....	14
COMPLIANCE POINT #5-2.....	15
COMPLIANCE POINTS #6-1	16
COMPLIANCE POINT #6-2.....	17
COMPLIANCE POINT #6-3.....	18
COMPLIANCE POINT #6-4.....	19
COMPLIANCE POINT #6-5.....	20

PART 2 (FIELD GUIDE)

LIST OF TABLES

Table 1 - Summary of Applicable Spill Emergency Response Plan Requirements	6
Table 2 – City spill data and compliance benchmarks	7

LIST OF ATTACHMENTS

- Attachment 1 – WDR Implementation guidance (SWRCB)**
- Attachment 2 – SERP Key Performance Indicators (KPIs)**
- Attachment 3 – Spill Category Determination Worksheet**
- Attachment 4 – Spill Time Estimation Worksheet**
- Attachment 5 – Spill Duration and Flow Worksheet**
- Attachment 6 – Spill Measured Volume Estimation Worksheet**
- Attachment 7 – Spill Upstream Connections Volume Estimation Worksheet**
- Attachment 8 – Spill Response Evaluation Worksheet**
- Attachment 9 – Training Record Worksheet**
- Attachment 10 – Cleaning Services Declination Waiver**
- Attachment 11 – Equipment Inventory and Critical Spare Parts List**
- Attachment 12 – Spill Data and Trends Worksheet**
- Attachment 13 – SPILL RESPONSE FIELD FORM**

Spill Emergency Response Plan Update

Part 1 – Compliance Guide

Introduction

This document, the Spill Emergency Response Plan (SERP), formerly known as the Overflow Emergency Response Plan (OERP) has been prepared by Fischer Compliance LLC with assistance from the City of Albany (City) staff for complying with one of a series of updated regulatory requirements resulting from the State Water Resources Control Board 2022 adoption of the “reissued” Statewide Waste Discharge Requirements General Order for Sanitary Sewer Systems¹ (referred to as “the 2022 WDR” throughout this document.”

One primary area of focus by the State Water Board through updated regulatory requirements in the 2022 WDR is *objective compliance* with effective implementation of elements of the City’s Sewer System Management Plan (SSMP). The State Water Board emphasizes urgency on the structure, content, and organization of an agency-specific SERP for ensuring effective spill, containment, control, and mitigation².

The effectiveness of the SERP is measured by the following objectives, providing City-specific translation of the corresponding State Water Board expectations for required effective spill responses:

- Implement effective and proactive spill containment, control, and mitigation
- Comply with State Water Board guidance on SERP implementation (see Attachment 1)
- Reduce future City WDR violations, potential water quality impacts, and nuisances
- Meet/exceed all WDR compliance points in a systematic, streamlined, and transparent manner to facilitate use by Legally Responsible Official(s), Managers, and field staff
- Measure and improve City SERP effectiveness (see Attachment 2)
- Expedite review by Water Board compliance inspectors and prepare the City for future regulatory audits of the SERP

These objectives provide the cornerstone for PART 1 (COMPLIANCE GUIDE) of this document, formulated by Fischer Compliance LLC around a streamlined process for objectively reviewing each applicable SERP compliance point, presenting the method(s) for how City is complying with each requirement, and providing customized Key Performance Indicators (KPIs) for the City SERP for measuring effectiveness. PART 2 (FIELD GUIDE) includes streamlined information and procedures for City first responders and field operations staff.

Table 1 below provides a summary of applicable Spill Emergency Response Plan requirements for full compliance with the WDR.

¹ See [Order No. 2022-0103-DWQ](#)

² See [Order No. 2022-0103-DWQ](#), Attachment D (page D-2) which states “the State Water Board or a Regional Water Board may consider the Enrollee’s efforts in implementing an effective Sewer System Management Plan to prevent, contain, control, and mitigate spills when considering Water Code section 13327 factors to determine necessary enforcement of this General Order.”

Spill Emergency Response Plan Update

Part 1 – Compliance Guide

Table 1 - Summary of Applicable Spill Emergency Response Plan Requirements

Compliance Point	WDR Section	Page	Regulatory Requirements
1	Spec. 5.7	22	Allocate necessary resources for spill responses
2-1	5.12	23	Update and Implement SERP within 6 months of 2022 WDR adoption date (6/5/2023); certify SERP up to date in Annual Report)
2-2	5.12	24	Targets and measures for protection of public health and environment
2-3	5.12	24	Timely spill responses, minimized impacts and nuisances by stopping, intercepting, recovering, cleaning publicly accessible areas, preventing toxic discharges to waters of the State
3	5.13	24	Comply with Notification, Monitoring, Reporting, Recordkeeping requirements
4	ATT D-3	D-4	Collaborate with storm drain agencies and ensure easement accessibility agreements for locations requiring operations
5-1	ATT D-4	D-5	- SERP training and practice drills - Inventory of sewer system equipment/identification of critical replacement and spare parts
5-2	ATT D-4	D-4.4	
6-1	ATT D-6	D-6	- Ensure Training/Implementation of SERP for staff and contractors - Address Emergency Operations/Traffic Control - Implement technologies, practices, equipment, coordination - Conduct Post-spill assessments - Annually review/assess effectiveness of SERP/update
6-2	ATT D-6	D-6	
6-3	ATT D-6	D-6	
6-4	ATT D-6	D-6	
6-5	ATT D-6	D-6	
see 2-1 above	ATT D-6	D-6	Spill Emergency Response Plan/prompt detection/response
see 3 above	ATT D-6	D-6	Notifications (primary responders, agencies)
see 3 above	ATT D-6	D-6	Notifications (other potentially affected agencies)
see 3 above	ATT D-6	D-6	Comply with WDR Att. E1 requirements
see 2-3 above	ATT D-6	D-6	Containment, minimize/prevent spills to waters of state and drainage conveyances
see 2-2 above	ATT D-6	D-6	Minimize public health and environmental impacts
see 2-2 above	ATT D-6	D-6	Remove sewage from drain conveyance
see 2-2 above	ATT D-6	D-6	Clean spill area/drain conveyance
see 4 above	ATT D-6	D-6	Implement pre-planned coordination and collaboration with storm drain agencies
see 3 above	ATT D-6	D-6	Document and report spill events

Spill Emergency Response Plan Update

Part 1 – Compliance Guide

Compliance Evaluation

For preparing the SERP, an assessment was completed of the City’s existing spill prevention, containment, control, and mitigation effectiveness³. This included review of the City’s existing Overflow Emergency Response Plan (OERP), spill prevention/reduction strategies, field practices, data collection approach, critical spare parts/inventory, and field staff training. In addition, the inspection included review of data in the State Water Board’s “California Integrated Water Quality System” (CIWQS⁴) including agency spill response metrics and benchmarks (see Table 2 below for details).

Table 2 – City spill data and compliance benchmarks

Element	Benchmarks
Spill Response Metrics (agency notification - operator arrival)	<u>0.87 hours</u> (averaged, 2018-2023)
Notification Compliance (Category 1 spill notification to Cal-OES >2 hours)	<u>0 violations</u> (100% compliance, 2018-2023)
Draft Reporting Compliance (Category 1 spills within 3 business days)	<u>0 violations</u> (100% compliance, 2018-2023)
Spill Recovery (%) (2018-2023)	Cat 1= none since 2018 Cat 2= 50% Cat 3=34%

SERP Effectiveness

For facilitating review, assessment, and measurement of SERP effectiveness, Key Performance Indicators (KPIs) were generated for facilitating annual review, assessment, and update of the SERP for improving its effectiveness (see Attachment 2).

³ See Order No. 2022-0101-DWQ, Provision 6.1.6 (Water Boards’ considerations for discretionary enforcement purposes)

⁴ CIWQS, publicly available at:

https://ciwqs.waterboards.ca.gov/ciwqs/readOnly/PublicReportSSOServlet?reportAction=criteria&reportId=sso_main

Spill Emergency Response Plan Update

Part 1 – Compliance Guide

COMPLIANCE POINT #1

1-1 Regulatory Requirement

WDR Section	Summary of Requirements
Specif. 5.7 (p22)	• Allocate necessary resources for spill responses

1-2 Compliance

- The City Legally Responsible Official (LRO) is responsible for ensuring full compliance through implementation, review, and training on the updated SERP.
- The City LRO and Data Submitters for wastewater collection system matters are authorized to submit electronic and written spill reports and other required information to the CIWQS.
- For an overview of ensuring adequate resources for spill responses, refer to the City SSMP Elements 2 (Organization), 4 (Operations and Maintenance), and 6 (Emergency Response Plan).
- Element 6 of the City SSMP states “All City personnel and contractors who may have a role in responding to, reporting, and/or mitigating a sewer system overflow will receive training on the contents of this Emergency Response Plan. All new employees should receive training before they are placed in a position where they may have to respond. Current employees should receive annual refresher training on this plan and the procedures to be followed.”
- Element 6 of the City SSMP also states “each response vehicle contains a complete copy of the OERP and field documentation forms. A complete copy of the plan is also on file with City Maintenance. The response plan is a living document and is updated as necessary to reflect any changes in staffing or notification requirements, including contact numbers.”

1-3 Effectiveness

- For tracking ongoing operational performance metrics required for conducting its annual review/assessment of the SERP, the City utilizes Attachment 2, Compliance Point #1.

Spill Emergency Response Plan Update

Part 1 – Compliance Guide

COMPLIANCE POINT #2-1

2-1-1 Regulatory Requirements

WDR Sections	Summary of Requirements
• Specif. 5.12 (pgs23-24)	• Update and Implement SERP within 6 months of 2022 WDR adoption date (6/5/2023) • Certify the SERP up to date in the Annual Report
• ATT D-6 (pgD-6)	• Prompt detection and response to spills to reduce spill volumes and collection information for prevention of future spills. • Containment, minimize/prevent spills to waters of state and drainage conveyances

2-1-2 Compliance

- The City LRO is responsible for ensuring full compliance through implementation, review, and training on the updated SERP.
- Element 6 of the City SSMP includes the following City goals with responding to spills:
 - Work safely;
 - Respond quickly to minimize the volume of the SSO;
 - Eliminate the cause of the SSO;
 - Contain the spilled wastewater to the extent feasible;
 - Prevent sewage system overflows or leaks from entering the storm drain system or receiving waters to the maximum extent practicable;
 - Minimize public contact with the spilled wastewater;
 - Mitigate the impact of the SSO; and
 - Meet the regulatory reporting requirements.
- For procedures to ensure prompt detection and responses to spills, reducing spill volumes, and collecting information for prevention of future spills, refer to the City Spill Response Field Guide (PART 2)
- For additional details demonstrating compliance, refer to the City Spill Response Field Guide.

2-1-3 Effectiveness

- For tracking ongoing operational performance metrics required for conducting its annual review/assessment of the SERP, the City utilizes Attachment 2, Compliance Point #2-1.

Spill Emergency Response Plan Update

Part 1 – Compliance Guide

COMPLIANCE POINT #2-2

2-2-1 Regulatory Requirements

WDR Section	Summary of Requirements
• Specif. 5.12 (p24) • ATT D-6 (pgD-6)	• Targets for protection of public health and the environment • Minimize public health and environmental impacts • Remove sewage from drain conveyance • Clean spill area/drain conveyance

2-2-2 Compliance

- The City LRO is responsible for ensuring full compliance through implementation, review, and training on the updated SERP.
- For additional details demonstrating compliance, refer to the City Spill Response Field Guide.

2-2-3 Effectiveness

- For tracking ongoing operational performance metrics required for conducting its annual review/assessment of the SERP, City utilizes Attachment 2, Compliance Point #2-2.

Spill Emergency Response Plan Update

Part 1 – Compliance Guide

COMPLIANCE POINT #2-3

2-3-1 Regulatory Requirements

WDR Section	Summary of Requirements
• Specif. 5.12 (p23-24) • ATT D-6 (pgD-6)	• Timely spill responses, minimized impacts and nuisances by stopping, intercepting, recovering, cleaning publicly accessible areas, preventing toxic discharges to waters of the State • Containment, minimize/prevent spills to waters of state and drainage conveyances

2-3-2 Compliance

- The City LRO is responsible for ensuring full compliance through implementation, review, and training on the updated SERP.
- For additional details demonstrating compliance, refer to the City Spill Response Field Guide.

2-3-3 Effectiveness

- For tracking ongoing operational performance metrics required for conducting its annual review/assessment of the SERP, see Attachment 2, Compliance Point #2-3.

Spill Emergency Response Plan Update

Part 1 – Compliance Guide

COMPLIANCE POINT #3

3-1 *Regulatory Requirements*

WDR Section	Summary of Requirements
• Spec. 5.13 (p24) • ATT D-6 (pD-6)	• Comply with Notification, Monitoring, Reporting, Recordkeeping requirements • Notifications (primary responders, agencies) • Notifications (other potentially affected agencies) • Comply with WDR Att. E1 requirements and document and report spill events

3-2-2 *Compliance*

- The City LRO is responsible for ensuring full compliance through implementation, review, and training on the updated SERP.
- The City was issued a Notice of Violation (NOV) on February 18, 2018, by the San Francisco Bay Regional Water Quality Control Board for several spill reporting violations. To address these violations, the City has improved its internal procedures and training with the SERP to help reduce future reporting violations.
- The City conducts extensive research for its spills for ensuring accurate volume estimations prior to the Legally Responsible Official (LRO) certifying spill reports in CIWQS.
- For additional details demonstrating compliance, refer to the City Spill Response Field Guide.

3-3 *Effectiveness*

- For tracking ongoing operational performance metrics required for conducting its annual review/assessment of the SERP, City utilizes Attachment 2, Compliance Point #3-1.

Spill Emergency Response Plan Update

Part 1 – Compliance Guide

COMPLIANCE POINT #4

4-1 Regulatory Requirements

WDR Section	Summary of Requirements
• ATT D-3 (pD-4) • ATT D-6 (pD-6)	• Procedures: Collaborating with storm drain agencies • Implement pre-planned coordination and collaboration with storm drain agencies and other utilities/departments prior to, during and after a spill.

4-2 Compliance

- The City LRO is responsible for ensuring full compliance through implementation, review, and training on the updated SERP.
- The City coordinates on an ongoing basis with stormwater agencies throughout its service area for pre-planned coordination/collaboration for spills.
- The City utilizes the following resources for its storm drain collaboration activities: USGS mapping tool with watershed and topography information⁵, California Board Basin Plan Beneficial Use Viewer tool,⁶ and the State Water Board eWRIMS tool⁷.
- For additional details demonstrating compliance, refer to the City Spill Response Field Guide.

4-3 Effectiveness

- For tracking ongoing operational performance metrics required for conducting its annual review/assessment of the SERP, City utilizes Attachment 2, Compliance Point #4.

⁵ See <https://apps.nationalmap.gov/viewer/>

⁶ See <https://gispublic.waterboards.ca.gov/portal/apps/webappviewer/index.html?id=116f7daa9c4d4103afda1257be82eb16>

⁷ See https://waterightsmaps.waterboards.ca.gov/viewer/index.html?viewer=eWRIMS.eWRIMS_gvh#

Spill Emergency Response Plan Update

Part 1 – Compliance Guide

COMPLIANCE POINT #5-1

5-1-1 Regulatory Requirement

Page #(s)	WDR Section	Summary of Requirements
Page D-5	ATT D-4.3	• SERP training and practice drills

5-1-2 Compliance

- The City LRO is responsible for ensuring full compliance through implementation, review, and training on the updated SERP including review of internal response procedures, practice drills, skilled volume estimation, and CIWQS reporting.
- For ensuring compliance, the City is conducting SERP training covering the following subjects for field staff:
 - Water Quality Monitoring
 - Pump Station Emergency Response Training and Drills
 - Spill Overflow Emergency Response/Spill Estimation
 - Bypass pumping
- For additional details demonstrating compliance, refer to the City Spill Response Field Guide.

5-1-3 Effectiveness

- For tracking ongoing operational performance metrics required for conducting its annual review/assessment of the SERP, the City utilizes Attachment 2, Compliance Point #5-1.

Spill Emergency Response Plan Update

Part 1 – Compliance Guide

CO1MPLIANCE POINT #5-2

5-2-1 Regulatory Requirement

Page #(s)	WDR Section	Summary of Requirements
Page D-5	ATT D-4.4	Inventory of sewer system equipment/identification of critical replacement and spare parts

5-2-2 Compliance

- The City LRO is responsible for ensuring full compliance with an inventory of system equipment, including identification of critical replacement and spare parts.
- For additional details demonstrating compliance, refer to the City Spill Response Field Guide.

5-2-3 Effectiveness

- For tracking ongoing operational performance metrics required for conducting its annual review/assessment of the SERP, the City utilizes Attachment 2, Compliance Point #5-2.

Spill Emergency Response Plan Update

Part 1 – Compliance Guide

COMPLIANCE POINTS #6-1

6-1-1 Regulatory Requirement

Page #(s)	WDR Section	Summary of Requirements
Page D-6	ATT D-6	• Ensure training/implementation of SERP for staff and contractors

6-1-2 Compliance

- The City LRO is responsible for ensuring full compliance through implementation, review, and training on the updated SERP.
- For additional details demonstrating compliance, refer to the City Spill Response Field Guide.

6-1-3 Effectiveness

- For tracking ongoing operational performance metrics required for conducting its annual review/assessment of the SERP, the City utilizes Attachment 2, Compliance Point #6-1.

Spill Emergency Response Plan Update

Part 1 – Compliance Guide

COMPLIANCE POINT #6-2

6-2-1 Regulatory Requirement

Page #(s)	WDR Section	Summary of Requirements
Page D-6	ATT D-6	• Address Emergency Operations/Traffic Control

6-2-2 Compliance/Effectiveness

- The City LRO is responsible for ensuring full compliance through implementation, review, and training on the updated SERP.
- For additional procedures, refer to the City Spill Response Field Guide.

6-2-3 Effectiveness

- For tracking ongoing operational performance metrics required for conducting its annual review/assessment of the SERP, City utilizes Attachment 2, Compliance Point #6-2).

COMPLIANCE POINT #6-3

6-3-1 Regulatory Requirement

Page #(s)	WDR Section	Summary of Requirements
Page D-6	ATT D-6	• Implement tech, practices, equipment, coordination

6-3-2 Compliance

- The City LRO is responsible for ensuring full compliance through implementation, review, and training on the updated SERP.
- For additional details demonstrating compliance, refer to the City Spill Response Field Guide.

6-3-3 Effectiveness

- For tracking ongoing operational performance metrics required for conducting its annual review/assessment of the SERP, City utilizes Attachment 2, Compliance Point #6-3.

Spill Emergency Response Plan Update

Part 1 – Compliance Guide

COMPLIANCE POINT #6-4

6-4-1 Regulatory Requirement

WDR Page #(s)	Section	Summary of Requirements
Page D-6	ATT D-6	• Conduct Post-spill assessments

6-4-2 Compliance

- The City LRO is responsible for ensuring full compliance through implementation, review, and training on the updated SERP.
- For additional procedures, refer to the City Spill Response Field Guide.

6-4-3 Effectiveness

- For tracking ongoing operational performance metrics required for conducting its annual review/assessment of the SERP, City utilizes Attachment 2, Compliance Point #6-4.

Spill Emergency Response Plan Update

Part 1 – Compliance Guide

COMPLIANCE POINT #6-5

6-5-1 Regulatory Requirement

WDR Page #(s)	Section	
Page D-6	ATT D-6	Annually review/assess effectiveness of SERP/update

6-5-2 Compliance/Effectiveness

- The City LRO is responsible for ensuring full compliance through implementation, review, and training on the updated SERP.
- For additional details demonstrating compliance, refer to the City Spill Response Field Guide.

6-5-3 Effectiveness

- For tracking ongoing operational performance metrics required for conducting its annual review/assessment of the SERP, City utilizes Attachment 2, Compliance Point #6-5.

Spill Emergency Response Plan Update

Part 1 – Compliance Guide

LIST OF ATTACHMENTS

(These attachments are designed for assisting agencies in complying with the Statewide Waste Discharge Requirements General Order for Sanitary Sewer Systems (Order No. 2022-0103-DWQ))

Attachment 1 – WDR Implementation guidance (SWRCB)

Attachment 2 – SERP Key Performance Indicators (KPIs)

Attachment 3 – Spill Category Determination Worksheet

Attachment 4 – Spill Time Estimation Worksheet

Attachment 5 – Spill Duration and Flow Worksheet

Attachment 6 – Spill Measured Volume Estimation Worksheet

Attachment 7 – Spill Upstream Connections Volume Estimation Worksheet

Attachment 8 – Spill Response Evaluation Worksheet

Attachment 9 – Training Record Worksheet

Attachment 10 – Cleaning Services Declination Waiver

Attachment 11 – Equipment Inventory and Critical Spare Parts List

Attachment 12 – Spill Data and Trends Worksheet

Attachment 13 – SPILL RESPONSE FIELD FORM

Spill Emergency Response Plan Update

Part 2 – Field Guide

PART 2 (FIELD GUIDE)

1.0	RESPOND AND ASSESS	2
2.0	SPILL CATEGORIES	5
3.0	CONTAIN AND MITIGATE	6
4.0	EMERGENCY SYSTEM OPERATIONS	8
5.0	CORRECT CAUSE AND RESTORE FLOW	8
6.0	SPILL SPECIFIC MONITORING.....	9
7.0	INITIATE SPILL CLEAN UP.....	9
8.0	REMOVE SEWAGE FROM DRAINAGE CONVEYANCE.....	10
9.0	REGULATORY NOTIFICATION/REPORTING REQS.	11
10.0	REGULATORY NOTIFICATION PROCEDURES	14
11.0	RECEIVING WATER SAMPLING.....	16
12.0	FINAL SPILL VOLUME ESTIMATION	20
13.0	SPILL EVENT DOCUMENTATION	21

LIST OF TABLES

Table 1- Spill Containment Strategies.....	6
Table 2 - Monitoring and Reporting.....	11
Table 3 -Internal Regulatory Notification Contacts	14
Table 4- External Regulatory Notification Contacts	15

Spill Emergency Response Plan Update

Part 2 – Field Guide

1.0 RESPOND AND ASSESS

WDR General Order 2022-0103-DWQ Section D-6

The response begins upon notification of the potential spill. The task sequence may vary depending on the circumstance encountered, and the First Responder shall exercise the best judgment while responding to and mitigating the spill's effects. The first responder shall contact their supervisor for direction as appropriate. The First Responder's Goals are to:

- Prevent, contain, control, and mitigate the spill
- Safely respond to the site as quickly as possible. The City of Albany has a response time goal of 30 minutes during business hours and 60 minutes for after-hours response.
- Thoroughly assess to determine the responsibility, if additional resources are needed, and the best course of action to control and mitigate the spill.
- Collect all required data and document on forms provided.

A. Arrival

- Document the "Arrival Time" and how the call was received (Agency dispatch, answering service, Agency staff, etc.) on the Sewer Spill Response Field Report
- Take a 10-second video of the spilling structure (if currently active)
- Take photos of the affected area

B. Is problem within Agency owned/operated sewer system? (if no, proceed to C below)

The first responder will quickly assess the spill to determine the extent, the category, and the resources needed to mitigate the spill. The **First Responder** is responsible for the following:

- If the spill is a category 1 or 2, immediately contact the Public Works Director at 510-559-7255 or the Public Works Manager at 510-524-3751 to make the 2-hour notification to Cal Office of Emergency Services (CAL-OES)
- Determine the spill appearance point and attempt to contain or divert the spill. Block or divert spill from all storm drain inlets.
- Use storm drain maps or GIS layer to identify the potential destination of the spill.
- Determine additional resources and personnel needed.
- Setup traffic control measures to divert pedestrians away from the affected area(s).
- Record all field documentation, including photographs, drawings, and measurements of the spill, to complete the Field Spill Report Form.
- Determine if Raw Sewage signs need posting to alert the public
- Determine if Contaminated Water signs need to be posted and if water quality samples are needed.

C. Is problem due to another agency's facility?

- Contact the agency and inform them of the problem.

Spill Emergency Response Plan Update

Part 2 – Field Guide

- Attempt to contain the spill and direct the public away from the area until the agency's personnel arrive.

D. Is problem due to a privately-owned facility?

- Contact the property manager, owner, or resident and inform them of their responsibility. Request they stop using all water until the problem is rectified.
- The City of Albany requires, by Municipal Code 15-1.22, that property owners maintain their upper lateral so the following requirements are met:
 - The upper lateral shall be free from roots, grease, and other solids that may impede flow or obstruct the flow of sewage;
 - All joints and pipes shall be watertight to prevent infiltration or exfiltration;
 - The upper lateral shall be free of any structural defects, cracks, breaks, or openings and the grade shall be uniform to prevent sags, and;
 - The upper lateral shall have a two-way cleanout at the property line or sewer main easement, with a secured cap at all times.
- Recommend that they call a plumbing service.
- Assist with containment, if necessary, to prevent the spill from entering a DCS.
- Contact your supervisor for further directions.

E. Is there a backup in a home or building?

- Advise the customer to keep people and pets away from the affected area and not to track any contamination into non-affected areas.
- The City of Albany has restoration and remediation companies on contract. If there is a backup into the home or building, the City of Albany will provide the service through Service Master. However, if the customer chooses to clean the area, they can submit a claim through the City Clerk's office for reimbursement.
- If the resident chooses to cleanup the spill themselves, hand them the first responders phone and ask them to photograph the affected areas.
- Contact the Public Works Manager so they are aware of the circumstances and a claim may be filed for cleanup.
- If the resident refuses clean-up services, request the resident sign a Declination of Services letter (see Attachment 10).
- Document activities and findings on the Spill Response Field Report (Attachment 13).

F. If the United States Department of Agriculture Facility needs to be accessed, contact information is as follows:

Monday-Friday (excluding Federal Holidays) 06:00 – 4:30pm

- Tara McHugh - 510-552-5961 – Primary Contact
- Chris Mehelis – 925-433-3604 – 1st Alternate
- Dan Herbst -209-814-8387 – 2nd Alternate

Spill Emergency Response Plan Update

Part 2 – Field Guide

Monday-Friday 4:30 pm – 06:00am : Weekends and Federal Holidays

- Tara McHugh – 510-552-5961 – Primary Contact
- Dan Herbst – 209-814-8387 - Alternate

2.0 SPILL CATEGORIES

WDR General Order 2022-0103-DWQ Section 5.13.1

Individual spill notification, monitoring, and reporting must be in accordance with the following spill categories:

- Category 1:** Any volume of sewage from or caused by a sanitary sewer system regulated under the General Order that results in a discharge to:
- A surface water, including a surface water body that contains no flow or volume;
 - A drainage conveyance system that discharges to surface waters when the sewage is not fully captured and returned to the sewer system;
 - Any spill volume not recovered is considered discharged to surface water unless the drainage conveyance system discharges to a dedicated stormwater infiltration basin or facility;
 - A spill from an agency-owned and/or operated lateral that discharges to a surface water is a Category 1 spill
- Category 2:** A spill of 1,000 gallons or greater from or caused by a sanitary sewer system regulated under this general Order that does not discharge to a surface water.
- A spill of 1,000 gallons out of a lateral and is caused by a failure or blockage in the sanitary sewer system is a Category 2 spill
- Category 3:** A spill of 50 gallons and less than 1,000 gallons from or caused by a sanitary sewer system regulated under this general Order that does not discharge to a surface water.
- A spill of 50 gallons and less than 1,000 gallons that spill out of a lateral and is caused by a failure or blockage in the sanitary sewer system is a Category 3 spill.
- Category 4:** A spill of less than 50 gallons from or caused by a sanitary sewer system regulated under this general Order that does not discharge to a surface water.
- A spill of less than 50 gallons that spills out of a lateral and is caused by a failure or blockage in the sanitary sewer system is a Category 4 spill.

Spill Emergency Response Plan Update

Part 2 – Field Guide

3.0 CONTAIN AND MITIGATE

WDR General Order 2022-0103-DWQ Section 5.12 and Section D-6, 6.6 & 6.7

Containment of a spill is one of the primary ways to mitigate a spill. Immediately cover or plug storm drain inlets to divert flow for containment, and determine the immediate direction of the spill. The control/containment of a spill becomes increasingly difficult if reaching a drainage conveyance system/waterway. The quicker the source/extent can be determined, the spill contained and/or controlled, the less impact on the environment and public health. The first responder's decisions should be based on best action(s) for mitigation to prevent discharging to surface waters. Multiple techniques (no in particular order) are listed in Table 1 below for spill containment depending on circumstances, spill category, and available material.

The City of Albany has a designated truck used for spill response. The Lead Maintenance Worker ensures the truck is stocked with pneumatic plugs, an air compressor, spill kits, and plastic sheeting. In addition to the containment items, the truck has up-to-date maps of the sewer and storm drain systems in the City of Albany's service area and all necessary reporting forms to document the spill event.

Table 1- Spill Containment Strategies

Location	Strategies for Containment
Curb & Gutter	Create a berm or dam using the following: ○ Hydro-Vac ○ Rubber Berm ○ Dry Sweep ○ Dirt ○ Sandbags ○ Deploy Absorbent Bags
Open Space	○ Hand-Dig a trench to contain the spill ○ Create sandbag dam/for diverting sewage to natural low point
Drainage Channel	○ Create a Dam using sandbags or dirt ○ Use vacuum retrieval if accessible by hydro-vac
Storm Drain	○ Block inlets using rubber mats and/or sandbags ○ Plug manhole outlets using pneumatic plugs or sandbags ○ Plug outfall manhole to prevent discharge into the environment ○ Flush and vacuum using a hydro-vac

Spill Emergency Response Plan Update

Part 2 – Field Guide

Location	Strategies for Containment
Backup In Building	○ Attempt to remove cleanout caps to allow the sewage to discharge outside the building ○ Establish containment using the most effective method from above
Creeks/Streams (Low flow only)	○ Create Sandbag Dams ○ Install a silt fence to contain floating solids ○ Contact the local health department or Fish and Wildlife for direction NOTE: Containment attempts should not negatively impact aquatic life

4.0 EMERGENCY SYSTEM OPERATIONS

WDR General Order 2022-0103-DWQ Section D-6, 6.5

First responders may need to set up temporary traffic control to protect the public's health and safety in the event of a street collapse or undermining of a roadway. In addition, temporary traffic control allows crews responding to safely contain and clear the blockage and prevent sewage from further dispersing by vehicular traffic. Responding crews shall use temporary traffic control devices or barriers to divert the public from contact with the spill the City of Albany trains on the Cal-Trans Work Area Traffic Control Handbook (WATCH) for temporary traffic control. The City of Albany can pull crews from the Public Works Streets crews to assist with traffic and crowd control or request assistance from the City of Albany Police Department or Fire Department.

5.0 CORRECT CAUSE AND RESTORE FLOW

Correcting the cause and restoring flow depends on the type of City's infrastructure the spill is discharging from.

A. Mainline

If the blockage is in the main, it will be between a manhole with little to no flow and a manhole surcharging or spilling. Response crews should set up the hydro-vac or jetter truck on the dry manhole, downstream from the surcharged manhole, to clear the blockage and restore flow. Clear the blockage and observe the flow in the manhole to ensure the blockage doesn't reoccur downstream. If it is difficult to remove the blockage, increase containment or initiate bypass pumping. Request additional assistance to CCTV inspect the line to assess the problem. If needed, contact your supervisor for assistance.

B. Lower Lateral

The City of Albany maintains the lower lateral from the gutter edge to the mainline. Using the mini-jetter reel on the combination unit, city maintenance crews will enter into the property owner's cleanout to clean and maintain the lower laterals in the public street, alley, or right-of-way area. Under no circumstance will the City of Albany crews enter a house or building to clear a plugged lateral.

After clearing the blockage, the City of Albany will CCTV inspect the lateral to determine the blockage or cause of the spill, along with any corrective maintenance needed to prevent a repeat spill from the same location.

6.0 SPILL SPECIFIC MONITORING

WDR General Order 2022-0103-DWQ Section D-6, 6.3 & E-1, 2.1

Agency shall visually assess the spill locations and spread using photography, a global positioning system (GPS), or other best available tools. In addition, a best practice would be to provide a drawing of the spill spread and dimensions specific to the spill. In the drawing, indicate the spill's final destination or containment point. Agency shall document the spill locations, including;

A. Photography and GPS coordinates for:

- The system location where the spill originated. If multiple spill appearance points exist, use the point closest to the spill origin;
- Include GPS coordinates for the spill destination or containment point if available
- Drainage conveyance system entry locations
- The locations of discharge to surface waters, if applicable
- The extent of the spread, and
- The location(s) of the spill clean up

7.0 INITIATE SPILL CLEAN UP

WDR General Order 2022-0103-DWQ Section 5.12 & Section D-6, 6.9

Recovery and thorough cleanup are necessary for all sewer spills. When recovering spills, all solids and materials should be recovered and removed from the site, and every effort should be made to recover as much of the spill as possible. Disinfection of contaminated soil or drainage ways is only performed when directed by Alameda County Environmental health or California Department of Fish and Wildlife. Any water that is used in the cleanup process should be de-chlorinated before using.

Procedures for cleaning affected areas after a spill are as follows:

A. Backups in Building

- City crews are responsible for the cleanup when the property damage is minor and is outside of private building dwellings, such as in front, side, backyards, easements, etc. In all other cases, affected property owners can call a water damage restoration contractor to complete the cleanup and restoration.
- The City of Albany has restoration and remediation companies on contract. If there is a backup into the home or building, the City of Albany will provide the service through Service Master. However, if the customer chooses to clean the area, they can submit a claim through the City Clerk's office for reimbursement.
- If the backup and spill are due to a failure in the agency's system, but the resident refuses clean up services, politely ask the resident to sign a Declination of Cleaning Services letter.

Spill Emergency Response Plan Update

Part 2 – Field Guide

B. Street, Curb or Gutter or Hardscape

- Remove all debris and solids with broom, shovels and wash down water
- Before removing any contaminated soil and plants, photograph the area and speak to the property owner.
- Wash pavement, curb and gutter area, with the high-pressure wand, then vacuum all wash water with a hydro-vac.
- Photograph the entire area after cleanup has been completed.

C. Open Area/ Landscape

- In an open area that is primarily dirt, response crews shall use either a hydro-vac vacuum nozzle or dig and remove dirt until a dry layer is visible.
- If the area is a grass landscaped area, flush the spill area with copious amounts of water and vacuum the area thoroughly.

D. Natural and Man-Made Waterways

- Contain contaminated creeks where feasible. Remove all contaminated water by pumping to the collection system or vacuuming using a vacuum truck and return all collected water to the sewer system. Introduce additional wash water to flush contaminated areas towards the containment area.
- Photograph the area(s) cleaned to confirm the spill has been thoroughly cleaned, and document the locations on the Field Spill Report form

8.0 REMOVE SEWAGE FROM DRAINAGE CONVEYANCE

WDR General Order 2022-0103-DWQ Section 5.12 & Section D-6, 6.8 & 6.9

First responders and cleaning crews must take photographs or videos to verify the conditions before and after cleaning activities. Response crews shall remove all sewage that has entered the drainage conveyance system by vacuuming all water, debris, solids, and paper in the drainage conveyance system. The City of Albany will use GIS mapping to establish the flow direction within the Drainage Conveyance System (DCS) and set up containment below where evidence of the sewer spill has ended. With containment in place, either hydro-jet the storm drain or flush the affected area with water to the containment location and vacuum water and debris.

If the pipe condition is deteriorated to the point that damage to the jetter hose may result, flushing to the containment point is the best option. Once thoroughly cleaned, remove the containment and flush and vacuum the remaining area, capturing all water.

9.0 REGULATORY NOTIFICATION/REPORTING REQS.

WDR General Order 2022-0103-DWQ Section D-6, 6.3

The notification requirements of this section apply to all spills resulting from a failure or blockage in the agency's owned and /or operated sanitary sewer system regulated under this Order. Table 4 will aid field staff, data submitters and the LRO (s) in meeting the requirements for notification and reporting in the re-issued general order. Once the event is complete, Collection staff will provide the draft event summary to be submitted into CIWQS within the required timeframe (See Table 2).

Table 2 - Monitoring and Reporting

Spill Emergency Response Plan Update

Part 2 – Field Guide

Spill Category	OES Notification	Monitoring	Draft Report	Certified Report
Category 1 Any volume of sewer discharging to surface water	• Within 2 hours of the Agency's knowledge of the spill of 1,000 gallons or greater discharging or threatening to discharge to surface waters. • Obtain a Control number from OES	• Conduct spill-specific monitoring. • Conduct water quality sampling within 18 hours of knowledge of a spill 50,000 gallons or greater to surface waters	• Due within 3 business days of knowledge or self-discovery of Category 1 spill.	• Due within 15 calendar days of the spill end date. Upon completion, the CIWQS will issue final spill event ID number. • Submit Technical Report within 45 calendar days after the spill end date for spill greater than 50,000 gallons. • Submit the Amended Report within 90 calendar days after spill end date
Category 2 Spills of 1,000 gallons or greater that do not discharge to waters of the State	• Within 2 hours of the Agency's knowledge of the spill of 1,000 gallons or greater discharging or threatening to discharge to surface waters. • Obtain a Control number from OES	• Conduct spill-specific monitoring.	• Due within 3 business days of the Agency's knowledge of the spill	• Due within 15 calendar days of the spill end date. Upon completion, the CIWQS will issue final spill event ID number. • Submit Amended reports within 90 calendar days of Certified Report due date

Spill Emergency Response Plan Update

Part 2 – Field Guide

Spill Category	OES Notification	Monitoring	Draft Report	Certified Report
Category 3 Spills of 50 gallons to less than 1,000 gallons that don't discharge to surface waters	N/A	Conduct spill-specific monitoring.	N/A	- Due 30 calendar days after the end of the month in which the spills occurred. After LRO certifies the spill, CIWQS will issue a spill identification number for each spill. - Submit Amended reports within 90 calendar days of Certified Report due date
Category 4 Spills less than 50 gallons that don't discharge to surface waters	N/A	Conduct spill-specific monitoring.	N/A	- Within 30 calendar days after the end of the month in which the spills occurred, certify monthly the volume spilled and the total number of spills. - Upload and certify a digital report of all Category 4 spills in CIWQS by 1 FEB after the end of the calendar year in which the spills occur.

Spill Emergency Response Plan Update

Part 2 – Field Guide

10.0 REGULATORY NOTIFICATION PROCEDURES

WDR General Order 2022-0103-DWQ Section D-6, 6.1 & 6.2

If a spill that discharged in or on the waters of the State or discharged to a location where it will probably be discharged to the waters of the State, the City of Albany shall notify the Office of Emergency Services (OES) and obtain a control number as soon as possible, but no later than 2 hours after becoming aware of the discharge; and notification can be provided without substantially impeding clean-up or emergency measures. Tables 3 and 4 below provide the required contacts for complying with the regulatory notification requirements. During business hours, the Public Works Director or Public Works Manager will make the required notifications. The XXXXXXXX will handle after-hours notification requirements.

Table 3 -Internal Regulatory Notification Contacts

Group	Name/Title	Phone #	Notes
City of Albany	Mark Hurley, Public Works Director	510-559-7255	LRO
City of Albany	Razzu Engen, Public Works Manager	510-524-3751	LRO
City of Albany	Allison		DS
City of Albany	AJ		DS
EBMUD	Field Services Supervisor	Business Hours XXX-XXX-XXXX	Sampling Lab
	Env. Services Stand-by Supervisor	After Hrs./Weekends XXX-XXX-XXXX	
City of Albany	XXXX XXXXXX, Title	XXX-XXX-XXXX	XXXXXX

Spill Emergency Response Plan Update

Part 2 – Field Guide

Table 4- External Regulatory Notification Contacts

Agency	Phone #	Notes
California Office of Emergency Services (OES)	(800) 852-7550	Obtain a control number and contact name
Regional Water Quality Control Board (RWQCB)	510-622-2369 RB2SpillReports@waterboards.ca.gov	Leave a voicemail with date and time. Send follow up email.
Alameda County Department of Environmental Health	510-567-6700 (Business Hours) dehwebmain@acgov.org	Environmental Compliance
California Department of Fish and Wildlife- Region 3	707-428-2002 askbdr@wildlife.ca.gov	Guidance for Sensitive Riparian areas
Storm Drain Agency	XXX-XXX-XXXX EMAIL	AGENCY NAME

11.0 RECEIVING WATER SAMPLING

WDR General Order 2022-0103-DWQ Section E-1, 2.3

For sewage spills in which an estimated 50,000 gallons or greater are discharged into surface water, the City of Albany shall conduct water quality sampling no later than 18 hours after the knowledge of a potential discharge to a surface water. In addition, the City of Albany shall gather information during and after the spill event to assess the spill magnitude and update its notification and estimated spill volume. The water quality sampling results will enable the division to prioritize areas of concern regarding water quality impacts. However, the City of Albany has entered into a written agreement with East Bay Municipal Utility District (EBMUD) to perform all field services and water quality analysis in the event of a spill of 50,000 gallons or greater. The City of Albany will contact EBMUD's Field Services Supervisor during business hours and the Environmental Services Division Stand-by Supervisor after hours to request sampling and water quality analysis. The process has been identified in the City's Appendices G and H.

A. Spill Assessment

Through visual observation, spill volume-estimating and field calculation techniques, the Enrollee shall gather and document the following information for spills discharging into receiving waters:

1. Estimated spill travel time to receiving water; for spills entering a drainage system
 - Estimated travel time from point of entry to point of discharge into receiving water
2. Spill travel time can be calculated by:
 - Travel time based on standard pipe design slope/velocity (2 feet per second, fps)
 - Timed field flow test (water/marker released in clean flowing pipe timed/measured over total distance traveled)
3. Estimated spill volume entering receiving water
4. Photographs:
 - Waterbody bank erosion
 - Floating matter
 - Water surface sheen (potentially from oil and grease)
 - Discoloration of receiving water
 - Impact to the receiving water
 - Other

Spill Emergency Response Plan Update

Part 2 – Field Guide

B. Water Quality Sampling and Analysis

Surface water samples will be collected using a grab sample technique. Employees must wear clean, new nitrile laboratory gloves when collecting all samples.

1. Trigger for Sampling: Water quality sampling is required within 18 hours of initial spill notification for Category 1 spills in which 50,000 gallons or greater are spilled into a surface water.
2. Safety and Access: Water quality sampling should only be performed if it is safe to do so and access is not restricted or unsafe. Unsafe conditions include traffic, heavy rains, slippery or steep creek banks, visibility issues, high-flowing creeks, and limited access due to soil conditions or poor terrain. If access restrictions or unsafe conditions prevent compliance with these monitoring requirements, the Enrollee shall provide documentation of the access restriction or safety hazards in the required report.
3. Where to Sample: The agency must use the best professional judgement to determine the upstream and downstream distances based on receiving water flow, accessibility to waterbody banks, and size of visible plume. Collect one sample each day for the duration of the spill. In addition, the Enrollee shall collect receiving water samples from the following locations.
 - A point in the drainage conveyance system before the flow discharges into the receiving water. Label this sample DCS-001
 - Point of Discharge into the receiving water where sewage initially enters the receiving water. Label this sample RSW-001
 - Upstream Sample – A point in the receiving water upstream of the point of sewage discharge. Label this sample RSW-001U
 - Downstream Sample – A point in the receiving water downstream of the point of discharge where the spill is thoroughly mixed with the receiving water. Label this sample RSW-001D

Determine the water velocity in the stream or body of water during the spill. Dropping debris in the stream and timing how long the debris takes to travel a known distance is a good indicator of the water velocity present. Use this information to determine the next downstream sampling point. Then, multiply the water velocity by the spill duration to determine the furthest point downstream to sample.

C. Required Water Quality Analyses

All samples will be immediately transported to EBMUD Laboratory for sample analysis. Analysis, at a minimum, will include the following:

1. Ammonia
2. pH
3. Electrical Conductivity
4. Bacterial indicators, such as total and fecal coliform, enterococcus, and e-coli, per the regional Basin Plan or as directed by SWRCB
5. Temperature

D. Equipment and Supplies

The following items and PPE are required for sampling:

1. Cooler with Ice Packs
2. Clean sampling bottles, appropriate for parameters – Coliform samples bottles must be sealed up to the point of sample collection
3. Nitrile gloves
4. Safety glasses
5. Marking pen
6. Field log forms for notes and observations
7. Chain of Custody for lab samples
8. Portable meter, if available, to record Temperature, pH and EC in the field (if a meter is not available, collect samples to be run in laboratory)

Spill Emergency Response Plan Update

Part 2 – Field Guide

E. Sampling Procedures

Put on the required PPE prior to sampling (safety glasses and nitrile gloves)

1. Drainage Conveyances: sample in drainage conveyance system before wastewater source flow discharging into receiving water. Field staff should collect this sample before starting to clean up spill
 - Label this sample DCS-001 and take pictures of sampling location
 - Avoid any debris or scum layer from the drainage system
 - Fill bottle against direction of flow, replace the cap, and secure sample to avoid contamination
 - Use a thermometer to measure sample temperature and record results
2. Receiving Water: sample approximately 100 feet upstream of wastewater source flow
3. Point of Discharge: sample approximately 10 feet downstream of the location where the spill enters the receiving stream.
 - Label the bottle RSW-001 and take a pictures of sampling location.
 - Sample away from the bank and avoid any debris or scum layer from the surface.
 - Fill the bottle against the direction of flow, replace the cap, and secure the sample to avoid contamination.
 - Use a thermometer to measure the temperature, pH and EC of the source sample location and record the results.
4. Downstream Sample: sample approximately 100 feet downstream of the source.
 - Label the bottle RSW-001 and take a pictures of sampling location.
 - Sample away from the bank and avoid any debris or scum layer from the surface.
 - Fill the bottle against the direction of flow, replace the cap, and secure the sample to avoid contamination.
 - Use a thermometer to measure the temperature, pH and EC of the source sample location and record the results.
5. Following Collection: store all samples in a cooler with ice packs until delivered to laboratory and ensure all information is properly completed on Chain of Custody (COC) with signatures for laboratory staff.

12.0 FINAL SPILL VOLUME ESTIMATION

WDR General Order 2022-0103-DWQ Section E-1, 2.3

The final spill volume estimation is critical for CIWQS reporting and determines whether additional reporting to regulatory agencies is required. Additionally, the Enrollee shall update its notification and reporting of estimated spill volume, including spill volume recovered, as further information is gathered during and after a spill event. To assess the approximate spill magnitude and spread, the enrollee shall estimate the total spill volume using updated volume estimation techniques, calibration, and documentation for CIWQS reporting.

The Agency trains on the following methods for volume estimations:

A. Measured Area/Volume

- The spill volume of most small spills that have been contained can be estimated using this method. The shape, dimensions, and depth of the contained wastewater are needed. This information is used to calculate the area and volume of the spills. Measured volume is not an appropriate estimation matrix if the spill occurs during a rain event.

B. Flow Estimation Charts

- The spill volume can be estimated by multiplying the spill duration by the spill rate. The spill rate can be determined by pick hole or vent hole spill height, flow meter data, SCADA information, and pump data from lift stations.

C. Upstream Connections/EDU

- This method can be used for spills from residential properties when enough information has been gathered through interviewing the resident. Be clear with your questions and explanation for the interview. Only interview residents from the household contributing to the spill.

13.0 SPILL EVENT DOCUMENTATION

WDR General Order 2022-0103-DWQ Section D-6, 6.13

Usually, the call for service comes through the City of Albany Police Dispatch. All calls for service to Police Dispatch are time-stamped, and dispatch will provide the Public Works Manager or the Lead Maintenance Worker with the reference number once the call has been dispatched. The Lead Maintenance Worker will respond and determine the spill category, travel direction, and the need for additional equipment and personnel. Once the spill event has been mitigated, the City of Albany will document the event on the Spill Response Field Form, complete any necessary additional forms, catalog the event pictures, then turn the information in to the Data Submitter or Public Works Manager for review. Once reviewed and verified, the Data Submitter submits the report on CIWQS for certification.

After reviewing the draft report and the documentation, the Public Works Director or Public Works Manager will certify the spill report, then create a specific file on the City's SharePoint drive containing the following information for each spill.

SPILL Field Report

- CIWQS-certified reports
- A copy of the completed Oasis work order
- All incident correspondence, field notes, and customer interviews.
- Volume estimate calculations of spilled and recovered volumes.
- Appropriate maps showing the spill location, sampling, and signage location if applicable.
- Photographs of spill location.
- Water quality sampling and test results, if relevant.

(For additional references, refer to SERP PART 1 (COMPLIANCE GUIDE)).

Appendix 4

FOG Control Implementation Plan

City of Albany

Alameda County, California



Fats, Oils, and Grease Control Program Implementation Plan

Standards & Procedures

June 2012

Table of Contents

Section 1 – General	1
Section 2 – Definitions.....	2
Section 3. Conditions Requiring a Grease Control Device at Food Service Establishments	3
Section 4. Waiver of Grease Control Device Requirements at Food Service Establishments	4
Section 5. Grease Control Device Approval Process.....	4
Section 6. Grease Control Device Maintenance	6
Section 7. Appeal of Building Official Decision	6
Section 8. Failure to Comply	6

List of Appendices

Appendix A. FOG Scope of Services Among EBMUD, City of Alameda, City of Albany, City of Berkeley, City of Emeryville, City of Oakland, City of Piedmont, Stege Sanitary District	
Appendix B. New Food Service Establishment Notification Form	
Appendix C. Grease Control Device Conditional Waiver	
Appendix D. List of Approved Grease Removal Devices	

Section 1 – General

Fats, Oils, and Grease (FOG) discharged to the sanitary sewer can accumulate along sewer pipe walls coating pipes until wastewater flow through the line is restricted or blocked, increasing the risk of Sanitary Sewer Overflows (SSOs). These occurrences can result in property damage, environmental problems in nearby surface waters, and public health hazards.

In 2006, the State Water Resources Control Board adopted General Waste Discharge Requirements for Sanitary Sewer Systems (Order No. 2006-003-DWQ) to facilitate the proper funding and management of wastewater collection systems. The Waste Discharge Requirements include the development and implementation of a Sanitary Sewer Management Plan (SSMP). The SSMP must include a program to control the discharge of FOG to the sewer system.

The City of Albany (City) SSMP was developed and approved by City Council according to the timeline specified in the Waste Discharge Requirements. Element IV of the SSMP contains the plan and commitment by the City to control FOG discharge to the sanitary sewer system. The primary goal of the FOG Control Program is to reduce the risk of blockages and SSOs in an effort to protect public health and the environment by minimizing public exposure to unsanitary conditions. By controlling the amount of FOG in the wastewater collection system, FOG buildup in sewer lines can be lessened, thereby increasing the system's operating efficiency and reducing the number of sewer line blockages and potential overflows. In addition, an effective FOG Control Program can minimize revenue losses associated with enforcement actions and the impacts of restricting public activities, such as beach closures.

The purpose of this Fats, Oils, and Grease Control Program Implementation Plan (Plan) is to establish fair and consistent policies and procedures for implementing Municipal Code Section 15-5, titled "Fats, Oils and Grease Entering the Sanitary Sewer System."

At the time of Plan adoption, the East Bay Municipal Utility District (EBMUD) is designated the City's Authorized Representative for implementing specific procedures contained herein.

Appendix A contains the current FOG Scope of Services Among EBMUD, City of Alameda, City of Albany, City of Berkeley, City of Emeryville, City of Oakland, City of Piedmont, Stege Sanitary District. The City reserves the right, at any time, to amend or terminate this service.

Section 2 – Definitions

Additives – includes any product used to break down grease including, but not limited to, enzymes or surfactants acting as grease emulsifiers or degradation agents.

Approved Grease Control Device - A device designed to intercept fats, oils, and grease from wastewater discharge. This includes the allowable devices referenced in Appendix D of this Plan.

Automatic Grease Removal Device - A device designed to retain fats, oils, and grease from wastewater discharge. An automatic grease removal device actively skims and/or removes FOG from the wastewater stream and transfers it to an external FOG container that food facility staff then empties into a collection container.

Building Official - The Community Development Director has the authority to act as the Building Official for the purposes of implementing this Plan.

City Authorized Representative - is an individual or organization selected by the City to implement and/or enforce one or all the provisions of the FOG Control Program.

City Manager - is appointed by the City Council as the administrative head of the City of Albany municipal government. The City Manager is responsible for policy implementation and management of the day-to-day operations of the City. This term is used interchangeably with “City Administrator” in Albany.

Director of Public Works- The Public Works Manager has the authority to act as the Director of Public Works for the purposes of implementing this Plan.

Food Service Establishment - includes but is not limited to any facility preparing and/or serving food for commercial use or sale. This includes restaurants; cafes; lunch counters; cafeterias; hotels; hospitals; convalescent homes; factory or school kitchens; catering kitchens; bakeries; grocery stores with food preparation, food packaging, meat cutting, and meat preparation (excluding grocery stores with only food warming operations); meat packing facilities, and other food handling facilities not listed above where fats, oil, and grease may be introduced into the community sewer system and cause line blockages and sewer overflows.

FOG - Refers to all fats, oils, and grease generated during food preparation, food service, and/or kitchen cleanup.

Grease Hauler – Licensed company that is contracted to periodically pump out and clean grease interceptors and traps. The hauler then disposes of the grease in an appropriate and legal manner.

Gravity Grease Interceptor– A large, partitioned vault made of various materials, installed to remove grease and food waste by trapping floatables and settleable solids so that they can be

separated and removed before discharge to the community sewer. It is usually installed underground, outside of the food handling establishment.

Grease Control Device (GCD) – See Approved Grease Control Device.

Grease Trap – A device designed to retain grease before it enters plumbing lines. It is usually installed indoors in kitchen floors or under counters.

Plumbing Fixture – A receptacle, device, or appliance, directly or indirectly connected to a drainage system such as the sanitary sewer, that supplies or receives water or liquid-borne wastes.

Section 3. Conditions Requiring a Grease Control Device at Food Service Establishments

A Grease Control Device is required to be installed and maintained, at the property owner's expense, to prevent FOG related overflows, blockages or increased maintenance in the sanitary sewer system. Grease Control Devices are required if a Food Service Establishment meets any of the following conditions:

- a) New construction, including new construction or conversion from a non-food service establishment to a food service establishment. (City staff is responsible for completing and submitting to EBMUD a New Restaurant Notification Form (**Appendix B**) for each new Food Service Establishment)
- b) Remodels, additions, alterations or repairs of Food Service Establishments valued at \$75,000 or greater.
- c) Multiple permits for remodels, additions, alterations or repairs by the same Food Service Establishment owner or operator within a three (3) year period and with a cumulative value over \$75,000.
- d) An existing Food Service Establishment caused or contributed to increased maintenance such that the cleaning frequency of the associated mainline sewer was 180 days or less, or a FOG-related sanitary sewer system overflow that required reporting in the California Integrated Water Quality System

The above criteria do not preclude the City from evaluating the need for a Food Service Establishment to control FOG discharge from the establishment. The stated criteria also do not preclude a property owner from controlling FOG discharged from their establishment on their own accord and at their expense.

Section 4. Waiver of Grease Control Device Requirements at Food Service Establishments

While the intent of this program is to set forth uniform requirements for Food Service Establishments to control the discharge of fats, oil, and grease to the sewer system, a Food Service Establishment determined to have no immediate adverse impact on the sewer system may be granted a conditional waiver from Grease Control Device installation requirements if specific conditions are met.

A. Grease Control Device Conditional Waiver:

A Grease Control Device may not be required if a facility can demonstrate that food preparation and service do not generate fats, oil, and grease in a quantity sufficient to require a Grease Control Device. A Food Service Establishment determined to have no immediate adverse impact on the collection system because of business type and grease generating capabilities may be granted a waiver from Grease Control Device installation requirements. The Building Official or his/her designee may, at any time, revoke a waiver and require the Food Service Establishment to install a Grease Control Device.

Grease Control Devices may not be required for business types listed below:

- a) Establishments serving beverages and/or ready to eat, packaged or unpackaged items (with or without food warming);
- b) Ice cream parlors without any baking or other food preparation;
- c) Snack bar with no food preparation other than food warming;
- d) Bakeries with no food preparation other than food warming;
- e) Other establishments serving only ready to eat foods with or without food warming.

For a waiver to be granted, the Building Official or his/her designee must approve a completed Grease Control Device Conditional Waiver application form (**Appendix C**). The EBMUD Environmental Services Division, the designated City Authorized Representative for implementing specific program procedures, will assist in the review of the application form and make a recommendation to the Building Official or his/her designee.

The Building Official or his/her designee may, at any time, revoke a waiver and require the Food Service Establishment to install a Grease Control Device.

Section 5. Grease Control Device Approval Process

Appendix D contains a list of approved Grease Control Devices. Note: there may be a device not listed in Appendix D that is appropriate for site-specific conditions and may be approved.

The City does not permit the installation of passive grease traps. While these devices trap grease, they do not remove the grease to a separate container, making it difficult to measure the depth or fullness of the grease trap. As the passive grease trap's separation efficiency diminishes as the trap fills, timely cleaning and maintenance is critical for proper functioning. An Automatic

Grease Removal Device removes the skimmed grease to a separate container thereby eliminating this challenge and providing clarity for a maintenance frequency determination.

Grease Control Devices must be properly sized in conformance with the current edition of the California Plumbing Code. The volume of the interceptor must be determined by using Table 10-3 in 2010 CA Plumbing Code, reproduced below as **Table 1**. If the number of drainage fixture units (DFUs) is not known, the interceptor must be sized based on the maximum DFUs allowed for the pipe size connected to the inlet of the interceptor.

Table 1. (10-3 2010 CA Plumbing Code). Gravity Grease Interceptor Sizing

DFUs ^{1,3}	Interceptor Volume ²
8	500 gallons
21	750 gallons
35	1,000 gallons
90	1,250 gallons
172	1,500 gallons
216	2,000 gallons
307	2,500 gallons
342	3,000 gallons
428	4,000 gallons
576	5,000 gallons
720	7,500 gallons
2112	10,000 gallons
2640	15,000 gallons

1. The maximum allowable DFUs plumbed to the kitchen drain lines that will be connected to the grease interceptor.
2. This size is based on: DFUs, the pipe size from this code; Table 7-5; Useful Tabled for flow in half-full pipes (ref: *Mohinder Nayyar Piping Handbook*, 3rd Edition, 1992). Based on 30-minute retention time (ref: George Tchobanoglous and Metcalf & Eddy. *Wastewater Engineering Treatment, Disposal and Reuse*, 3rd Ed. 1991 & Ronald Crites and George Tchobanoglous, *Small and Decentralized Wastewater Management Systems*, 1998). Rounded up to nominal interceptor volume.
3. When the flow rate of directly connected fixture(s) or appliance(s) have no assigned DFU values, the additional grease interceptor volume shall be based on the known flow rate (gpm) multiplied by the 30-minutes.

Plans to install a Grease Control Device must be reviewed and approved by the Building Official prior to installation. Grease Control Devices must be installed by a licensed plumbing contractor.

Section 6. Grease Control Device Maintenance

Responsibility

The property owner is responsible for making all maintenance and repairs of the Grease Control Device.

Grease Control Device maintenance shall be done according to the manufacturer's specifications and in a manner that does not present potential risks to human health or cause a public nuisance.

If a Grease Interceptor is installed, the Food Service Establishment is responsible for the following maintenance:

- i. Remove the entire contents of the interceptor each time the interceptor is pumped.
- ii. Ensure proper operation, maintenance and performance during the entire period of wastewater discharge.
- iii. Maintain a minimum pumping frequency of once per three-month period or more frequently to ensure that objectionable odors are not present and the discharge does not cause or contribute to FOG-related overflows, blockages, or increased maintenance in the sanitary sewer system.
- iv. Maintain maintenance records with the following information for each Grease Interceptor:
 - 1) Date of hauling service
 - 2) Name of the licensed and permitted grease hauler
 - 3) Volume pumped (gallons)
 - 4) Waste disposal location

Maintenance Records shall be kept for a minimum of three (3) years from the date of service and shall be provided to the City upon request.

Section 7. Appeal of Building Official Decision

The decision of the Building Official or his/her designee may be appealed to a hearing officer of qualified judgment within ten (10) calendar days after written notice thereof. The City of Albany Master Fee Schedule contains the fee, to be paid by the property owner, that is associated with an appeal of a Building Official decision.

The appeal must be in writing and must state the basis of the appeal. The appeal will be acted upon by within thirty (30) days after receipt of the written appeal, except for good cause shown. An appeal of the Hearing Officer's decision may be made to the City Council in accordance with Council adopted procedures.

Section 8. Failure to Comply

Should any property owner fail to install, maintain or repair their Grease Control Device as set forth in the provisions of this Plan, a written notice of the violation will be issued by the City or City Authorized Representative. The notice will specify a period of time within which the property owner must correct the deficiency. Continual violation is subject to enforcement proceedings defined for violation of the Building Code.

FOG Scope of Services Among EBMUD, City of Alameda, City of Albany, City of Berkeley, City of Emeryville, City of Oakland, City of Piedmont, Stege Sanitary District

Background

The wastewater collection system agencies in the East Bay Municipal Utility District (EBMUD)'s wastewater service area are the cities of Alameda, Albany, Berkeley, Emeryville, Oakland, Piedmont, and Stege Sanitary District (agencies). The State Water Resources Control Board Order No. 2006-0003-DWQ statewide requirements include implementation of Fats, Oils, and Grease (FOG) programs unless agencies demonstrate that they do not have FOG related sanitary sewer overflows (SSOs) in their community sewers. The agencies and EBMUD have developed a regional FOG control program, as part of the TAB programs, to reduce FOG related SSOs, and wish to continue working collaboratively on development and implementation of FOG control.

EBMUD has the experience, qualifications, staff and expertise to perform agreed-upon services effectively and efficiently. It is mutually beneficial for EBMUD to provide services to the agencies related to FOG control. Regional implementation of FOG control activities coordinated and supported by EBMUD is an efficient use of resources, including economies of scale and trained staff with a broad knowledge base of the activities that support a regional effort and that provide a systematic approach to managing wastewater discharges from food service establishments (FSEs). It is also mutually beneficial to maintain consistency in development and implementation of FOG control requirements throughout EBMUD's wastewater service area.

Scope of Services

The purpose of this Scope of Services is to continue ongoing FOG control activities to help reduce FOG related SSOs in the agencies' community sewer system. This Scope of Services clarifies the roles and responsibilities of EBMUD and the agencies in this collaborative effort and identifies the tasks to be conducted by each party.

The agencies authorize EBMUD to implement a regional FOG control program as described in this Scope of Services. To facilitate implementation of FOG control activities outlined in the scope of services, agencies will continue to provide EBMUD with the following information:

- a) Completed grease SSO and blockage reporting forms for areas in which the agency wants EBMUD to conduct hotspot investigations;
- b) Electronic and/or hard copies of community sewer maps that include manhole identification numbers and their locations, sewer pipes size, and flow direction.
- c) Residential addresses, including apartment numbers, for hotspot areas in which the agency wishes FOG information to be delivered.

Each agency is responsible for the costs of implementing the FOG control program in its service area as established in Exhibit A: FOG Control Program Budget.

Termination

Any of the Parties may terminate its obligations under this Scope of Services by giving all other parties at least ninety (90) days written notice.

EBMUD's Scope of Services

EBMUD is the technical service provider for the agencies' FOG program requirements. EBMUD also leads inter-agency coordination for the regional FOG control program to maximize consistency and efficiency. EBMUD is responsible for the following activities:

1. FOG HOTSPOT INVESTIGATIONS

(a) EBMUD will initiate an investigation after receiving a completed grease SSO and blockage reporting form from agency. The investigation will:

- 1) Identify the sewer drainage basin contributing to the location of the blockage, SSO, or increased sewer maintenance (FOG hotspot area).
- 2) Determine if the FOG hotspot area is in a residential, commercial, or combined residential/commercial drainage basin.
- 3) Identify commercial FSEs that discharge in the sewer drainage basin.
- 4) If FSEs are identified in the sewer drainage basin, the following field activities may be performed to identify FSEs that caused or contributed to the SSO, blockage, or increased sewer maintenance:
 - Field inspection of the FSEs
 - Dye testing
 - Gravity interceptor inspection
 - Sewer lateral camera inspection
 - Mainline camera inspection
 - Sampling at FSEs

(b) EBMUD will maintain an electronic listing and perform a follow-up inspection to confirm that the required grease control device (GCD) has been installed and is properly maintained. Grease control devices include gravity grease interceptors and additional approved devices, such as automatic grease removal devices. The Parties shall develop a communications program for identifying and updating the GCD listing with EBMUD.

(c) EBMUD may perform follow-up sewer lateral and/or main line camera inspections, upon request by agencies.

2. GRAVITY GREASE INTERCEPTOR INSPECTIONS

(a) EBMUD will perform periodic gravity grease interceptor inspections for FSEs in hotspots as well as for FSEs that are not in hotspots.

3. RESIDENTIAL HOTSPOT RESPONSE

(a) EBMUD will provide targeted outreach in identified residential FOG hotspots, within the limits of the funding provided in this Scope of Services (Exhibit A). Residential outreach information will be distributed based on the residential addresses, including apartment numbers, in identified hot spot areas based on agency's requests.

4. ENFORCEMENT SUPPORT

- (a) EBMUD will send notifications to FSEs based on agency-specific requirements. These notifications may include requirement letters, notices of non-compliance and other follow-up documents.
- (b) EBMUD will support agencies in any enforcement actions and proceedings taken by agencies (e.g. if agency initiates hearing, EBMUD will present findings of hotspot investigation).
- (c) EBMUD shall maintain a list of approved grease haulers and shall continue to provide a disposal facility for grease.

5. REPORTING

- (a) EBMUD will submit to agencies quarterly FOG hotspot investigation summary reports. These reports include:
 - i. A summary of all FOG hotspots that were investigated during the quarter describing the activities performed and the FOG hotspot status at the end of the quarter.
 - ii. The number of inspections performed, FSEs identified to cause or contribute FOG related blockages/SSOs, GCDs confirmed to have been installed, and a summary of residential outreach materials distributed during the quarter.
 - iii. A summary by satellite agency detailing the level of effort for agency during the previous quarter. This report shall also include the full listing of all FOG hot spot investigation reports submitted by all agencies, their current status and those still remaining to be investigated.

6. FOG CONTROL DATABASE

- (a) EBMUD will develop and maintain a FOG control database that includes:
 - i. FOG Hotspots identified by the agencies
 - ii. FSEs identified in each FOG hotspot and grease control device/ gravity grease interceptor information for each FSE in the FOG hotspots
 - iii. FSE, gravity grease interceptor, lateral camera and main line camera inspections performed at FSEs and FOG hotspots
 - iv. Requirement and agency enforcement information for FSEs provided to EBMUD

7. RESIDENTIAL AND COMMERCIAL OUTREACH

EBMUD will maintain commercial and residential outreach and public education program activities, which may include bill inserts, billboards, outreach events, website development, and periodic direct communication with FSEs. These activities are not included in the budget (Exhibit A).

8. COMPENSATION

The agencies will compensate EBMUD for the work conducted under Scope of Services items 1 – 6 of this Scope of Services. Current FOG program funding will continue for FY11. Exhibit A details the budget for FY12 and FY13.

9. SCOPE OF SERVICES EVALUATION

EBMUD and Satellites agree to reevaluate the Scope of Services contained herein annually not later than February of each year.



East Bay Municipal Utility District Environmental Services Division

P.O. Box 24055, MS 702

Oakland, CA 94623-1055

Telephone (510) 287-1651 Fax (510) 287-0621

Appendix B

New Food Service Establishment Notification Form

Establishment Name: _____

Owner Name: _____

Mailing Address: _____

Service Address: _____

Phone Number: _____

Grease Control Device Installation **YES** **NO**

Type of Grease Control Device:

Additional Comments: _____

Please fax or email to:

Nadia Borisova

Fax: 510-287-0621

nborisov@ebmud.com

Grease Control Device Conditional Waiver

I, _____
(Business Representative's Name Printed)

Representing _____
(Business Name and Address Printed)

certify that the business named above does not require a grease interceptor installation because it meets the definitions set forth in the *City of Albany Fats, Oils, and Grease Control Program Implementation Plan*. If at any time the business listed above does not meet the definition, I understand that I must notify the City within ninety (90) days of the change and work towards obtaining City approval to install a grease control device sized according to the provisions in the *City of Albany Fats, Oils, and Grease Control Program Implementation Plan*

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

The grease interceptor installation conditional variance is not transferable to a new owner or occupant.
The Grease Interceptor waiver is not transferable.

The person signing this variance waiver warrants that it has or has obtained the necessary consent and authority to execute this waiver variance and to make this variance binding upon itself.

SIGNED _____ DATE _____

CONTACT PHONE NUMBER _____
Supporting documentation of business type must be submitted with application form

Please Do Not Write Below This Line

APPROVAL: _____ EBMUD REP
PRINT SIGNATURE
DATE _____ CONTACT NO. _____

REASON FOR APPROVAL:

CITY/AGENCY REP _____ DATE _____

REJECTED: _____ EBMUD REP
PRINT SIGNATURE
DATE _____ CONTACT NO. _____

REASON FOR REJECTION:

CITY/AGENCY REP _____ DATE _____

CITY/AGENCY REP _____ DATE _____

Appendix D

Manufacturer	Web Site	Product Name	Technology
ADS	http://www.ads-pipe.com/en/index.asp?ProdID=253	Grease Interceptor	Gravity device, pump out of captured grease and sediment by EBMUD approved grease hauler
API Industries, Inc.	http://www.apiindustriesinc.org/grease_trap.html	ECH20	Coalescing plates device, automatic draw-off of captured grease to external container
Goslyn Environmental Systems	http://www.goslyn.ca	Goslyn	Hydro-mechanical device, captured grease automatically drained to an external container
Green Turtle	http://www.proceptor.com/default.html	Proceptor	Gravity device, pump out of captured grease and sediment by EBMUD approved grease hauler
Highland Tank	http://www.highlandtank.com/	HT-AGI	Hydro-mechanical device, skimmer draws-off captured grease and transfers to an external container
		HT PGI	Gravity device, pump out of captured grease and sediment by EBMUD approved grease hauler
International GRD, Inc.	http://www.internationalgrd.com/	2000	Hydro-mechanical device, captured grease automatically drained to an external container
		2500 IB	Hydro-mechanical device, captured grease automatically drained to an external container
		2500 IBP	Hydro-mechanical device, captured grease automatically drained to an external container
		3500	Hydro-mechanical device, captured grease automatically drained to an external container
		5000	Hydro-mechanical device, captured grease

Appendix D

automatically drained to an external container			
Jay R Smith Mfg. Co.	http://www.jrsmith.com/	Grease+Guard	Hydro-mechanical device, skimmer draws-off captured grease and transfers to an external container
Jensen Precast	http://www.jensenprecast.com	Grease Interceptor	Gravity device, pump out of captured grease and sediment by EBMUD approved grease hauler
Josam Co	http://www.josam.com/	GI200A	Hydro-mechanical device, captured grease automatically pumped to an external container
		60100H - GRD	Hydro-mechanical device, captured grease automatically pumped to an external container
Schier Products	http://www.schierproducts.com/	Great Basin	Gravity device, pump out of captured grease and sediment by EBMUD approved grease hauler
Thermaco	http://www.big-dipper.com/index.php	Big Dipper	Hydro-mechanical device, skimmer draws-off captured grease and transfers to an external container
		Trapzilla	Gravity device, pump out of captured grease and sediment by EBMUD approved grease hauler
Zurn	http://www.zurn.com	Z1199	Hydro-mechanical device, captured grease automatically drained to an external container

Appendix 5

SSMP Change Log

Change Log

Date	SSMP Element	Description of Change/Revision Made	Change Authorized By:
9/2019	Introduction	- Table I: Sewer System Inventory update to total length for 6" and 8" diameter pipe - Included updated Consent Decree information	Mark Hurley
9/2019	2 – Organization	- Updated LRO and Organization Chart	Mark Hurley
9/2019	4 – Operations and Maintenance	- Updated MUNSIS references since City is using Lynx Technologies - Updated numbers on financial plan - Updated Hot Spot Cleaning List	Mark Hurley
9/2019	6 – OERP*	- Included Water Quality Monitoring Program within OERP*	Mark Hurley
2/2026	ALL	- Formatting and general content update to align with the 2022 WDR - Added SSMP update and audit schedules to Element 1 - Updated mainline inventory and PSL breakdown in Element 1 - Revised organizational chart and SERP COC in Element 2 - Updated contact information in organizational chart in Element 2 - Updated equipment inventory in Element 4 - Revised Element 6 references to SERP instead of OERP* - Revised Element 8 to reference ongoing Master Plan update - Added table for remaining rehab projects and tentative schedule as identified under CIP to Element 8 - Performed 2021-2024 SSMP audit and outlined identified corrective actions in Element 9 - Revised communication program details in Element 11 - Revised Appendix 1 to include the Consolidated Regional PSL Ordinance - Updated map of sewer system (Appendix 2) - Replaced 2019 OERP with 2023 SERP (Appendix 3) - Replaced 2017-2018 audit with 2021-2024 SSMP audit (Appendix 6) - Revised SSMP Audit Checklist to align with the 2022 WDR (Appendix 7)	Mark Hurley

* Overflow Emergency Response Plan (OERP) title modified to Spill Emergency Response Plan (SERP) in 2023.

Appendix 6

SSMP Audit
8/2/2021 – 8/2/2024



City of Albany Sewer System Management Plan (SSMP) Audit

8/2/2021 – 8/2/2024

SSMP Audit

This audit reviews the City of Albany's (City) Sewer System Management Plan (SSMP) documentation and implementation for the 3-year period between August 2, 2021 and August 2, 2024. The audit is intended to meet State Water Resources Control Board (SWRCB) Statewide General Waste Discharge Requirements for Sanitary Sewer Systems (WDR) Order 2022-0103-DWQ for agencies that own or operate wastewater collection systems. Consequently, this audit assesses the current state of compliance with WDR provisions, identifies "deficiencies" found in the SSMP, and recommends corrective actions to remedy those deficiencies.

This audit has been performed by the City by the use of available data sources such as the City website and California Integrated Water Quality System (CIWQS). The following table lists the audit participants:

Table 1 - Audit Participants

Participant	Role	Agency
Mark Hurley	Public Works Director / City Engineer	City of Albany
Allison Carrillo	CIP Program Manager	City of Albany
James Cirelli	Associate Engineer	City of Albany

Audit Schedule

The WDR requires an internal audit of the SSMP and its implementation at a minimum frequency of once every three years. The City's audits reports are due for completion in February every three years to the SWRCB via CIWQS. The previous audit was performed in June 2019 and executed as part of the SSMP update in October 2019.

SSMP Effectiveness

The evaluation of effectiveness of each SSMP Element, including a brief narrative of audit findings, is provided on the attached SSMP Elements Audit Report for 8/2/2021 – 8/2/2024. Any deficiencies and subsequent corrective actions are noted in the narratives for each element. The SSMP has also been updated at this time in accordance with this audit and its findings.

SSO Rates and Volumes

The rate of SSOs, SSO volume, and SSO volume that reaches waters are the most common measurements of SSMP effectiveness and success. The following is a summary of these parameters for Albany for the audit period.

The SSO rate decreased in the second and third year (2022-23 & 2023-24) of the audit period when compared to the first year (2021-22), but they were still higher than the San Francisco Bay Region 2 ("Regional") rates calculated from CIWQS

data. Albany's triennial average annual rate was 17.7 per 100 miles versus the Regional annual rate of 4.1 per 100 miles. While the triennial rate decreased from the previous period, it is still greater than the Regional rate and City staff should analyze their operations and SSMP elements to ensure that the SSMP is effective in reducing the rate and occurrence of SSOs.

Annual SSO Rate (City vs. Region 2)

Year	City SSOs	City SSOs / 100 miles	Region 2 SSOs / 100 miles
2021-22	10	31.3	5.1
2022-23	3	9.4	5.0
2023-24	4	12.5	2.3
AVG	5.7	17.7	4.1

It is important to note that a majority of the SSOs were associated with problems originating in lower laterals and, consequently, were low volume SSOs. While the City's average SSO volume was 1,949 gallons, the median volume and 90th upper percentile volume were 19 gallons and 480 gallons, respectively.

Albany's SSO volume per 100 miles of system for 2021-22 was roughly equivalent to the 2021-22 Regional volume per 100 miles. However, Albany's SSO volume per 100 miles for 2022-23 and 2022-24 were significantly lower than the Regional figure. The triennial average annual volume of City SSOs was 34,509 gallons per 100 miles versus the Regional annual rate of 344,052 gallons per 100 miles.

Annual SSO Volume (City vs. Region 2)

Year	City SSO Volume (gal)	City Vol. (gal) / 100 miles	Region 2 Vol. (gal) / 100 miles
2021-22	32,324	101,013	102,861
2022-23	151	472	881,284
2023-24	654	2,044	48,012
AVG	11,043	34,509	344,052

It is important to note that approximately 99% of the City's 2021-22 SSO volume and 98% of the City's triennial (2021-24) SSO volume were related to one SSO, which was caused by a FOG deposit and exacerbated by a delayed response. This "hotspot" location was regularly cleaned on a 6-month cycle prior to the SSO and has since been modified to a 3-month cycle; this main is also scheduled for rehabilitation under the Brighton Easement Sewer Rehabilitation Project. When excluding the 32,100 gallon SSO in 2021-22, the triennial average annual volume of City SSOs was 1,072 gallons per 100 miles (approximately 0.3% of the Regional annual volume per 100 miles).

Albany's SSO volume per 100 miles of system that reached surface waters for 2021-22 was higher than the 2021-22 Regional volume per 100 miles. As identified earlier, the 2021-2022 figure was the result of one SSO. However, Albany's SSO volume per 100 miles for 2022-23 and 2022-24 were significantly lower than the Regional figure. In particular, there were no Albany SSO releases to surface waters in 2022-2023. The triennial average annual volume of City SSOs that reached surface waters was 33,922 gallons per 100 miles versus the Regional annual rate of 68,309 gallons per 100 miles.

Annual SSO Volume Reaching Surface Water (City vs. Region 2)

Year	City SSO Vol. Reaching SW (gal)	City SSO Vol. Reaching SW		Region 2 SSO Vol. Reaching SW	
		(gal / 100 miles)	(%)	(gal / 100 miles)	(%)
2021-22	32,100	100,313	99.3%	60,350	58.7%
2022-23	0	0	0.0%	136,223	15.5%
2023-24	465	1,453	71.1%	8,355	17.4%
AVG	10,855	33,922	56.8%	68,309	30.5%

Although the City SSO volumes that reached surface waters were generally low in comparison to Regional volumes during the triennial audit period, a significant portion of the City SSO volumes reached surface water. During 2021-22 and 2023-24, 99.3% and 71.1% of the City's SSO volumes reached surface water in comparison to Regional volumes of 58.7% and 17.4%. The triennial average volume of City SSOs that reached surface waters was 56.8% versus the Regional annual rate of 30.5%. It's important to note that the 2021-22 and 2023-24 volumes reaching surface water were due to a single SSO during the respective years. City staff should analyze training intervals to continue ensuring a successful and efficient response to SSOs under the Spill Emergency Response Plan.

Strengths

The following is a summary of the strengths of the City SSMP:

- The City's SSO volume is considerably low in comparison to Regional SSOs: approximately 10% of Region 2's triennial average (gallons/100 miles). The SSO volume to surface water is typically low, with the exception of a single SSO during 2021-22 identified earlier. In 2022-23 and 2023-24, zero and one SSO reached surface waters, respectively. The City's SSO volume to surface water is approximately 50% of Region 2's triennial average (gallons/100 miles). This demonstrates that SSOs are generally minimized and when they have occurred, City staff have implemented the overflow emergency response plan effectively and provided efficient and, in most cases, timely SSO responses.

- SSO response times are usually very good, with an average of 127 minutes, 16 minutes, and 33 minutes in 2021-22, 2022-23, and 2023-24, respectively. The high 2021-22 average response reflected the impact of the lengthy response time to the one SSO identified earlier. When excluding this one SSO, the 2021-22 average is 35 minutes.
- The FOG control program is performed by EBMUD-contracted services and is a very active program. EBMUD staff perform inspections on an as-needed basis on food service establishments (FSEs). Three FOG-related SSOs occurred during the triennial audit period (one each year). The 2022-23 and 2023-24 SSOs were small volumes (90-gal and 142-gal, respectively) and did not reach surface waters.
- The City has a thoughtful, comprehensive, planned preventive maintenance program. Implementation of the program is thorough and effective in accomplishing proper system operations and maintenance (O&M). The City employs condition assessment (CCTV work) in addition to preventive (regular cleaning) and reactive maintenance activities, and that assessment is an important diagnostic tool and resource that assists capital planning and can help to minimize catastrophic asset failures and minimize SSOs. It appears that staff has generally completed planned maintenance activities as planned.
- The City's Municipal Code (MC) provides adequate legal authority to meet the requirements of the WDR.
- The recordkeeping of collection system activities is good, is of high quality, and is very comprehensive and accessible. Information for this audit was easy to obtain and was readily available upon request.

Deficiencies and Corrective Actions

The following is a summary of the deficiencies and recommended corrective actions of the City SSMP:

- The certification of two SSO events has not been done within required timelines. Reporting and certification of all SSOs should be done in an accurate and timely manner, within all required timelines.
Corrective Action: All future SSOs should be reported and certified within specified deadlines. All LROs should review SSO reporting and certification requirements. Include these elements in an annual training class.
- The City currently has designated two legally responsible officials (LROs) that can certify SSO reports in the State CIWQS system. However, as one of the staff positions that are designated as a LRO is vacant, the City should designate an interim LRO to ensure that there is 24 hour coverage for SSO

certification. The City should also remove ex-employees who are shown as Data Submitters and add other individuals as data submitters that can submit data into CIWQS.

Corrective Action: Albany should designate an interim LRO so there are at least 2 active LROs and they should certify any future SSO reports.

- Although it has continued to decrease over time, the SSO rate is still much higher than the Regional rate. While this is somewhat reflective of the fact that the origin of most SSOs are problems in lower laterals, the rate is higher than typical values in the region. As it is used by many as an indicator of maintenance success, reducing SSO rates deserves attention.

Corrective Action: Investigate and undertake (reasonable and effective) potential maintenance and capital work to reduce SSOs.

- The average SSO event response time was 127 minutes in 2021-22. While the response time to the eight of the ten 2021-22 SSOs were under an hour, it's a significant concern that the response to one event took 16 hours from the time the call was received until crews were on-site to handle the SSO. A quick response is critical to minimize volumes and volumes to surface water

Corrective Action: Meet with staff that respond to SSOs and emphasize the need for timely response to all SSOs - this may be done as part of SSMP/SERP training.

- This SSMP audit is overdue (due February 2025). Audits are required to be completed every three years, and the previous audit was completed in 2019.

Corrective Action: Revise the audit element in the SSMP, post completed audit on the City website after completion, and upload to CIWQS.

- The SSMP update is overdue (due August 2025). SSMP updates are required to be completed every six years, and the previous update was completed in 2019.

Corrective Action: Update the SSMP (including the change log as needed), post the updated SSMP on the City website after completion, and upload to CIWQS.

- There presently is no biannual SSMP/SERP training for staff that implement the SSMP.

Corrective Action: Initiate biannual SSMP refresher training for relevant staff.

Compliance

This audit finds the City to be in general compliance with the WDR.

City of Albany
Sewer System Management
Plan (SSMP) Audit
8/2/2021 – 8/2/2024

The purpose of the SSMP Audit is to evaluate the effectiveness of the City of Albany's (City's) SSMP and to identify any needed for improvement.

Directions: Please check YES or NO for each question. If NO is answered for any question, describe the updates/changes needed and the timeline to complete those changes.

		YES	NO
SSMP GOAL & INTRODUCTION			
A.	Is the current system description complete and up-to-date? Are infrastructure statistics current and complete?		X
B.	Are the goals stated in the SSMP still appropriate and accurate?	X	
Discussion/Deficiencies/Corrective Actions: Minor updates to the mainline inventory and infrastructure statistics; added new details as required under the 2022 WDR.			

		YES	NO
ELEMENT 2 - ORGANIZATION			
A.	Is the staff identified as LROs current?	X	
B.	Is the Sewer Staff Contact List current?		X
C.	Is the City Organization Chart included and current?		X
D.	Is the Table regarding the SSO Reporting and Response Chain of Communication accurate and up-to-date?		X
Discussion/Deficiencies/Corrective Actions: Both responsible staff and the City organization chart were revised. The organization chart has been revised to reflect the current City organization and will be included in an updated SSMP. City staff is well aware of their SSMP responsibilities and the staff is very capable in regards to carrying out these responsibilities.			

		YES	NO
ELEMENT 3 – LEGAL AUTHORITY			
Does the SSMP contain current references to the City Municipal Code documenting the City’s legal authority to:			
A.	Prevent illicit discharges?	X	
B.	Require proper design & construction of sewers & connections?	X	
C.	Ensure access for maintenance, inspection, and repairs of laterals?	X	
D.	Enforce any violation of sewer ordinances or service agreements?	X	
E.	Obtain easement accessibility agreements for operations and maintenance?	X	
Discussion/Deficiencies/Corrective Actions: Albany Municipal Code documents the City’s legal authority to properly maintain and enforce the activities described under the WDR and SSMP.			

		YES	NO
ELEMENT 4 – OPERATION AND MAINTENANCE PROGRAM			
Map of Sanitary Sewer System			
A.	Does the SSMP reference the current process and procedures for maintaining the City's wastewater collection system maps?	X	
B.	Are the City's wastewater collection system maps complete, current and sufficiently detailed?	X	
C.	Are storm drainage facilities identified on the collection system maps? If not, are SSO responders able to determine locations of storm drainage inlets and pipes for possible discharge to waters of the state?	X	
Preventive Operation & Maintenance Activities			
D.	Does the SSMP describe current preventive maintenance activities and the system for prioritizing the cleaning of sewers?	X	
E.	Based upon information in the Annual SSO Report, are the City's preventive maintenance activities sufficient and effective in minimizing SSOs and blockages?	X	
Training			
F.	Does the SSMP document current training expectations and programs?	X	
G.	Are training records current?		X
Equipment Inventory			
H.	Does the SSMP list the major equipment currently used in the operation and maintenance of the collection system?	X	
I.	Are contingency and replacement parts sufficient to respond to emergencies and properly conduct regular maintenance?	X	
Discussion/Deficiencies/Corrective Actions: Although the SSMP documents current training expectations and programs, the outlined biannual training described herein has not been followed and staff are working to properly schedule these training sessions.			

		YES	NO
ELEMENT 5 – DESIGN AND PERFORMANCE PROVISIONS			
A.	Does the SSMP reference current design and construction standards for the installation for new sanitary sewer systems, pump stations and other appurtenances and for the rehabilitation and repair of existing sanitary sewer systems?	X	
B.	Does the SSMP reference current procedures and standards for inspecting and testing the installation of new sewers, pumps, and other appurtenances and the rehabilitation and repair of existing sewer lines?	X	
Discussion/Deficiencies/Corrective Actions: No changes were needed as all City's design and performance standards are current, appropriate, and accurately reflected in the existing SSMP.			

		YES	NO
ELEMENT 6 – OVERFLOW AND EMERGENCY RESPONSE PLAN			
A.	Does the City’s Spill Emergency Response Plan (SERP) contain proper notification procedures so that primary responders and regulatory agencies are informed of all SSOs as required by the WDR and MRP?	X	
B.	Does the SERP have a program to ensure an appropriate response to all overflows?	X	
C.	Does the SERP contain procedures to ensure prompt notification to appropriate regulatory agencies and other potentially affected entities of all SSOs that potentially affect public health or reach waters of the State in accordance with the MRP? Does the SERP identify the officials who will receive immediate notification of such SSOs?	X	
D.	Are staff and contractor personnel aware of and appropriately trained on the procedures of the SERP?		X
E.	Does the SERP contain procedures to address emergency operations such as traffic and crowd control and other necessary response activities?	X	
F.	Does the SERP ensure that all reasonable steps are taken to contain and prevent the discharge of untreated and partially treated wastewater to waters of the United States and to minimize or correct any adverse impact on the environment resulting from SSOs, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the discharge?	X	
G.	Was required training on SSMP and SERP completed and documented?		X
H.	Does the SERP contain a water quality monitoring plan that is current? Have employees been trained on this plan and what is needed for an SSO with a large volume?	X	
I.	If applicable, was sampling performed within 48 hours for all SSOs greater than 50,000 gallons and was a Technical Report prepared and filed on the CIWQS website?	X (N/ A)	
Discussion/Deficiencies/Corrective Actions: The SERP is still current and reflects the City's emergency response plan. All other sections are proper and address WDR requirements for emergency response. However, biannual training has not been followed and staff are working to properly schedule these training sessions			

		YES	NO
ELEMENT 7 – SEWER PIPE BLOCKAGE CONTROL PROGRAM			
A.	Does the FOG Control Program include efforts to educate the public on proper handling and disposal of FOG?	X	
B.	Does the FOG Control Program identify sections of the collection system subject to FOG blockages, establish a cleaning schedule and address source control measures to minimize these blockages?	X	
C.	Are requirements for grease removal devices, best management practices (BMPs), record keeping and reporting established in the City's FOG Control Program?	X	
D.	Does the City have sufficient legal authority to implement and enforce the FOG Control Program, including prohibition of discharges, measure to prevent SSOs and blockages caused by FOG?	X	
E.	Is the current FOG program effective in minimizing blockages of sewer lines resulting from discharges of FOG to the system?	X	
F.	Does the FOG Control Program include development and implementation of source control measures for all sources of FOG discharged to the system for each sewer system subject to FOG blockages?	X	
G.	Does the FOG Control Program include the authority to inspect grease producing facilities, enforce when necessary, and does the City have sufficient staff to inspect and enforce its FOG ordinance	X	
Discussion/Deficiencies/Corrective Actions: The City has a comprehensive FOG control program (including contract services by EBMUD employees) that addresses all required items.			

		YES	NO
ELEMENT 8 – SYSTEM EVALUATION, CAPACITY ASSURANCE, AND CAPITAL IMPROVEMENTS			
A.	Does the Sanitary Sewer Master Plan evaluate the sewer system utilizing best practices, identify portions of the system in need of repair, prioritize condition assessments with deficiencies, and identify assets vulnerable to impacts of climate change?	X	
B.	Does the Sanitary Sewer Master Plan prioritize improvements where assets with insufficient capacity are identified?	X	
C.	Does this SSMP describe the project funding and schedules, including completion dates for remaining portions of the capital improvement program?	X	
Discussion/Deficiencies/Corrective Actions: The City is currently in the process of updating the Sanitary Sewer Master Plan. There have been no capacity issues experienced and the City has effectively managed collection system capacity.			

		YES	NO
ELEMENT 9 – MONITORING, MEASUREMENT, AND PROGRAM MODIFICATIONS			
A.	Does the City maintain relevant information that can be used to establish and prioritize appropriate SSMP activities?	X	
B.	Does the City monitor implementation and, where appropriate, measure the effectiveness of each element of the SSMP?	X	
C.	Does the City assess the success of the preventive maintenance program?	X	
D.	Does the City update program elements, as appropriate, based on monitoring or performance evaluations	X	
E.	Does the City identify and illustrate SSO trends?	X	
Discussion/Deficiencies/Corrective Actions: The City continues to address SSMP implementation effectiveness and steps for improvement.			

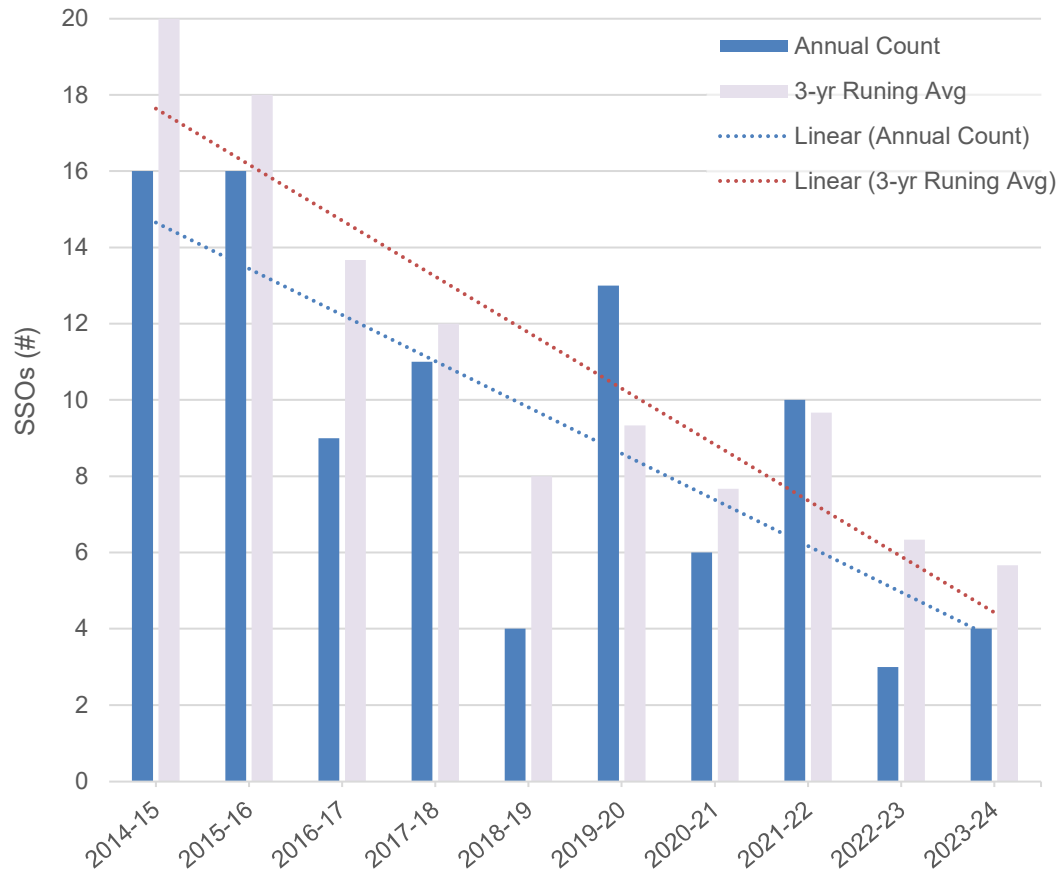
		YES	NO
ELEMENT 10 – INTERNAL AUDITS			
A.	Does the audit focus on evaluating the effectiveness of the SSMP?	X	
B.	Was the audit completed on time, every three years, and kept on file (preferably as an appendix to the SSMP)?		X
Discussion/Deficiencies/Corrective Actions: The City's current audit is overdue. Schedules for the internal audit and SSMP updates will be included in future training sessions that staff are working to schedule.			

		YES	NO
ELEMENT 11 – COMMUNICATION PROGRAM			
A.	Does the City provide the public an opportunity for input and feedback on the SSMP?	X	
B.	Does City staff have procedures for communicating with satellite collection systems? Are all agreements with satellite systems current or are changes necessary to these agreements?		X
Discussion/Deficiencies/Corrective Actions: This internal audit and the SSMP update are to be posted on the City website following the 2/17 City Council meeting for public input and feedback. Although the City communicates with satellite agencies on a regular basis, the City plans to develop more formal agreements with these agencies in the future in order to better define their specific responsibilities with respect to sewer discharge into the City sewer system and, in applicable cases, each agency's responsibilities for jointly-used facilities.			

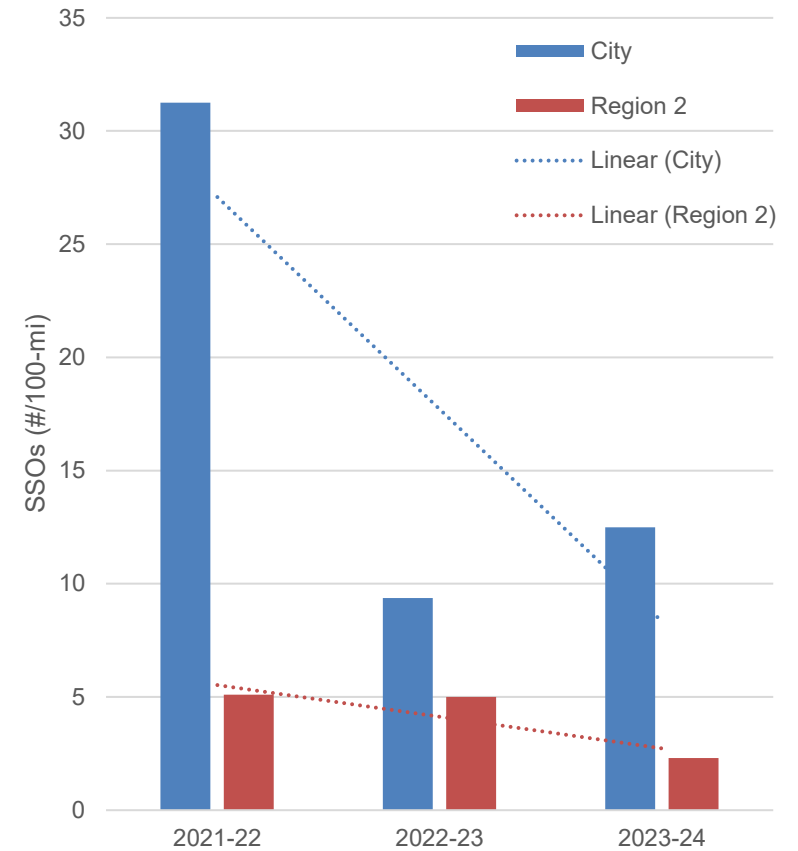
Supporting Data & Graphs

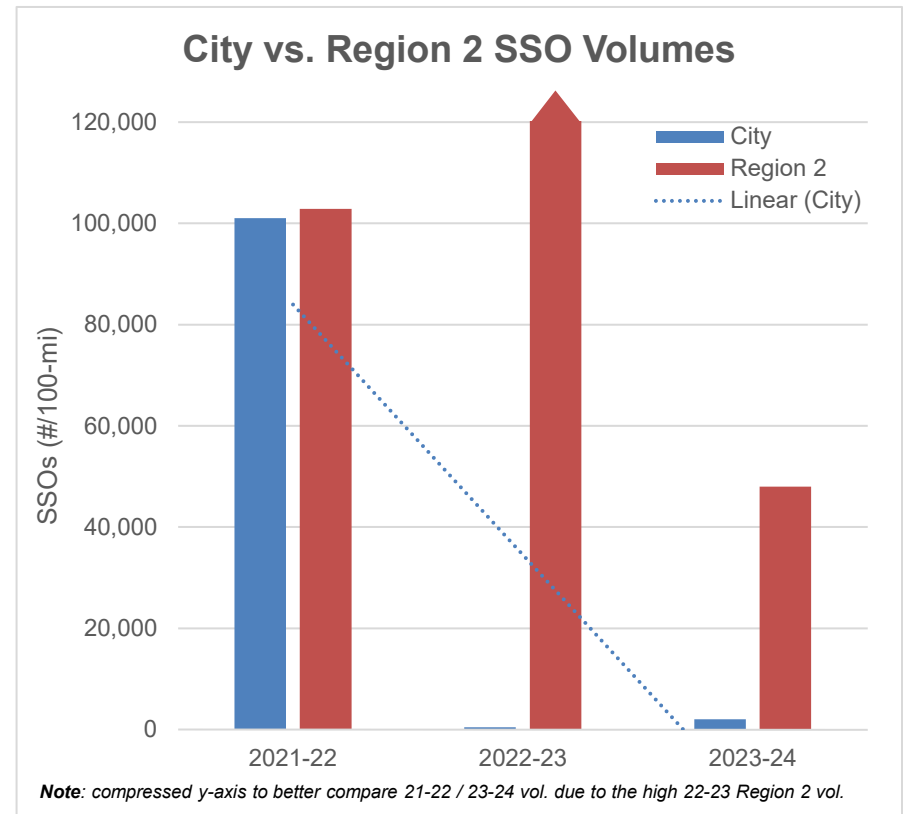
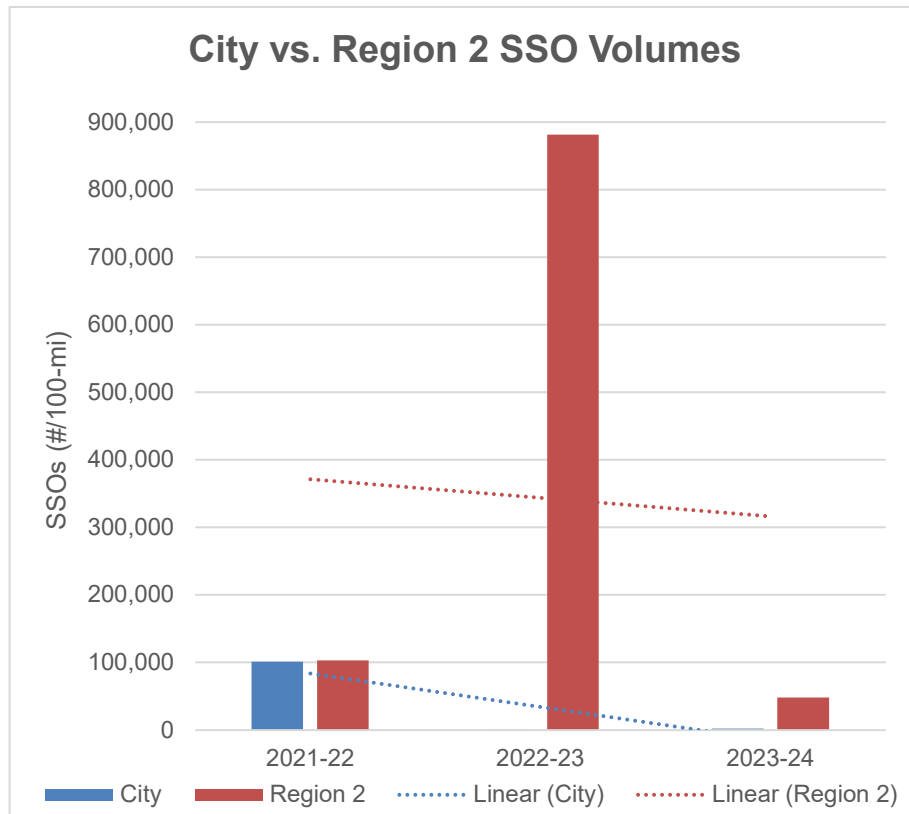
- **City SSOs (10-yr History)**
- **City vs. Region 2 SSO Rates**
- **City vs. Region 2 SSO Volumes**
- **City SSO Volume Severities**
- **City vs. Region 2 SSO Volumes Reaching Surface water**
- **City vs. Region 2 SSO Volume % Reaching Surface water**
- **City SSO Causes**

City SSOs (10-yr History)

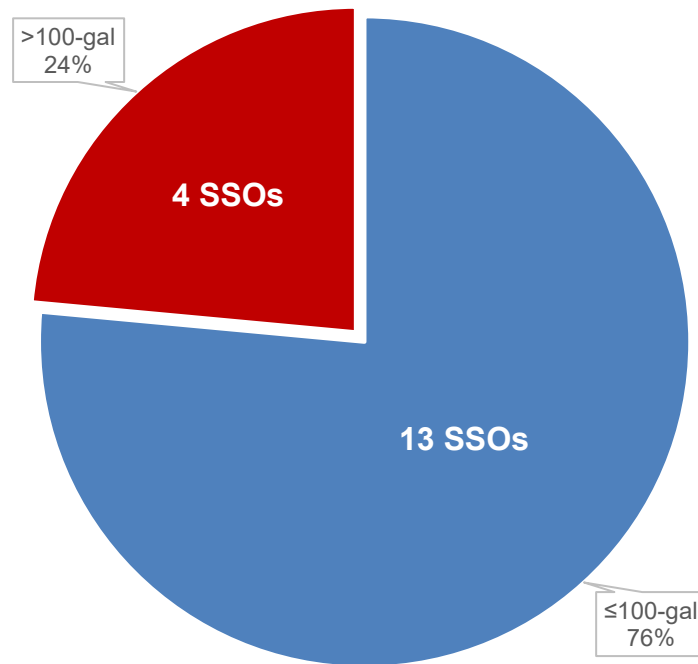


City vs. Region 2 SSO Rates

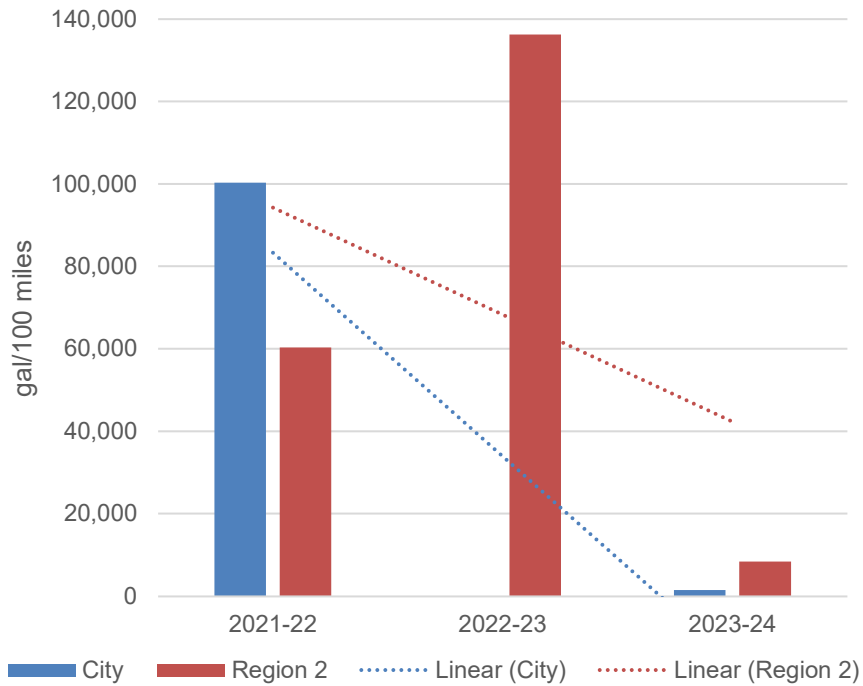




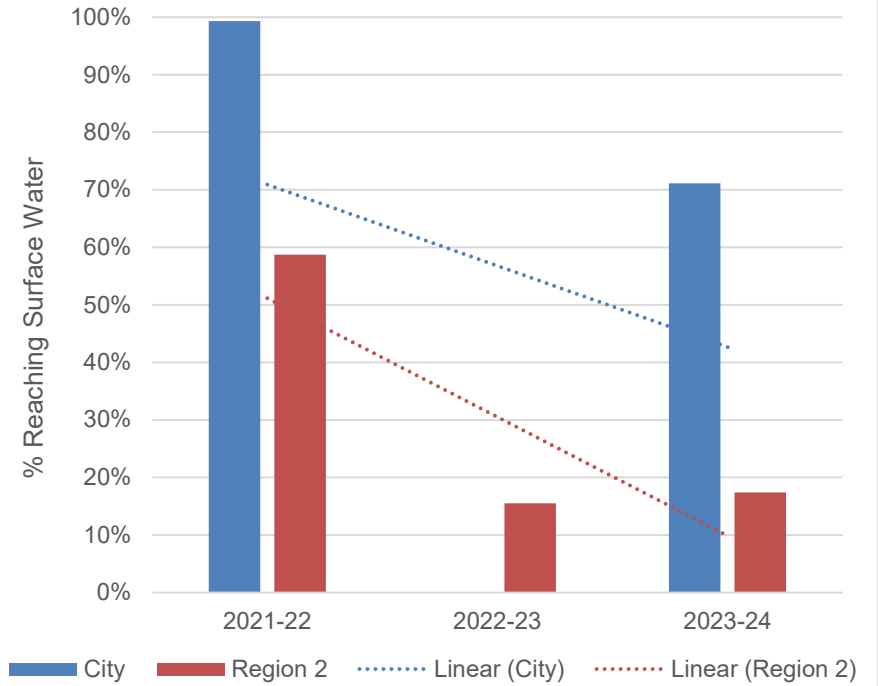
**City SSO Volume Severities
(2021-24)**

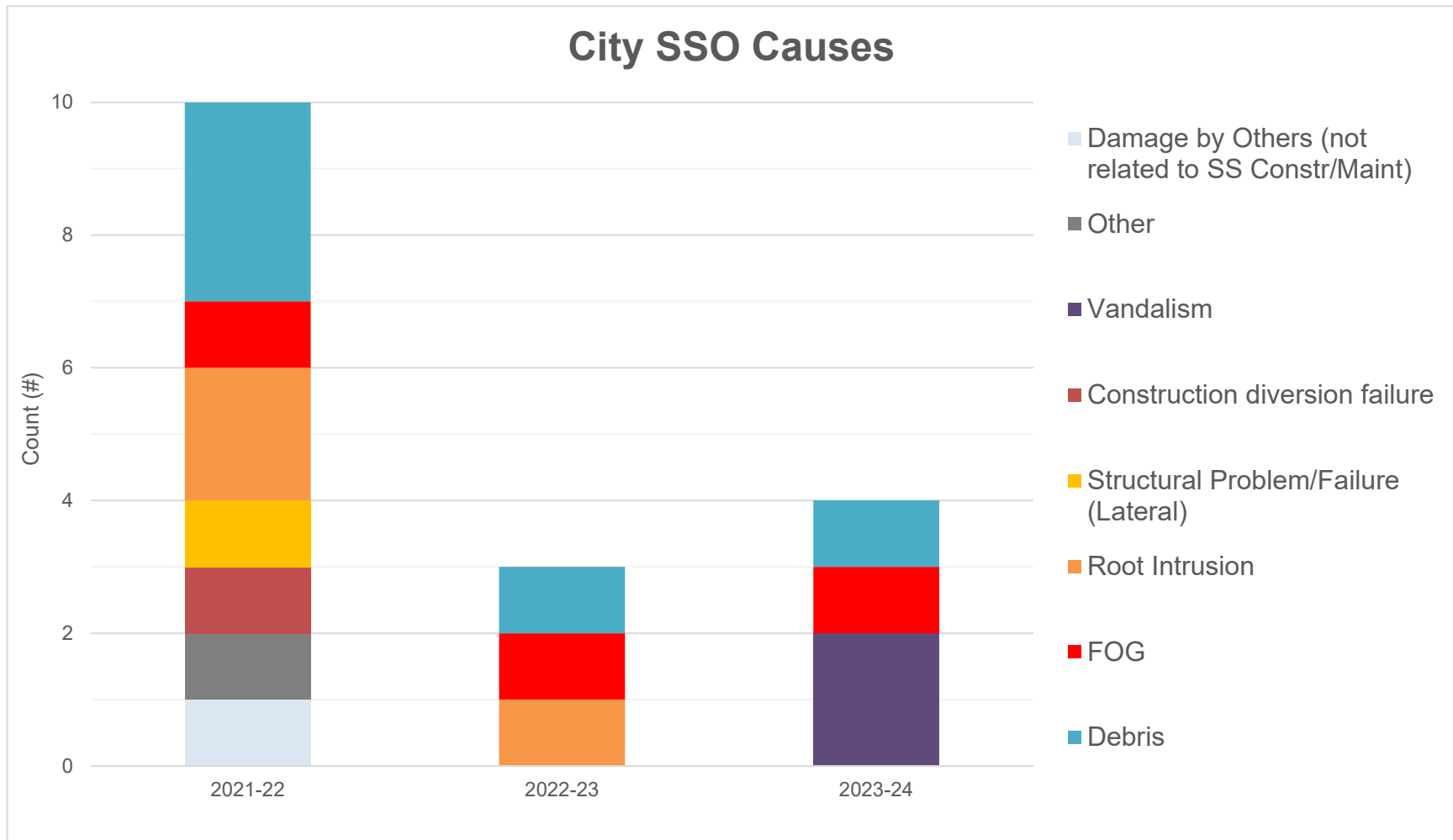


**City vs. Region 2 SSO Volumes
Reaching Surface Waters**



**City vs. Region 2 SSO Volume %
Reaching Surface Waters**





Appendix 7

SSMP Audit Checklist

City of Albany
Sewer System Management
Plan (SSMP) Audit
[REPORTING PERIOD]

The purpose of the SSMP Audit is to evaluate the effectiveness of the City of Albany's (City's) SSMP and to identify any needed for improvement.

Directions: Please check YES or NO for each question. If NO is answered for any question, describe the updates/changes needed and the timeline to complete those changes.

		YES	NO
SSMP GOAL & INTRODUCTION			
A.	Is the current system description complete and up-to-date? Are infrastructure statistics current and complete?		
B.	Are the goals stated in the SSMP still appropriate and accurate?		
Discussion/Deficiencies/Corrective Actions: 			

		YES	NO
ELEMENT 2 - ORGANIZATION			
A.	Is the staff identified as LROs current?		
B.	Is the Sewer Staff Contact List current?		
C.	Is the City Organization Chart included and current?		
D.	Is the Table regarding the SSO Reporting and Response Chain of Communication accurate and up-to-date?		
Discussion/Deficiencies/Corrective Actions: 			

		YES	NO
ELEMENT 3 – LEGAL AUTHORITY			
Does the SSMP contain current references to the City Municipal Code documenting the City’s legal authority to:			
A.	Prevent illicit discharges?		
B.	Require proper design & construction of sewers & connections?		
C.	Ensure access for maintenance, inspection, and repairs of laterals?		
D.	Enforce any violation of sewer ordinances or service agreements?		
E.	Obtain easement accessibility agreements for operations and maintenance?		
Discussion/Deficiencies/Corrective Actions:			

		YES	NO
ELEMENT 4 – OPERATION AND MAINTENANCE PROGRAM			
Map of Sanitary Sewer System			
A.	Does the SSMP reference the current process and procedures for maintaining the City’s wastewater collection system maps?		
B.	Are the City’s wastewater collection system maps complete, current and sufficiently detailed?		
C.	Are storm drainage facilities identified on the collection system maps? If not, are SSO responders able to determine locations of storm drainage inlets and pipes for possible discharge to waters of the state?		
Preventive Operation & Maintenance Activities			
D.	Does the SSMP describe current preventive maintenance activities and the system for prioritizing the cleaning of sewers?		
E.	Based upon information in the Annual SSO Report, are the City’s preventive maintenance activities sufficient and effective in minimizing SSOs and blockages?		
Training			
F.	Does the SSMP document current training expectations and programs?		
G.	Are training records current?		
Equipment Inventory			
H.	Does the SSMP list the major equipment currently used in the operation and maintenance of the collection system?		
I.	Are contingency and replacement parts sufficient to respond to emergencies and properly conduct regular maintenance?		
Discussion/Deficiencies/Corrective Actions:			

		YES	NO
ELEMENT 5 – DESIGN AND PERFORMANCE PROVISIONS			
A.	Does the SSMP reference current design and construction standards for the installation for new sanitary sewer systems, pump stations and other appurtenances and for the rehabilitation and repair of existing sanitary sewer systems?		
B.	Does the SSMP reference current procedures and standards for inspecting and testing the installation of new sewers, pumps, and other appurtenances and the rehabilitation and repair of existing sewer lines?		
Discussion/Deficiencies/Corrective Actions:			

		YES	NO
ELEMENT 6 – OVERFLOW AND EMERGENCY RESPONSE PLAN			
A.	Does the City's Spill Emergency Response Plan (SERP) contain proper notification procedures so that primary responders and regulatory agencies are informed of all SSOs as required by the WDR and MRP?		
B.	Does the SERP have a program to ensure an appropriate response to all overflows?		
C.	Does the SERP contain procedures to ensure prompt notification to appropriate regulatory agencies and other potentially affected entities of all SSOs that potentially affect public health or reach waters of the State in accordance with the MRP? Does the SERP identify the officials who will receive immediate notification of such SSOs?		
D.	Are staff and contractor personnel aware of and appropriately trained on the procedures of the SERP?		
E.	Does the SERP contain procedures to address emergency operations such as traffic and crowd control and other necessary response activities?		
F.	Does the SERP ensure that all reasonable steps are taken to contain and prevent the discharge of untreated and partially treated wastewater to waters of the United States and to minimize or correct any adverse impact on the environment resulting from SSOs, including such accelerated or additional monitoring as may be necessary to determine the nature and impact of the discharge?		
G.	Was required training on SSMP and SERP completed and documented?		
H.	Does the SERP contain a water quality monitoring plan that is current? Have employees been trained on this plan and what is needed for an SSO with a large volume?		
I.	If applicable, was sampling performed within 48 hours for all SSOs greater than 50,000 gallons and was a Technical Report prepared and filed on the CIWQS website?		
Discussion/Deficiencies/Corrective Actions:			

		YES	NO
ELEMENT 7 – SEWER PIPE BLOCKAGE CONTROL PROGRAM			
A.	Does the FOG Control Program include efforts to educate the public on proper handling and disposal of FOG?		
B.	Does the FOG Control Program identify sections of the collection system subject to FOG blockages, establish a cleaning schedule and address source control measures to minimize these blockages?		
C.	Are requirements for grease removal devices, best management practices (BMPs), record keeping and reporting established in the City's FOG Control Program?		
D.	Does the City have sufficient legal authority to implement and enforce the FOG Control Program, including prohibition of discharges, measure to prevent SSOs and blockages caused by FOG?		
E.	Is the current FOG program effective in minimizing blockages of sewer lines resulting from discharges of FOG to the system?		
F.	Does the FOG Control Program include development and implementation of source control measures for all sources of FOG discharged to the system for each sewer system subject to FOG blockages?		
G.	Does the FOG Control Program include the authority to inspect grease producing facilities, enforce when necessary, and does the City have sufficient staff to inspect and enforce its FOG ordinance		
Discussion/Deficiencies/Corrective Actions:			

		YES	NO
ELEMENT 8 – SYSTEM EVALUATION, CAPACITY ASSURANCE, AND CAPITAL IMPROVEMENTS			
A.	Does the Sanitary Sewer Master Plan evaluate the sewer system utilizing best practices, identify portions of the system in need of repair, prioritize condition assessments with deficiencies, and identify assets vulnerable to impacts of climate change?		
B.	Does the Sanitary Sewer Master Plan prioritize improvements where assets with insufficient capacity are identified?		
C.	Does this SSMP describe the project funding and schedules, including completion dates for remaining portions of the capital improvement program?		
Discussion/Deficiencies/Corrective Actions:			

		YES	NO
ELEMENT 9 – MONITORING, MEASUREMENT, AND PROGRAM MODIFICATIONS			
A.	Does the City maintain relevant information that can be used to establish and prioritize appropriate SSMP activities?		
B.	Does the City monitor implementation and, where appropriate, measure the effectiveness of each element of the SSMP?		
C.	Does the City assess the success of the preventive maintenance program?		
D.	Does the City update program elements, as appropriate, based on monitoring or performance evaluations		
E.	Does the City identify and illustrate SSO trends?		
Discussion/Deficiencies/Corrective Actions:			

		YES	NO
ELEMENT 10 – INTERNAL AUDITS			
A.	Does the audit focus on evaluating the effectiveness of the SSMP?		
B.	Was the audit completed on time, every three years, and kept on file (preferably as an appendix to the SSMP)?		
Discussion/Deficiencies/Corrective Actions:			

		YES	NO
ELEMENT 11 – COMMUNICATION PROGRAM			
A.	Does the City provide the public an opportunity for input and feedback on the SSMP?		
B.	Does City staff have procedures for communicating with satellite collection systems? Are all agreements with satellite systems current or are changes necessary to these agreements?		
Discussion/Deficiencies/Corrective Actions:			