TRP/ljb
3-7-96
8-06.ord

ORDINANCE No. 4414

THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO DOES ORDAIN AS FOLLOWS:

Section 1. Chapter 8.06 of Title 8 of the El Dorado County Ordinance Code is hereby repealed in its entirety and a new Chapter 8.06 is hereby added to read as follows:

Chapter 8.06

Liquid Waste (Septage) Management

8.06.010 Title. This Chapter shall be known and may be referred to in all proceedings as the liquid waste (septage) management ordinance.

8.06.020 Purpose. The purpose of this chapter is to permit liquid waste (septage) haulers and establish fees and other financial assurance mechanisms to ensure that the proper treatment and disposal of liquid wastes (septage) is provided for.

8.06.030 Definitions. When used in this chapter, the following terms shall have the meaning designated and set forth hereinafter:

A. "Disposal fee" means a fee charged by the environmental management department for the reception of liquid wastes at the Union Mine Liquid Waste Treatment Facility. The fee includes the cost of receiving, treating, disposing, and otherwise managing the liquid waste at the facility.

B. "Environmental management department" means the El Dorado County environmental management department.

C. "Director" means the administrative head of the environmental management department, or the duly authorized representative of director.

D. "Liquid waste (septage)" means wastewater that is collected from dwelling units, commercial/industrial buildings, and institutions within a community. It may include concentrated sewage, process wastes, and sludges from dwellings and industry as well as groundwater infiltration and miscellaneous waste liquids, however, it does not include greases and grease trappings from dwellings and industry.

E. "Permit" means a written permit or activity approval or entitlement issued by the environmental management department approving an activity, business, premises, device or apparatus in

accordance with the health, sanitary or safety requirements, rules, laws, ordinances, or regulations pertaining to public health and safety.

F. "Permit fee" means the fee charged by the environmental management department for the processing and administering of a permit application for a liquid waste (septage) hauler to clean septic tanks, chemical toilets, cesspools, and sewage pits; collect, haul, and dispose liquid waste (septage).

8.06.040 Permit. In accordance with the provisions of Health and Safety Code Section 25000, et seq., no person, partnership, or corporation shall carry on or engage in the business of cleaning septic tanks, chemical toilets, cesspools or sewage pits or of hauling and disposing of the cleanings therefrom at a liquid waste disposal facility without having first applied for and obtained a liquid waste hauler permit from the County.

8.06.050 Issuance of permit. Upon proper application, the environmental management department shall issue a permit for the activity if it finds that the proposed activity is proposed to be, or designed to be, carried on in accordance with the laws, rules, and regulations pertaining to the public health and safety.

8.06.060 Revocation of permit. Permits issued under this chapter may be revoked by the director if the director finds that the activity has been, or is being carried on or engaged in, contrary to laws, ordinances, rules, and regulations pertaining to the public health and safety, or that the activity is a threat to the public health or safety, or that the activity violates a condition of the permit or the permittee fails to remit fees in a timely manner pursuant to this chapter.

8.06.070 Revocation of or denial of issuance of permit - appeal. In the event the director denies or revokes a permit issued under this chapter and the permittee wishes to contest the denial or revocation, the permittee may do so by filing a written notice of appeal to the board of supervisors within ten (10) days of the revocation or denial of a permit.

8.06.080 Appeal hearing before the board of supervisors. Upon receipt of such a written notice of appeal, the board of supervisors shall schedule and set a hearing of said matter to take place within thirty (30) days of receipt of the notice. At the hearing, the board of Supervisors shall fully hear all persons who are parties to the dispute, or aggrieved by the action, and render a decision thereon, which decision shall be final. The hearing of the board of supervisors may be continued from time to time at the direction of the board of supervisors.

8.06.090 Term of permit. A permit issued in any year, shall be valid for the period of twelve calendar months thereafter. At the end of the twelve month period, the permit shall become void and of no effect, unless the permittee renews the permit according to the provisions of this chapter.

8.06.100 Fees. The environmental management department is authorized to charge and collect permit fees and disposal fees. The amount of fees shall be set from time to time by resolution of the board of supervisors. All permit and disposal fees shall be due and payable within thirty (30) days from the date of the department's date of invoice.

8.06.110 Security guarantee. Prior to the re-issuance of a permit for which a permit has been revoked for failure to remit and/or late remittance of fees authorized pursuant to this chapter, the permittee shall be required to post with the county a guarantee of the permittee's ability to remit timely disposal fee payments to the county. The guarantee may be demonstrated by any of the following:

A. A cash security deposit in an amount approved by the board of supervisors.

B. A cash bond in an amount approved by the board of supervisors.

C. A letter of credit.

8.06.120 Waste discharge requirements. No person shall discharge liquid waste to the Union Mine Liquid Waste Treatment Facility unless, and until, such person has complied with all of the requirements of this subsection and received a valid permit.

A. Proof of a permit;

B. Provision of a list with license numbers of each vehicle which the permittee proposes to use for the discharge of waste to the Union Mine Liquid Waste Treatment Facility;

C. Certification of insurance coverage;

D. Furnishing of a cash deposit or other security acceptable to the environmental management department; and

E. Payment of all such fees, permit and disposal, as may be prescribed by the board of supervisors.

8.06.130 Permissible discharges. It is the intent of the county that the Union Mine Liquid Waste (Septage) Treatment Facility shall only be used for the treatment and disposal of wastes which are compatible with the treatment process and the continued operation of the facility as a nonhazardous liquid management facility.

8.06.140 Prohibited discharges. It is the intent of this ordinance to prohibit:

A. Any hazardous waste which may be defined by either federal or state statute and regulation, whichever is more stringent; and

B. Any grease or grease trappings.

8.06.150 Manifests. All liquid waste vehicle drivers shall verify the source of all waste contained within the waste load to be discharged by using a manifest.

A. The manifest shall be carried in the vehicle at the time of disposal of liquid waste to an approved disposal facility.

B. At a minimum, the information on the manifest shall include:

(1) Customer(s) name and contact phone number;
(2) Customer or pumping site location/address;
(3) Date and time of service; and
(4) Waste type.

C. Verification may be demonstrated by either:

(1) A customer receipt containing the required information; or

(2) A completed log form containing the required information.

D. Exemption from the requirement to keep manifests in the vehicle at the time of disposal may be granted by the director on a case by case basis pending written requests.

8.06.160 Disposal reports. Monthly disposal reports shall be completed and submitted by all liquid waste haulers to the environmental management department by 5:00 p.m. of the 15th day of the month following the month for which the report is prepared. Late reporting shall be subject to an administrative penalty. The reports shall include a compilation of the information required in the manifests required pursuant to this chapter. All items listed on the report shall be complete, accurate, and legible. All reports shall be certified and signed by the company owner or a duly authorized representative of the company. Incomplete reports shall be returned.

8.06.170 Spill and incident reporting.

A. Any spills shall be reported immediately by phone to the environmental management department. If direct contact is not made, a message should be left indicating the date and time of occurrence.

B. Formal written notification describing the circumstances of the spill or incident shall be submitted to the environmental management department within five (5) working days of the occurrence.

8.06.180 Record keeping. The permittee shall maintain business records which verify disposal amount and sources of liquid

waste discharged to the Union Mine Liquid Waste Treatment Facility. All such records required shall be retained for three years and shall be made available for inspection or copying at the request of the environmental management department.

8.06.190 Site inspections. Permittee having business sites within the county shall be subject to business site inspections and record review by the environmental management department.

8.06.200 Insurance coverage. The permittee shall maintain, at permittee's own expense during the term of the permit, insurance with respect to permittee's business, of the types and in the minimum amounts required by the county.

8.06.210 General provisions.

A. All liquid waste shall be discharged to a facility permitted for receiving the liquid waste.

B. Any facility other than the Union Mine Liquid Waste Treatment Facility, which is used for disposing liquid waste, must be pre-approved by the environmental management department.

C. If liquid waste is discharged outside the boundaries of El Dorado County, the discharge site shall be approved by the local environmental health agency. In addition, the hauler shall meet all the necessary provisions of any county from which waste is hauled to the Union Mine Liquid Waste Treatment Facility.

D. The permit granted a permittee shall not relieve the permittee of its obligation to comply with any or all applicable regulations, standards, and requirements under local, State, and federal law that may become effective during the term of the permit.

8.06.220 Equipment.

A. All vehicles shall clearly be marked with three (3) inch minimum lettering stating the name of business, address and/or business telephone number.

B. All equipment must be clean and maintained in good operating condition.

Section 2. This ordinance is adopted as an urgency ordinance to become effective immediately to preserve the public peace, health and safety. The facts supporting the urgency of adopting this measure are that El Dorado and Sacramento Counties entered into a Memorandum of Understanding which prohibits El Dorado County septage into Sacramento County after April 1, 1996. and the citizens of El Dorado County funded the Union Mine Disposal Site Leachate/Septage Facility scheduled to begin receiving El Dorado County generated septage on April 1, 1996.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the 19TH day of MARCH, 1996, by the following vote of said Board:

Ayes: SUPERVISORS: WILLIAM S. BRADLEY, RAYMOND J. NUTTING, J. MARK NIELSEN, JOHN E. UPTON

Noes: NONE

Absent: SUPERVISOR WALTER L. SHULTZ

Chairman, Board of Supervisors

ATTEST
DIXIE L. FOOTE
Clerk of the Board of Supervisors

By Marguerite Moody
Deputy Clerk

I CERTIFY THAT:
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE

Date _____

ATTEST: DIXIE L. FOOTE, Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By _____
Deputy Clerk

TRP/ljb
03-27-96
SUMM.ORD

ORDINANCE No. 4414

SUMMARY

THE BOARD OF SUPERVISORS OF THE COUNTY OF EL DORADO DOES ORDAIN AS FOLLOWS:

This ordinance replaces in its entirety the previous Chapter 8.06 of the El Dorado County Ordinance Code and is intended to govern the issuance of permits and establishment of fees for the proper treatment and disposal of liquid waste (septage). All persons or entities in the business of cleaning septic tanks, chemical toilets, etc. and transporting the liquid waste to a disposal site must obtain a county permit subject to conditions and terms of the ordinance. Revocation of a permit or denial of a permit application may be appealed to the Board of Supervisors.

PASSED AND ADOPTED by the Board of Supervisors of the County of El Dorado at a regular meeting of said Board, held on the 19TH day of MARCH, 1996, by the following vote of said Board:

Ayes: SUPERVISORS: WILLIAM S. BRADLEY, RAYMOND J. NUTTING, J. MARK NIELSEN, JOHN E. UPTON

Noes: NONE

Absent: SUPERVISOR WALTER L. SHULTZ

Chairman, Board of Supervisors

ATTEST
DIXIE L. FOOTE
Clerk of the Board of Supervisors

By Margaret E. Moody
Deputy Clerk

I CERTIFY THAT:
THE FOREGOING INSTRUMENT IS A CORRECT COPY OF THE ORIGINAL ON FILE IN THIS OFFICE

Date _____

ATTEST: DIXIE L. FOOTE, Clerk of the Board of Supervisors of the County of El Dorado, State of California.

By _____
Deputy Clerk