**Section 3. Findings**

**3.2.4. Underground Sanitary Sewer System Leakage**

Portions of some~~Not all, yet many~~ sanitary sewer systems may leak, causing underground exfiltration (exiting) of sewage from the system. Exfiltrated sewage that remains in the underground infrastructure trench and/or the soil matrix, and that does not discharge into waters of the State (surface water or groundwater) may not threaten beneficial uses.

Underground exfiltrated sewage may threaten beneficial uses if discharged to waters of the State. Exfiltrated sewage that discharges to groundwater may impact beneficial uses of groundwater and pollute groundwater supply. Additionally, if in close proximity, exfiltrated sewage may enter into a compromised underground drainage conveyance system that discharges into a water of the United States, or into groundwater that is hydrologically connected to (feeds into) a water of the United States, thus potentially causing: (1) a Clean Water Act violation, (2) threat and impact to beneficial uses, and/or (3) surface water pollution.

**3.3.2. State Water Board Sources of Drinking Water Policy**

On May 19,1988, the State Water Board adopted Resolution 88-63 (amended on February 1, 2006), titled Sources of Drinking Water, establishing state policy that ~~designates~~ all waters of the State, with certain exceptions, ~~as~~ are suitable or potentially suitable for municipal or domestic supply.

### Section 5. Specifications

### 5.1. Designation of a Legally Responsible Official

The Enrollee shall designate a~~t least one~~ Legally Responsible Official that has ~~the appropriate knowledge and expertise of~~ authority to ensure the enrolled sanitary sewer system(s) complies with this Order and is authorized to serve as a duly authorized representative. The Legally Responsible Official must have responsibility over management of the Enrollee’s entire sanitary sewer system, and must be authorized to make managerial decisions that govern the operation of the sanitary sewer system, including having the explicit or implicit duty of making major capital improvement recommendations to ensure long-term environmental compliance. The Legally Responsible Official must have or have direct authority over individuals that:

* Possess a recognized degree or certificate related to operations and maintenance of sanitary sewer systems, and/or
* Have professional training and experience related to the management of sanitary sewer systems, demonstrated through extensive knowledge, training and experience.

### 5.12. Spill Emergency Response Plan and Remedial Actions

For Existing Enrollees (with regulatory coverage under Order 2006-0003-DWQ):

**Within six (6) months of the Adoption Date of this General Order**, the Enrollee shall update and implement its Spill Emergency Response Plan, per Attachment D, Section 6~~.~~ (Spill Emergency Response Plan) of this General Order.

For New Enrollees:

**Within six (6) months of the Application for Enrollment approval date**, the Enrollee shall develop and implement a Spill Emergency ~~Spill~~ Response Plan, per Attachment D, Section 6 (Spill Emergency Response Plan) of this General Order.

The Enrollee shall certify, in its Annual Report, that its Spill Emergency Response Plan is up to date.

The Spill Emergency Response Plan shall include measures to protect public health and the environment. The Enrollee shall respond to spills from its system(s) in a timely manner that minimizes water quality impacts and nuisance by:

* Immediately stopping the spill and preventing/minimizing a discharge to waters of the State;
* Intercepting sewage flows to prevent/minimize spill volume discharged into waters of the State;
* Thoroughly recovering, cleaning up and disposing of sewage and wash down water; and
* Cleaning ~~Disinfecting~~ publicly accessible areas while preventing toxic discharges to waters of the State.

Attachment E1:

**2.3.2. Receiving Water – Water Quality Sampling and Analysis**

For sewage spills in which an estimated 50,000 gallons or greater are discharged into a surface water, the Enrollee shall conduct the following water quality sampling no later than **~~12~~18 hours** after the Enrollee’s knowledge of a potential discharge to a surface water:

3.4. ~~Quarterly~~ Monthly Certified Spill Reporting for Category 4 Spills

The Enrollee shall report and certify the estimated total spill volume exiting the sanitary sewer system, and the total number of all Category 4 spills to the online CIWQS Sanitary Sewer System Database, ~~quarterly, within 15 days after the end of the calendar quarter in which the spills occurred~~.within 30 calendar days after the end of the month in which the spills occurred. ~~The following table shows the quarterly Category 4 spill reporting due dates:~~

|  |  |
| --- | --- |
| **~~Spill Occurrence~~** | **~~Quarterly Report Due Date~~** |
| ~~January 1 – March 31~~ | ~~April 15~~ |
| ~~April 1 – June 30~~ | ~~July 15~~ |
| ~~July 1 – September 30~~ | ~~October 15~~ |
| ~~October 1 – December 31~~ | ~~January 15~~ |

~~After the Legally Responsible Official certifies the spills, the online CIWQS Sanitary Sewer System Database will issue a spill event identification number for each spill.~~

~~The quarterly reporting of all Category 4 spills must address the following items for each spill:~~

~~1. Contact information: Name and telephone number of Enrollee contact person to respond to spill-specific questions,~~

~~2. Spill location name,~~

~~3. Description and GPS coordinates for the system location where the spill originated,~~

~~4. Did the spill reach a drainage conveyance system? If Yes:~~

* ~~Description of drainage conveyance system location,~~
* ~~Estimated spill volume fully recovered within the drainage conveyance system,~~
* ~~Estimated spill volume remaining within the drainage conveyance system,~~

~~5. Estimated total spill volume exiting the sanitary sewer system;~~

~~6. Spill date and start time;~~

~~7. Spill cause(s) (for example, root intrusion, grease deposition, etc.);~~

~~8. System failure location (for example, main, lateral, pump station, etc.);~~

~~9. Description of spill response activities including description of immediate spill containment and cleanup efforts;~~

~~10. Description of how the volume estimation was calculated, including, at minimum:~~

* ~~The methodology and type of data relied upon, including supervisory control and data acquisition (SCADA) records, flow monitoring or other telemetry information used to estimate the volume of the spill discharged, and the volume of the spill recovered (if any volume of the spill was recovered), and~~
* ~~The methodology and type of data relied upon to estimate the spill start time, on-going spill rate at time of arrival (if applicable), and the spill end time;~~

~~11. Description of implemented system modifications and operating/maintenance modifications.~~

3.5. Amended Certified Spill Reports for Category 3 ~~and Category 4~~ Spills

**Within 90 calendar days of the certified Spill Report due date**, the Enrollee may update or add additional information to a certified Spill Report by amending the report or by adding an attachment to the Spill Report in the online CIWQS Sanitary Sewer System Database. The Enrollee shall certify the amended report.

**After 90 calendar days**, the Legally Responsible Official shall contact the State Water Board at SanitarySewer@waterboards.ca.gov to request to amend a certified Spill Report. The Legally Responsible Official shall submit justification for why the additional information was not reported within the 90-day timeframe for amending the certified Spill Report, as provided above.

3.6. Annual Certified Spill Reporting of Category 4 and/or Lateral Spills

For all Category 4 spills and spills from its owned and/or operated laterals, the Enrollee shall:

* Maintain records per section 4.4. of this Attachment; and
* Annually upload and certify a ~~PDF~~ report, in an appropriate digital format, of all recordkeeping of spills to the online CIWQS Sanitary Sewer System Database, by February 1st after the end of the calendar year in which the spills occurred.

3.7. Monthly Certification of “No-Spills” or “Category 4 and/or Non-Category 1 Lateral Spills Only”

If either (1) no spills occur during a calendar month or (2) only Category 4, and/or Enrollee-owned and/or operated lateral spills (that do not discharge to a surface water) occur during a calendar month, the Enrollee shall certify, within 30 calendar days after the end of each calendar month, either a “No-Spill” certification statement, or a “Category 4 and/or Non-Category 1 Lateral Spills Only” certification statement, in the online CIWQS Sanitary Sewer System Database, certifying that there were either no spills, or only Category 4 and/or Non-Category 1 Lateral Spills that will be reported ~~quarterly~~ annually (per section 3.6~~4~~ of this Attachment) for the designated month.

If a spill starts in one calendar month and ends in a subsequent calendar month, and the Enrollee has no further spills of any category, in the subsequent calendar month, the Enrollee shall certify “no-spills” for the subsequent calendar month.

If the Enrollee has no spills from its systems during a calendar month, but the Enrollee voluntarily reported a spill from a private lateral or a private system, the Enrollee shall certify “no-spills” for that calendar month.

If the Enrollees has spills from its owned and/or operated laterals during a calendar month, the Enrollee shall not certify “no spills” for that calendar month.

4.4. Recordkeeping of Category 4 Spills and Lateral Spills

An Enrollee must maintain the following records for each individual Category 4 spill and for each individual Enrollee-owned and/or operated lateral spill, and report in accordance to Section 3.6~~5~~ of this Attachment:

**Recordkeeping of Individual Category 4 Spill information:**

1. Contact information: Name and telephone number of Enrollee contact person to respond to spill-specific questions,

2. Spill location name,

3. Description and GPS coordinates for the system location where the spill originated,

4. Did the spill reach a drainage conveyance system? If Yes:

* Description of drainage conveyance system location,
* Estimated spill volume fully recovered within the drainage conveyance system,
* Estimated spill volume remaining within the drainage conveyance system,

5. Estimated total spill volume exiting the sanitary sewer system;

6. Spill date and start time;

7. Spill cause(s) (for example, root intrusion, grease deposition, etc.);

8. System failure location (for example, main, lateral, pump station, etc.);

9. Description of spill response activities including description of immediate spill containment and cleanup efforts;

10. Description of how the volume estimation was calculated, including, at minimum:

* The methodology and type of data relied upon, including supervisory control and data acquisition (SCADA) records, flow monitoring or other telemetry information used to estimate the volume of the spill discharged, and the volume of the spill recovered (if any volume of the spill was recovered), and
* The methodology and type of data relied upon to estimate the spill start time, on-going spill rate at time of arrival (if applicable), and the spill end time;

11. Description of implemented system modifications and operating/maintenance modifications.

**Recordkeeping of Individual Lateral S~~s~~pill Information:**

1. Date and time the Enrollee was notified of, or self-discovered, the spill

2. Location of individual spill

3. Estimated individual spill volume

4. Spill cause(s) (for example, root intrusion, grease deposition, etc.);

5. Description of how the volume estimations were calculated

**Total Annual Spill Information:**

1. Estimated total annual spill volume;

2. Description of spill corrective actions, including at minimum:

* Local regulatory enforcement action taken against the sewer lateral owner in response to a spill, as applicable, and
* System operation, maintenance and program modifications implemented to prevent repeated spill occurrences at the same spill location.

Attachment E2:

Table E2-1

Spill Category 1: Spills to Surface Waters

| **Spill Requirement** | **Due** | **Method** |
| --- | --- | --- |
| Notification | **Within two (2) hours** of the Enrollee’s knowledge of a Category 1 spill of 1,000 gallons or greater, discharging or threatening to discharge to surface waters:Notify the California Office of Emergency Services and obtain a notification control number. | California Office of Emergency Services at:(800) 852-7550(Section 1 of Attachment E1) |
| Monitoring | * Conduct spill-specific monitoring;
* Conduct water quality sampling of the receiving water within **~~12~~18hours** of initial knowledge of spill of 50,000 gallons or greater to surface waters.
 | (Section 2 of Attachment E1) |
| Reporting | * Submit Draft Spill Report **within three (3) business days** of the Enrollee’s knowledge of the spill;
* Submit Certified Spill Report **within** **15 calendar days** of the spill end date;
* Submit Technical Report **within** **45 calendar days** after the spill end date for a Category 1 spill in which **50,000 gallons or greater** discharged to surface waters; and
* Submit Amended Spill Report **within 90 calendar days** after the spill end date.
 | (Section 3.1. of Attachment E1) |

Table E2-4

Spill Category 4: Spills Less Than 50 Gallons That Do Not Discharge to Surface Waters

|  |  |  |
| --- | --- | --- |
| **Spill Requirements** | **Due** | **Method** |
| Notification | Not Applicable | Not Applicable |
| Monitoring | Conduct spill-specific monitoring. | (Section 2 of Attachment E1) |
| Reporting | * ~~Submit quarterly Certified Spill Report to the online CIWQS Sanitary Sewer System Database, within 15 days after the end of the calendar quarter in which the spills occurred.~~
* ~~Submit Amended Spill Reports~~ **~~within 90 calendar days~~** ~~after the certified Spill Report due date.~~
* If, during any calendar month, ~~only~~ Category 4 spills occur ~~(no other category spills occur)~~, certify monthly, the estimated total spill volume exiting the sanitary sewer system, and the total number of all Category 4 spills into ~~“Category 4 Spills Only” in~~ the online CIWQS Sanitary Sewer System Database, within 30 days after the end of the calendar month.
* Upload and certify a report, in an acceptable digital format, of all Category 4 spills to the online CIWQS Sanitary Sewer System Database, by February 1st after the end of the calendar year in which the spills occur.
 | (Section 3.4., ~~3.5.~~ 3.6 and 3.7. of Attachment E1) |

Table E2-5

Enrollee Owned and/or Operated Lateral Spills That Do Not Discharge to Surface Waters

|  |  |  |
| --- | --- | --- |
| **Spill Requirements** | **Due** | **Method** |
| Notification | Not Applicable | Not Applicable |
| Monitoring | Conduct visual monitoring. | (Section 2 of Attachment E1) |
| Reporting | * Upload and certify a ~~PDF~~ report, in an acceptable digital format, of all lateral spills to the online CIWQS Sanitary Sewer System Database, by February 1st after the end of the calendar year in which the spills occur.
 | (Section 3.6. of Attachment E1) |