

**ORDINANCE PROVIDING FOR
THE ESTABLISHMENT AND ENFORCEMENT OF
REGULATIONS FOR RECYCLED WATER USERS**

The Board of Directors of County Sanitation District No. 14 of Los Angeles County (hereinafter "District") ordains as follows:

1. AUTHORITY

This Ordinance is enacted pursuant to authority contained in the County Sanitation District Act, California Health and Safety Code Sections 4700 *et seq.*, and exercises authority conferred by law including but not limited to Division 7, Chapter 7, Article 4, Sections 13520 *et seq.* of the Water Code.

2. SHORT TITLE

This Ordinance shall be known as the **Water Recycling Ordinance** and may be cited as such.

3. PURPOSE

The purpose of this Ordinance is to provide for the establishment and enforcement of regulations pertaining to the administration of a Master Recycling Permit issued by the California Regional Water Quality Control Board, Lahontan Region ("Lahontan Regional Board") pursuant to Water Code Section 13523.1. This Ordinance will govern the use of recycled water in accordance with the Water Recycling Criteria established by the California Department of Health Services pursuant to Water Code Section 13521, and codified in Title 22, Division 4, Chapter 3 of the California Code of Regulations.

4. FINDINGS AND DETERMINATIONS

For over forty years, the County Sanitation Districts of Los Angeles County, including District No. 14, have owned and operated wastewater treatment plants capable of producing water that meets all requirements for recycled water, including but not limited to regulations and other directives issued by the California Department of Health Services and the Lahontan Regional Board.

The District is the producer of disinfected tertiary recycled water and supplies recycled water under a Master Recycling Permit to Users, including governmental agencies and private parties.

5. APPLICATION

This Ordinance shall apply to any and all Users to whom the District distributes recycled water, either directly or through an intermediate party.

6. DEFINITIONS

For purposes of this Ordinance, the following definitions shall apply to the following terms:

- a) "**Authorized Recycled Water Use Site**" is a site authorized for use of recycled water under a Master Recycling Permit. The uses of recycled water and the site location must comply with permit conditions; also referred to as "Authorized Site."
- b) "**Master Recycling Permit**" is a permit issued to a supplier or a distributor, or both, of recycled water, that includes waste discharge requirements prescribed pursuant to Section 13263 and water recycling requirements pursuant to Section 13523.1 of the Water Code.
- c) "**Person**" is any individual, partnership, corporation, governmental subdivision or unit of a governmental subdivision, or public or private organization or entity of any character.
- d) "**Recycled water**" is water which, as a result of treatment of waste, is suitable for a direct beneficial use or a controlled use that would not otherwise occur, and is therefore considered a valuable resource.
- e) "**Regional Water Quality Control Board, Lahontan Region**" is a California regional water quality control board, as specified in Water Code Section 13200, that exercises jurisdiction over the District; also referred to as "Lahontan Regional Board."
- f) "**State Water Resources Control Board**" is an agency of the state of California created by the Legislature and exercising its powers pursuant to the Porter-Cologne Water Quality Control Act, Water Code Section 13000 *et seq.*
- g) "**User**" is any person to whom the District distributes recycled water, including end users to whom recycled water is conveyed through an intermediate party.
- h) "**Water Recycling Criteria**" are the criteria established by the California Department of Health Services generally dealing with the levels of constituents of recycled water, and the means for assurance of reliability under the design concept, which will result in safe recycled water from the standpoint of public health. The criteria are established pursuant to Water Code Section 13521, and are contained in the California Code of Regulations, Title 22, Division 4, Chapter 3; also referred to as the "Uniform Statewide Reclamation Criteria."

7. ADMINISTRATION

The District shall administer this Ordinance so as to comply with the terms and conditions of its Master Recycling Permit, which requires the District to establish and enforce regulations governing the use of recycled water in accordance with the Water Recycling Criteria established by the California Department of Health Services.

8. REQUIREMENTS

A. A User who receives the District's recycled water must comply with the terms of this Ordinance and with the following requirements:

- 1) Water Recycling Criteria, as established by the California Department of Health Services, Title 22, Division 4, Chapter 3 of the California Code of Regulations;¹

¹ Available at <http://government.westlaw.com/linkedslice/default.asp?SP=CCR-1000> [as of July 13, 2006].

- 2) Requirements, rules, regulations, and/or restrictions established by the California State Water Resources Control Board;²
- 3) Requirements, rules, regulations, and/or restrictions established by the Lahontan Regional Board;³
- 4) Requirements, rules, regulations and/or restrictions within Master Recycling Permits, which are incorporated herein and made a part hereof, to the extent that they are applicable to persons subject to the Ordinance;
- 5) Requirements, rules, regulations, and/or restrictions, pertaining to the quality of recycled water, adopted by any agency maintaining jurisdiction over any person subject to this Ordinance;

A User must keep apprised of any changes to the foregoing requirements. A User must conform to any applicable changes to the requirements; a violation thereof is the User's sole responsibility. A violation of any of the foregoing requirements will constitute a violation of this Ordinance.

B. A person seeking to operate a proposed Authorized Recycled Water Use Site ("Authorized Site"), and directly receive the District's recycled water, must comply with the following:

- 1) The person must file an application therefore with the District
- 2) The person must execute a User Agreement, which includes the District's terms and conditions for use of recycled water at the Authorized Site, including information required by Water Code section 13523.1. Any violation of a User Agreement shall be a violation of this Ordinance and punishable as such.

A person seeking to operate a proposed Authorized Site, and receive the District's recycled water through an intermediary, must file an application with the intermediate party prior to any delivery of recycled water. Such application shall not be effective until it has been approved by the District.

9. **ENFORCEMENT**

The Chief Engineer and General Manager of the District shall administer, implement, and enforce the provisions of this Ordinance. Any powers granted to or duties imposed upon the Chief Engineer and General Manager may be delegated to persons acting in the beneficial interest of or in the employ of the District.

10. **VIOLATION**

A. A violation of this Ordinance shall constitute a basis for rescission of any User Agreement.

B. A violation of this Ordinance may constitute a basis for immediate cessation of recycled water delivery.

² Available at <http://www.swrcb.ca.gov/> [as of July 13, 2006].

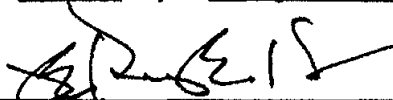
³ Available at <http://www.waterboards.ca.gov/lahontan/> [as of July 13, 2006].

C. The Chief Engineer shall adopt notice and hearing procedures to implement this section, which shall be consistent with the rights afforded by due process.

11. VALIDITY

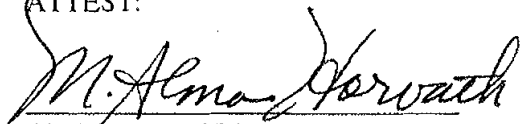
If any part, section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is held invalid or unconstitutional for any reason by any court, that decision does not affect the validity or constitutionality of the remainder of this Ordinance. The Board of Directors declares that it would have adopted each provision of this Ordinance irrespective of the validity of any other provision.

PASSED, APPROVED AND ADOPTED THIS 23rd day of August 2006.



Chairperson, Board of Directors **PRO TEM**
County Sanitation District No. 14
of Los Angeles County

ATTEST:



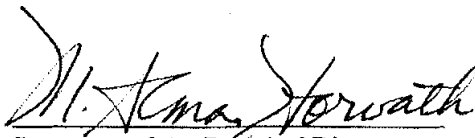
Clerk, Board of Directors
County Sanitation District No. 14
of Los Angeles County

PASSED AND ADOPTED by the Board of Directors of County Sanitation District No. 14 of Los Angeles County on August 23, 2006 by the following vote:

AYES: Directors Hearn and Antonovich

NOES: None

ABSENT: Director Ledford



Secretary of the Board of Directors
County Sanitation District No. 14
of Los Angeles County

**ORDINANCE PROVIDING FOR
THE ESTABLISHMENT AND ENFORCEMENT OF REGULATIONS
PURSUANT TO WATER RECYCLING REQUIREMENTS FOR
RECYCLED WATER USERS**

The Board of Directors of County Sanitation District No. 20 of Los Angeles County (hereinafter "District") ordains as follows:

1. AUTHORITY

This Ordinance is enacted pursuant to authority contained in the County Sanitation District Act, California Health and Safety Code Sections 4700 *et seq.*, and exercises authority conferred by law including but not limited to Division 7, Chapter 7, Article 4, Sections 13520 *et seq.* of the Water Code.

2. SHORT TITLE

This Ordinance shall be known as the **District No. 20 Recycled Water Ordinance** and may be cited as such.

3. PURPOSE

The purpose of this Ordinance is to provide for the establishment and enforcement of regulations pertaining to the administration of waste discharge requirements ("WDRs") issued by the California Regional Water Quality Control Board, Lahontan Region ("Regional Board"), pursuant to Water Code Section 13263, water reclamation requirements ("WRRs") issued pursuant to Section 13523, or a master reclamation permit ("Master Permit") issued pursuant to Section 13523.1. This Ordinance will govern the use of recycled water in accordance with the Water Recycling Criteria established by the California Department of Health Services ("DHS") pursuant to Water Code Section 13521, and codified in Title 22, Division 4, Chapter 3 of the California Code of Regulations.

4. FINDINGS AND DETERMINATIONS

For over forty years, the County Sanitation Districts of Los Angeles County have owned and operated wastewater treatment plants capable of producing water that meets all requirements for recycled water, including but not limited to regulations and other directives issued by the DHS and the Regional Board.

No person may recycle water or use recycled water until a California Regional Water Quality Control Board either establishes WDRs, WRRs, or Master Permits (collectively, "Permits") or determines that no such Permits are necessary.¹ As the producer of recycled water, the District oversees the production and use of recycled water pursuant to Permits issued by the Regional Board.

¹ California Water Code § 13524.

5. APPLICATION

This Ordinance shall apply to any and all Users to whom the District distributes recycled water, either directly or through an intermediate party, including Purveyors that act as such intermediate parties in delivering recycled water to Users.

6. DEFINITIONS

For purposes of this Ordinance, the following definitions shall apply to the following terms:

- a) "**Authorized Recycled Water Use Site**" is a site authorized for use of recycled water; the uses of recycled water and the site location must comply with Permits as issued by the Regional Board.
- b) "**Chief Engineer**" is the Chief Engineer and General Manager of the District.
- c) "**Master Reclamation Permit**" contains requirements established by the Regional Board pursuant to Water Code Section 13523.1.
- d) "**Person**" is any individual, partnership, corporation, governmental subdivision or unit of a governmental subdivision, or public or private organization or entity of any character.
- e) "**Purveyor**" is any public, private, investor-owned, or other water utility that is legally permitted to distribute water and that obtains recycled water from the District for distribution to Users.
- f) "**Recycled water**" is water which, as a result of treatment of waste, is suitable for a direct beneficial use or a controlled use that would not otherwise occur, and is therefore considered a valuable resource.
- g) "**Regulations**" are requirements established by the Chief Engineer that govern the design and construction of recycled water use facilities and the use of recycled water, in accordance with the Uniform Statewide Reclamation Criteria. These may also be called the District's "*Requirements for Recycled Water Users.*"
- h) "**State Water Resources Control Board**" is an agency of the state of California created by the Legislature and exercising its powers pursuant to the Porter-Cologne Water Quality Control Act, Water Code Section 13000 *et seq.*
- i) "**User**" is any person to whom the District distributes recycled water under the Permits issued to the District by the Regional Board, including end users to whom recycled water is conveyed through an intermediate party. User does not include persons who have been independently issued Permits from the Regional Board.
- j) "**User Agreement**" is a contractual agreement between the User and/or Purveyor and the District that establishes the conditions for recycled water service and use.
- k) "**Waste Discharge Requirements**" are requirements that are established by the Regional Board pursuant to Water Code Section 13263.
- l) "**Water Recycling Criteria**" are the criteria established by the DHS generally dealing with the levels of constituents of recycled water, and the means for assurance of reliability under the design concept, which will result in safe recycled water from the standpoint of public health. The criteria are established pursuant to Water Code Section 13521, and are contained in the California Code of Regulations, Title 22, Division 4, Chapter 3; also referred to as the "Uniform Statewide Reclamation Criteria."
- m) "**Water Recycling Requirements**" are requirements that are established by the Regional Board pursuant to Water Code section 13523.

7. ADMINISTRATION

The District shall administer this Ordinance so as to comply with the terms and conditions of Permits as issued by the Regional Board.

8. REQUIREMENTS

A. A User and/or Purveyor who receives the District's recycled water must comply with the terms of this Ordinance and with the following requirements:

- 1) Water Recycling Criteria, as established by the California Department of Health Services, Title 22, Division 4, Chapter 3 of the California Code of Regulations;
- 2) Requirements, rules, regulations, and/or restrictions established by the California State Water Resources Control Board;
- 3) Requirements, rules, regulations, and/or restrictions established by the Regional Board.
- 4) Permits issued by the Regional Board, which are incorporated herein and made a part hereof, to the extent that they are applicable to persons subject to this Ordinance;
- 5) Requirements, rules, regulations, and/or restrictions, pertaining to the quality of recycled water, adopted by any agency maintaining jurisdiction over any person subject to this Ordinance;
- 6) Regulations adopted by the Chief Engineer pursuant to Section 9 of this Ordinance.

A User and/or Purveyor must keep apprised of any changes to the foregoing requirements. A User and/or Purveyor must conform to any applicable changes to the requirements; a violation thereof is the User's and/or Purveyor's sole responsibility. A violation of any of the foregoing requirements will constitute a violation of this Ordinance.

B. A person seeking to operate a proposed Authorized Recycled Water Use Site ("Authorized Site"), and directly receive the District's recycled water, must comply with the following:

- 1) The person must file an application therefore with the District prior to using the recycled water. Persons who have already executed a User Agreement with the District are exempt from this requirement until such time as the Agreement is amended or revised.
- 2) The person must execute a User Agreement, which includes the District's terms and conditions for use of recycled water at the Authorized Site. Any violation of a User Agreement shall be a violation of this Ordinance and punishable as such. Any Person that has been a User for more than one year prior to the effective date of this Ordinance, and has otherwise been in conformance with all legal requirements and directives of the District, shall be exempt from this subparagraph (2) for a period of one year from said effective date.

A person seeking to operate a proposed Authorized Site, and receive the District's recycled water through a Purveyor, must file an application with the Purveyor prior to any delivery of recycled water. Such application shall not be effective until it has been approved by the District.

9. ENFORCEMENT

The Chief Engineer is granted authority to establish Regulations governing the use of recycled water as necessary, which shall be in accordance with existing law.

The Chief Engineer shall administer, implement, and enforce the provisions of this Ordinance. Any powers granted to or duties imposed upon the Chief Engineer may be delegated to persons acting in the beneficial interest of or in the employ of the District.

10. VIOLATION


A. Upon a written determination of the Chief Engineer that a violation of this Ordinance has occurred, such action shall constitute a basis for:

- 1) termination of any User Agreement
- 2) immediate cessation of recycled water delivery

B. The Chief Engineer shall adopt notice and hearing procedures to implement this section, which shall be consistent with the rights afforded by due process.

11. VALIDITY

If any part, section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is held invalid or unconstitutional for any reason by any court, that decision does not affect the validity or constitutionality of the remainder of this Ordinance. The Board of Directors declares that it would have adopted each provision of this Ordinance irrespective of the validity of any other provision.



Chairperson, Board of Directors
County Sanitation District
No. 20 of Los Angeles County

ATTEST:



Clerk, Board of Directors
County Sanitation District
No. 20 of Los Angeles County


PASSED AND ADOPTED by the Board of Directors of County Sanitation District No. 20 of Los Angeles County on February 28, 2007, by the following vote:

AYES: Two (2) Directors Ledford, and Yaroslavsky

NOES: None

ABSTAIN: None

ABSENT: One (1) Director Dispenza



Secretary of the Board of Directors
County Sanitation District No. 20
of Los Angeles County