

RESOLUTION NO. 2015-6-6

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE INLAND EMPIRE UTILITIES AGENCY\*, SAN BERNARDINO COUNTY, CALIFORNIA, ESTABLISHING CAPACITY CHARGES, VOLUMETRIC CHARGES, STRENGTH CHARGES, AGENCY PROGRAM CHARGES, AND APPLICATION FEES FOR THE NON-RECLAIMABLE WASTEWATER SYSTEM (NRWS) FOR FISCAL YEAR 2015/16**

**WHEREAS**, NRWS *Wastewater Disposal Agreement No. 4830* (Agreement) has been adopted between County Sanitation Districts of Los Angeles County (CSDLAC) and Inland Empire Utilities Agency (Agency);

**WHEREAS**, it is necessary to establish a rate structure for the collection of costs associated for the sewerage service under this Agreement;

**WHEREAS**, it is necessary to allocate User with Non Reclaimable Wastewater System Capacity Unit (NRWSCU), in order to collect such charges;

**WHEREAS**, it is necessary to allocate individual Users their fractional contribution of the Solids Discrepancy at East End ( $SD_{EE}$ ) monitoring facility determined by the *Fractional Solids Discrepancy* ( $FSD_i$ ) formula;

**WHEREAS**, it is necessary to establish application fees for processing applications for NRWSCU Allocations and Wastewater Discharge Permits for the use of the Inland Empire Utilities Agency (Agency)'s NRWS;

**WHEREAS**, under Section 13550, et seq., of the California Water Code, a Public Agency may require industries to use recycled water for certain purposes, where it is available and at reasonable cost;

**WHEREAS**, the Board of Directors of the Agency, pursuant to Ordinance No. 99, may establish said fees and charges by Resolution;

**NOW, THEREFORE**, the Board of Directors hereby RESOLVES, DETERMINES, AND ORDERS the following to be effective July 1, 2015

**Section 1** That the acquisition of wastewater discharge right shall be as follows:

(A) NRWSCU ACQUISITION RATES

1. A NRWSCU for the NRWS is determined by the following formula:

$$\begin{aligned} \text{NRWSCU} &= \left( 0.6513 \times \frac{\text{Flow}_{gpd}}{260} \right) + \left( 0.1325 \times \frac{\text{COD}_{ppd}}{1.22} \right) \\ &+ \left( 0.2162 \times \frac{\text{TSS}_{ppd}}{0.59} \right) \end{aligned}$$

**Where:**

*gpd* = gallons per day

*ppd* = pounds per day

2. The minimum number of NRWSCU shall be 25 NRWSCU.
3. The **purchase rate** for the right to discharge one (1) NRWSCU shall be \$5,150.00 per NRWSCU.
4. The optional **annual lease rate** for the right to discharge one (1) NRWSCU shall be 5% per year of the purchase rate, i.e. \$257.50 per NRWSCU per each year.

The above charges shall be paid in full upon the execution of the NRWSCU purchase or lease.

**Section 2** That the monthly charges for discharge to the NRWS are:

(A) VOLUMETRIC CHARGES

For discharge to the NRWS, the monthly volumetric charge is \$948.00 per million gallons of discharge.

(B) PEAK FLOW CHARGES

For discharge to the NRWS, the monthly Peak Flow (PF) Charge shall be \$360.00 per million gallons of volumetric discharge.

(C) STRENGTH CHARGES

That Strength Charges are for excessive Chemical Oxygen Demand (COD) and Total Suspended Solids (TSS) and are applicable to all discharges to the NRWS. The rates are as follows:

<u>PARAMETER</u>	<u>RATE</u>
COD	\$210.00 per 1,000 pounds (dry weight)
TSS	\$433.00 per 1,000 pounds (dry weight)

Strength charges for the NRWS discharges are calculated from the average of all the samples collected during the calendar month and invoiced on a quarterly basis. If there is no sample data for a given month, strength charges for that month shall be determined by using the average of all available data within the billing quarter.

(D) SOLIDS DISCREPANCY CHARGE FOR NRWS

Solids Discrepancy Charge for an industry ( $SDC_i$ ) shall be calculated on a monthly basis and invoiced on a quarterly basis. The charge shall be calculated by multiplying the individual industry's *Fractional Solids Discrepancy* ( $FSD_i$ ) by the Total Solids Discrepancy at East End monitoring facility ( $TSD_{EE}$ ) and by TSS rate:

$$SDC_i = (FSD_i) \times (TSD_{EE}) \times (TSS \text{ rate})$$

Individual industry's  $FSD_i$  for the NRWS is determined by the  $FSD_i$  formula to allocate the individual industry's solids contribution to the total solids discrepancy, based on their contribution to the overall loading of Alkalinity, Biological Oxygen Demand (BOD), Dissolved Calcium, and Flow.

$$FSD_i = 0.086 \times \left[ \frac{Alk_i}{Alk_T} \right] + 0.541 \times \left[ \frac{BOD_i}{BOD_T} \right] + 0.057 \times \left[ \frac{Ca_i}{Ca_T} \right] + 0.316 \times \left[ \frac{Flow_i}{Flow_T} \right]$$

**Where:**

$FSD_i$  = Fractional Solids Discrepancy for individual discharger ( $i$ )

$Alk_i$  = Individual dissolved alkalinity loading to the NRWS for discharger ( $i$ )

$Alk_T$  = Combined dissolved alkalinity loading from all dischargers to the NRWS

$BOD_i$  = Individual  $BOD_5$  loading to the NRWS for discharger ( $i$ )

$BOD_T$  = Combined  $BOD_5$  loading from all dischargers to the NRWS

$Ca_i$  = Individual dissolved calcium loading to the NRWS for discharger ( $i$ )

$Ca_T$  = Combine dissolved calcium loading from all dischargers to the NRWS

$Flow_i$  = Individual flow contribution to the NRWS from discharger ( $i$ )

$Flow_T$  = Combined flow from all dischargers to the NRWS

All the CSDLAC rates include the ad valorem charges.

**(E) AGENCY CIP AND O&M CHARGES**

The Agency's CIP and O&M charges shall be \$18.37 per NRWSCU per month.

**(F) 4R DEFERRED CAPITAL CHARGES**

The deferred 4R capital charges shall be \$212.60 per NRWSCU per month as assigned per Agreement 1679.

**(G) RECYCLED WATER USAGE CREDIT**

This program is for recycled water (RW) Users and shall end when funding is exhausted or not later than June 30, 2024, whichever comes first. New Users who qualify for this program shall be given the recycled water credit in effect at the time of connection to the RW system.

For Fiscal Year 15-16, the Recycled Water Usage Credit is \$400.52 per million gallons of recycled water used.

**Section 3 OTHER CHARGES**

IEUA will pass on any other charges from CSDLAC invoiced to the Agency to dischargers to the NRWS, such as, but not limited to, flow and strength imbalance charges, permit, inspection, analytical fees, etc.

**Section 4** That Application fee for a NRWS Capacity Unit Purchase or Annual Lease shall be: \$ 200.00

**Section 5** That Initial Wastewater Discharge Permit Application, Ownership Change with Process Changes, and Permit Renewal fees for wastewater generators who discharge directly through pipeline connection to the NRWS sewer system shall be:

**Initial Wastewater Discharge Permit Application Fees (Ownership Change with Process Changes included):**

Categorical Industrial User	\$ 3,520.00
with Combined Waste Stream Formula, add	\$ 880.00
with Production Based Standards, add	\$ 440.00
with Multiple Categories, add	\$ 1,760.00
Non-Categorical, Significant Industrial User	\$ 2,640.00
Non-Categorical, Non-Significant Industrial User	\$ 2,200.00

**Permit Renewal Fees:**

Categorical Industrial User	\$ 2,640.00
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with Combined Waste Stream Formula, add	\$ 440.00
with Production Based Standards, add	\$ 220.00
with Multiple Categories, add	\$ 880.00
Non-Categorical, Significant Industrial User	\$ 660.00
Non-Categorical, Non-Significant Industrial User	\$ 2,640.00

**Section 6** That Permit Revision or Facility Expansion fees shall be: \$ 1,320.00

Permit Revisions shall be required if the modification affects the quantity/quality of the wastewater discharge to deviate from the conditions in the current permit by more than 25%. Such additions or modifications include, but are not limited to, the following: Maintenance, Monitoring, Change of Discharge Limits, Addition of Control Equipment, Process Changes, etc.

**Section 7** That Permit Addendum fees shall be: \$ 616.00

That for change of business name with no process changes shall be: \$ 176.00

Permit Addendum shall be required if the addition or modification does not affect the existing wastewater quantity/quality by more than 25%. Such additions or modifications include, but are not limited to, the following: Maintenance, Monitoring, Change of Discharge Limits, Addition of Control Equipment, Ownership Change without Process Changes, etc.

**Section 8** Toxic Organic Management Plan (TOMP) Processing No Charge

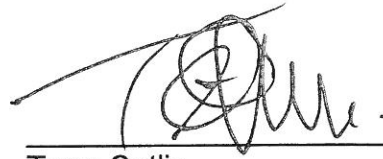
**Section 9** Miscellaneous processing fees that do not fall under any of the above sections shall be charged based on time and material of staff(s) evaluating such process using adopted labor rates for the current fiscal year.

**Section 10** That all provisions of the Non-Reclaimable Wastewater Ordinance and any amendments thereto are hereby applicable and will remain in full force and effect.

**Section 11** That upon the effective date of this Resolution, the Resolution No. 2015-1-1 pertaining to the NRWS is hereby rescinded in its entirety.

\* \* \*

ADOPTED this 17<sup>th</sup> day of June, 2015



Terry Catlin  
President of the Inland Empire Utilities  
Agency\* and of the Board of Directors  
thereof

ATTEST:




Steven J. Elie  
Secretary/ Treasurer of the Inland Empire  
Utilities Agency\* and of the Board of  
Directors thereof

\*A Municipal Water District

STATE OF CALIFORNIA )  
 ) SS  
COUNTY OF SAN BERNARDINO )

I, Steven J. Elie, Secretary/Treasurer of the Inland Empire Utilities Agency\*, DO HEREBY CERTIFY that the foregoing Resolution being No. 2015-6-6 as adopted at a regular Board meeting on June 17, 2015, of said Agency\* by the following vote:

- AYES: Hall, Elie, Camacho, Koopman, Catlin
- NOES: None
- ABSTAIN: None
- ABSENT: None

  
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 Steven J. Elie  
 Secretary/Treasurer

(SEAL)

\* A Municipal Water District

The undersigned certifies that this is a true copy as on file in the permanent records of the Agency. This stamp must be in purple ink to constitute a certified copy.  
 Inland Empire Utilities Agency\*  
 A Municipal Water Agency\*  
 By Woodly Date 6-30-15