

RESOLUTION NO. 2022-12-5

**RESOLUTION OF THE BOARD OF DIRECTORS OF THE
INLAND EMPIRE UTILITIES AGENCY*, SAN BERNARDINO
COUNTY, CALIFORNIA, ESTABLISHING REGIONAL
INDUSTRIAL PRETREATMENT PROGRAM SERVICES**

WHEREAS, it is necessary for Inland Empire Utilities Agency (Agency) to establish the responsibilities of the Sewage Collection Agencies (SCA) and the Agency with respect to compliance with the National Pollutant Discharge Elimination System (NPDES) Industrial Wastewater Pretreatment Program, administered by the Regional Water Quality Control Board, Santa Ana Region (RWQCB), by the authorities granted under the Federal Clean Water Act (CWA) and its 1987 amendments under the Water Quality Act (WQA); and

WHEREAS, Congress in 1982 adopted the Federal Clean Water Act (33 U.S.C.A. 1342(p)), to require the Federal Environmental Protection Agency to promulgate regulations for permits under the NPDES program for Publicly-Owned Treatment Works (POTW) for the discharge of effluent into waters of the USA; and

WHEREAS, Agency owns and operates regional water recycling plants that are regulated in accordance with NPDES permit issued by the RWQCB, and which are subject to discharge limitations and requirements; and

WHEREAS, said permit regulations and discharge limitations require the control and restriction of the discharge of industrial wastewater, and imposes pretreatment requirements on Significant Industrial Users (“SIUs”); and

WHEREAS, the Agency has NPDES Permit No. CA 8000409, Order No. R8-2022-0041 for the Agency’s Regional Water Recycling Plants Nos. 1, 4, and 5 and Carbon Canyon Water Recycling Facility, specifically require the Agency to implement pretreatment regulations in all jurisdictions tributary to these regional plants; and

WHEREAS, the Agency has a Regional Pretreatment Program (Program) approved by the RWQCB; and

WHEREAS, the Agency has adopted Ordinance No. 109 establishing the availability and use of the Regional Sewerage System in compliance with requirements of the approved Program; and

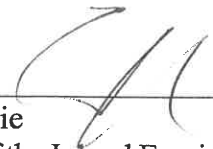
WHEREAS, the Agency has adopted Ordinance No. 111 establishing regulations governing the collection, treatment, and disposal of sewage to the Regional Sewerage System in contemplation of the termination of the Chino Basin Regional Sewerage Service contract (Contract) as Amended in 1994 which expires under its terms on January 2, 2023; and

WHEREAS, this Resolution and its terms shall supersede and replace all terms and conditions in the Regional Pretreatment Agreement dated October 19, 1994 and all Industrial Wastewater Pretreatment Agreements with SCAs which terminate concurrently with the Contract.

NOW, THEREFORE, the Board of Directors hereby RESOLVES, DETERMINES, AND ORDERS the following to be effective upon adoption, and remain in effect until rescinded by a new resolution:

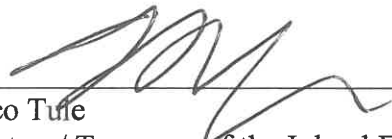
1. The SCAs shall have the responsibility to identify, locate, and correctly categorize all SIUs existing within its jurisdiction. The SCAs shall furnish a list of SIUs to the Agency, and immediately report to the Agency, any and all SIU list adjustments.
2. Prior to approval of any project plans by the SCA, that are subject to national categorical pretreatment standards, or have the potential for classification as a SIU, the SCA shall submit, for review and approval by the Agency, sewer and plumbing plans for SIU development and tenancies or occupancies.
3. The Agency shall have the responsibility of implementing and conducting the approved Program functions for all SIUs within the SCA, including the responsibility to ensure all SIUs fully comply with all applicable Federal and State Pretreatment Standards and Requirements which include permitting, inspection, surveillance, Control Authority monitoring, and enforcement.
4. The Agency shall immediately notify and advise the SCA upon the Agency becoming aware of any SIU discharge that constitutes a threat to the health and welfare of the general public or environment within the SCA.
5. When requested by the Agency, the City shall provide assistance, to the fullest extent possible, in any and all Program activities to the Agency, at no expense to the Agency.

ADOPTED this 21st day of December 2022.



Steven J. Elie
President of the Inland Empire Utilities
Agency* and of the Board of Directors
thereof

ATTEST:



Marco Tule
Secretary/ Treasurer of the Inland Empire
Utilities Agency* and of the Board of
Directors thereof

*A Municipal Water District

STATE OF CALIFORNIA)
COUNTY OF) SS
SAN BERNARDINO)

I, Marco Tule, Secretary/Treasurer of the Inland Empire Utilities Agency*,
DO HEREBY CERTIFY that the foregoing Resolution being No. 2022-12-5, was adopted
at a regular Board Meeting on December 21, 2022, of said Agency by the following vote:


AYES: Camacho, Elie, Hall, Hofer, Tule

NOES: None

ABSTAIN: None

ABSENT: None

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 Devic Liza Date December 21, 2022



Marco Tule
Secretary/Treasurer of the Inland Empire Utilities Agency* and of the Board of Directors thereof

(SEAL)

*A Municipal Water District