

**Central Contra Costa Sanitary District
Enforcement
Summary of Title 10: Chapter 10.16 of District Code**

This fact sheet summarizes the Central Contra Costa Sanitary District's (the District) Enforcement Section that establishes enforcement mechanisms. For more detailed information on this section refer to sections 10.16.010 through 10.16.110 of the District Code. Title 10 can be found on our website at: http://www.centrsan.org/documents/Title_10.pdf

The enforcement mechanisms available to the District for violations of the provisions of the Ordinance, applicable District resolutions, and permit or permit contract provisions include the following:

- **Authority to Enforce (10.16.010).**
 - Federal and state statutes and regulations provide authority for the District's enforcement mechanisms against any person (user) utilizing the sanitary sewer.
- **Informal Administrative Actions (10.16.020).** Informal administrative actions include:
 - Phone calls
 - Meetings
 - Warning letters
 - Warning Notice
 - Notice of Violation
- **Administrative Orders/Compliance Schedules (10.16.030).** Administrative orders for non compliance include:
 - Cease to discharge (suspension of service)
 - Comply with requirements immediately
 - Make changes to their operational activities at the facility to insure compliance
 - If corrective actions must be completed, comply with a time schedule.
- **Sampling and Evaluation (S & E) Programs (10.16.040).** The S & E Program may be established if compliance or District sampling indicates a user is in significant non-compliance (SNC). If the S & E Program reveals non-compliance, the District may:
 - Charge the user for costs incurred for sampling and analysis.
 - Require additional sampling and evaluation.
 - Amend an existing permit to grant extensions.
 - Issue an Administrative Order.
- **Charges for Damage to District Facilities, (10.16.050).**
 - If a user causes damage, impairment, or an obstruction to the District facilities, the District may impose a charge on the user for the costs to clean, repair and/or resume normal operations. A service fee (25%) may be added to the District's costs.
- **Suspension or Termination of Service (10.16.060).** The District may suspend or terminate the sewer service to prevent:
 - Endangerment to the health of individuals or the environment
 - Interference with District operations
 - Violation of the District's NPDES Permit

- **Administrative Civil Penalties (10.16.065).** The District may conduct administrative hearings, and/or impose civil penalties for violation of the Ordinance. Maximum administrative and civil penalties are:
 - \$2,000 per day for late reports
 - \$3,000 per day for missing compliance schedule deadlines,
 - \$5,000 per violation per day for violations of permit conditions or other requirements imposed by the District
 - \$10 per gallon of discharge which violates any suspension, cease and desist, or other order or prohibition imposed by the District

- **Civil Action (10.16.070).**
 - The District counsel may bring civil actions to enforce provisions of this Ordinance and/or recover charges, fees, penalties, and/or damages. District counsel may request a permanent or temporary injunction.
 - The District may require compliance with permit conditions, by issuing cease and desist orders and compliance schedules.
 - A civil penalty of up to \$25,000 per day for each violation, for violations of this Ordinance, permit condition, or any ceases and desist order.

- **Criminal Action (10.16.080).**
 - Criminal Penalties may be imposed on any person who violates a permit, contract, administrative order, or prohibition. Upon conviction, it is a misdemeanor and punishable by a fine not to exceed \$1,000 or imprisonment in the county jail not to exceed thirty days, or both
 - Any person who knowingly makes false statements in any required document or who falsifies, tampers with, or knowingly renders inaccurate any required monitoring device or method should be punished by a fine or imprisonment or both if convicted. Each separate act of falsification shall constitute a new and separate offense.

- **Notification Procedures (10.16.090).**
 - If the District finds that a user violated or is violating the provisions of this Ordinance, the District may serve a written notice explaining the nature of the violation and the enforcement action being taken that prompts the user to respond within 30 days.
 - When a user discovers that it has violated or is violating a provision of the Ordinance, permits, or permit contract, the user shall immediately notify the District. Within five days, the user shall submit a written report to the District detailing the violation and measures taken to prevent similar recurrences.

- **Costs (10.16.100)**
 - The user shall pay for all costs associated with the proceeding of enforcement actions taken by the District (e.g. attorney's fees).

- **Response to Significant Non-Compliance (SNC) (10.16.110)**
 - Federal law requires the District to annually publish the names of all industrial users found to be in SNC in the newspaper. For the District, the newspaper where the SNC list is published is the Contra Costa Times.